

1898.
NEW ZEALAND.

POLICE FORCE OF NEW ZEALAND

(REPORT AND EVIDENCE OF THE ROYAL COMMISSION ON THE).

Laid on the Table of both Houses of the General Assembly by Command of His Excellency.

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COMMISSION.

RANFURLY, Governor.

To all to whom these presents shall come, and to ALBERT PITT, Esquire, a Barrister, JOSEPH WILLIAM POYNTON, Esquire, a Stipendiary Magistrate, and HERBERT SAMUEL WARDELL, Esquire, a Stipendiary Magistrate: Greeting.

WHEREAS allegations and statements have been lately made from time to time respecting the administration, efficiency, and control of the Police Force of the colony:

And whereas, in view of the public importance of the matter, both as regards the public and the members of the Police Force, it is expedient that full inquiry should be made into the several matters hereinafter mentioned:

Now, therefore, I, Uchter John Mark, Earl of Ranfurly, the Governor of the Colony of New Zealand, in pursuance and exercise of every power and authority enabling me in this behalf, and by and with the advice and consent of the Executive Council of the said colony, do hereby appoint you, the said

ALBERT PITT,
JOSEPH WILLIAM POYNTON, and
HERBERT SAMUEL WARDELL,

to be Commissioners for the purpose of inquiring into the several matters and things hereinafter mentioned and referred to, that is to say,—

1. The general organization, distribution, control, and enrolment of the Police Force of the colony as it now exists in its several branches, and the discipline and efficiency thereof, and in what respect the said Force, or any part thereof, could be better recruited, organized, controlled, or made more efficient.

2. The pay, emoluments, and rewards of the said Force, including any provision for superannuation or retirement therefrom, and the allowance of compensation thereon; and to make suggestions as to all or any of these matters, or in respect of allowances to be made to members of the said Force in case of illness or accident while in such Force, or by way of compassionate allowance to their wives or families in case of death.

3. As to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

And you are hereby directed to inquire into the said several matters aforesaid, at such place or places in the colony as you may think fit, by all lawful ways and means, subject to the terms of these presents :

And, for the purpose of such inquiry, you are hereby empowered to summon and have before you and examine on oath or otherwise, as may be allowed by law, all witnesses or other persons whom you may judge capable of affording you any information upon or in respect of the said several matters of inquiry hereinbefore mentioned, or any matter or thing arising thereout or connected therewith :

And also to have before you and examine any books, writings, records, or documents whatsoever which you shall deem necessary for your information in the premisses :

Provided that no inquiry shall be held by you into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct or for any other reason :

Provided also that if any allegation or statement is made before you which relates to or affects the personal conduct of an individual member or members of the said Police Force, you shall not enter upon any inquiry in respect thereof until the person so affected has had at least twenty-four hours' notice in writing of such allegation or statement, giving such particulars of time, place, and circumstances thereof as you shall deem sufficient ; full opportunity being afforded to any such person to cross-examine any witness giving evidence against him, and to call any evidence in reply which he may think fit.

And I do also require you, not later than the thirtieth day of April, one thousand eight hundred and ninety-eight, or as much sooner as the same can conveniently be done (using all diligence), to report to me under your hands and seals your proceedings herein, and your opinion touching the several premisses.

And I do further declare that this Commission shall continue in full force and virtue, and that, subject to these presents, you, the said Commissioners, shall and may from time to time proceed in the subject-matters thereof as you shall judge expedient, and that your powers and functions hereunder shall continue in full force, notwithstanding that the inquiry hereby directed may not be formally adjourned.

And, lastly, it is declared these presents are subject to the provisions of "The Commissioners' Powers Act, 1867," and its amendments.

Given under the hand of His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly ; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George ; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies ; and issued under the Seal of the said Colony, at Christchurch, this fourth day of February, in the year of our Lord one thousand eight hundred and ninety-eight.

R. J. SEDDON.

Issued in Executive Council.

T. H. HAMER,
Acting-Clerk of Executive Council.

R E P O R T,

To His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly,
Knight Commander of the Most Distinguished Order of Saint Michael and
Saint George, Governor and Commander-in-Chief in and over Her Majesty's
Colony of New Zealand and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed by your Excellency's Letters Patent of the 4th day of February, 1898, to inquire into the several matters and things hereinafter mentioned and referred to, that is to say,—

- (1.) The general organization, distribution, control, and enrolment of the Police Force of the colony as it now exists in its several branches, and the discipline and efficiency thereof, and in what respect the said Force or any part thereof could be better recruited, organized, controlled, or made more efficient:
- (2.) The pay, emoluments, and rewards of the said Force, including any provision for superannuation or retirement therefrom, and the allowance of compensation thereon; and to make such suggestions as to all or any of these matters, or in respect of allowances to be made to members of the said Force in case of illness or accident while in such Force, or by way of compassionate allowance to their wives or families in case of death:
- (3.) As to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony,—

have now the honour to report to your Excellency as follows:—

The scope of our inquiry has necessitated our visiting so many parts of the colony, and the hearing of so many witnesses, that we found it impossible to submit our report at the time originally appointed. We therefore applied for and received from your Excellency an extension of the time for presenting it.

In view of the great public interest in the matter of our inquiry we deemed it advisable to admit the Press and public to our sittings, and to give all parties desirous of bringing any matter under our consideration, or against whom any complaint was made, the right to appear by counsel, and advertised the arrangements in all the daily newspapers of the colony.

The opportunity thus afforded was taken advantage of to lodge complaints of a more or less serious character against individual members of the Police Force of all grades, and to make charges of maladministration, negligence, and general inefficiency against the Force as a whole.

Many of the complaints and charges so preferred have on investigation proved to be of a very trivial character, but nevertheless a considerable time was occupied in their investigation, and a large amount of evidence taken which swells the bulk of the records we have to submit to your Excellency, while others were of an important character, and will be commented on in this report.

In the early part of our inquiry we took evidence of matters forming grounds of complaint against the Police Force which occurred subsequent to the date of our Commission, but afterwards, having held that our inquiry was limited to that date, we refused to receive evidence on such matters.

PART I.

Organization.

At the passing of "The Abolition of Provinces Act, 1875," there existed a Police Force in each province, under the control of the Provincial Executive, enrolled under "The Constabulary Force Ordinance, 1846," and Armed Constabulary Acts of 1867 and 1869.

No alterations in the law governing the Force took place until the passing of "The Police Force Act, 1886," which is still in operation, and which controls the administration of the Force. By section 17 of that statute it is provided that all officers and constables enrolled under the Armed Constabulary Acts of 1867 and 1869, and serving as a Civil Police Force, shall be deemed to have been duly appointed to the Police Force constituted under "The Police Force Act, 1886." By sections 2 and 3 of the said Act the appointment of officers and constables, and by section 11 the employment and distribution of the Force, rests with your Excellency, while by section 10 the power to dismiss constables is given to the Commissioner of Police. The control of the Force is therefore with your Excellency, acting by the Minister in charge of the department, the Commissioner of Police, while possessing certain powers under the Act and exercising a limited authority in certain departmental matters, being really in the position of an Under-Secretary.

Strength.

The total strength of the Force of all classes, exclusive of district constables, for the years 1891–98 was as under:—

	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.
Inspectors ...	12	7	7	7	7	6	7	7
Sergeants ...	62	60	53	55	51	51	45	56
Detectives ...	14	14	14	13	13	13	12	16
Constables ...	404	401	407	410	416	404	452	457
Totals ...	492	482	481	485	487	474	516	536

Distribution.

The distribution of the Force in the colony on 31st March last was as follows:—

Police District.	Inspectors.	Sergeants.	Constables.	Detectives.	Total.
Auckland ...	1	10	91	5	107
Napier ...	1	4	37	1	43
Wanganui ...	1	3	32	...	36
Wellington ...	1	9*	80	4	94
Nelson and Westland ...	1	6	33	...	40
Christchurch ...	1	9*	91	4	104
Dunedin ...	1	15	93	2	111
	7	56	457	18	536

* Including one sergeant-major.

The Force was distributed in the districts as follows:—

Districts.	Inspectors.	At Head Station.		Detectives.	Number of Out-stations.	At Out-stations.	
		Sergeants.	Constables.			Sergeants.	Constables.
Auckland ...	1	4	39	5	52	6	56
Napier ...	1	1	8	1	27	3	29
Wanganui ...	1	1	5	...	21	2	27
Wellington ...	1	5	34	4	30	4	46
Nelson and Westland ...	1	1	5	...	21	5	28
Canterbury ...	1	4	32	4	36	5	59
Dunedin ...	1	5	29	2	49	10	64

There are 110 mounted men included in the number of constables given above, of whom eleven are at head stations and ninety-nine at out-stations.

Each rank is divided into three classes, the number of each of which was, on 31st March last, as follows :—

	First Class.	Second Class.	Third Class.
Inspectors	6	1	1
Sergeants, including two sergeants-major	24	14	18
Constables	126	115	216
Detectives	4	4	3

Rank and Service.

The service of each rank on 1st February, 1898, is shown in following table :—

Ranks.	Under 1 Year.	1 Year to 2 Years.	2 Years to 3 Years.	3 Years to 4 Years.	4 Years to 5 Years.	5 Years to 6 Years.	6 Years to 7 Years.	7 Years to 8 Years.	8 Years to 9 Years.	9 Years to 10 Years.	10 Years to 15 Years.	15 Years to 20 Years.	20 Years to 25 Years.	25 Years to 30 Years.	30 Years and upwards.	Total.
Inspectors—																
First-class															5	6
Third-class													1			1
Sergeants-major														1		2
Sergeants—																
First-class													4	6	8	18
Second-class												2	6	4		12
Third-class												7	11	6		24
Constables—																
First-class											4	34	45	11	7	101
Second-class	1		1				1	2	1		35	62	4	7		114
Third-class	68	31	31	12	21	11	8	17	19	10	12					240
Detectives—																
First-class												2	1	1		4
Second-class												1	2			3
Third-class										3						3
Fourth-class							2	1	1		1					5
Total	69	31	32	12	21	11	11	20	21	13	53	107	74	37	21	533

District Constables.

In addition to the regular Police Force, of which the numbers have been given, there are fifteen district constables, six of whom are in the Auckland, three in the Wellington, two in the Nelson, and one in each of the other districts. These men are residents in localities where there is no regular police officer, who have been sworn in as constables, and who receive a small salary in respect of their being occasionally called upon to perform local police duty. They wear no uniform, are not liable to be transferred, and are under but little supervision. They are useful in the absence of regular police, but are regarded as a "make-shift," and will disappear as settlement advances, and the Force becomes strong enough in numbers to supply their places with trained constables.

Increase of Strength necessary.

The department has not kept pace with the growth of the colony in population and settlement, and to meet present requirements a considerable increase of the strength of the Force is necessary, notwithstanding that sixty men have been added to it during the last two years.

In each of the large towns the number of constables on street duty is, in the opinion of the local Inspectors, below the requirements, while there is no reserve to fill temporary vacancies caused by men being employed on special duty, such as the escort of prisoners from place to place, attending the Courts, races, and other public gatherings, absence on leave and sickness; these and many other matters reduce very seriously the number of constables available for ordinary street duty, so that the "beats" in the cities are frequently unfilled.

The evidence shows it not to be an unusual circumstance for the number of constables on street duty to be about half the number required to occupy the beats of the cities; indeed, in all the towns we visited we heard of the beats not being filled.

It is absolutely necessary for efficient police supervision that the beats should not be too large, and that they should be occupied, and to secure this there ought to be a reserve of at least ten men and one sergeant at each of the four chief towns; and to meet the requirements of the smaller towns and country districts not less than ten additional men should be at the disposal of the Commissioner to be located as he may deem advisable. There are some suburban districts with from five hundred to a thousand inhabitants having no constable within miles of them.

The detectives in the Force are fairly capable men, but their number at some stations is insufficient.

Infirm Members.

There are in the Force aged and infirm men who have reached the stage at which they are no longer efficient, but who are apparently retained because those in command of them have been unwilling to take action which would result in their being removed from a position on which they depend for their living. The regulation, No. 10, by which officers were required to retire at the age of sixty-five, and other members of the Force at sixty, having been revoked in 1888, retirement at a given age is not now compulsory, and in the absence of any retiring-allowance men hold to their office as long as possible. A compassionate allowance is made in cases of men declared by a medical Board unfit to be retained in the Force, and also under some special circumstances, but no right to it exists.

Comparative Strength in Australian Colonies.

The proportion of police to population in this colony, compared with that of the neighbouring colonies, as exhibited in the following table, gives weight to our opinion that the Force in this colony is below efficient strength:—

New Zealand	...	...	...	...	...	1 to 1,435
South Australia	...	...	...	...	...	1 " 1,100
New South Wales	...	...	...	...	...	1 " 702
Victoria	...	...	...	...	...	1 " 833
Queensland	...	...	...	...	...	1 " 578
Western Australia	...	...	...	...	...	1 " 335

From the figures given of the strength of the Force from 1891 to 1898 it will be seen that the number of sergeants was gradually reduced from sixty-two in 1891 to forty-five in 1897.

Promotions.

The return of promotions, which will be found in the Appendix, shows that during the years 1891 to 1897 only one constable was raised to the rank of sergeant, while promotion from class to class was very slow. In some cases promotion was barred by records upon the constable's defaulter's sheet of trivial offences committed many years before, the result of inquiries conducted in a manner which placed the constable at a great disadvantage. The effect of this has been to greatly discourage the men, produce discontent, and reduce to a minimum the *esprit* of the Force.

Transfers.

While there has been so little promotion, there have been necessarily many transfers from station to station, many of which were not acceptable to the men concerned, while others had been eagerly sought for.

Outside Offices.

Many offices under the Government and local bodies which impose duties outside those of a police officer are held by constables at out-stations, the emoluments of which vary considerably, as do also the conveniences and expenses of life at different stations; consequently strong efforts are made to secure the better stations, success in the obtaining of which gives rise to jealousy and dissatisfaction, founded on a suspicion that unfair means have been resorted to to obtain them.

The holding of these offices puts the constable in the position of having to serve many masters, while the work interferes at times with his police duties. These offices are as follows:—

UNDER GENERAL GOVERNMENT.

Clerk of Magistrate's Court.
 Clerk of Warden's Court.
 Bailiff.
 Receiver of Gold Revenue.
 Mining Registrar.
 Agent of Public Trustee.
 Registrar of Births, &c.
 Registrar of Electors.
 Inspector of Factories.
 Inspector of Weights and Measures.
 Labour Agent.
 Collector of Statistics.

UNDER LOCAL BODIES.

Clerk of Licensing Committee.
 Registrar of Dogs.
 Inspector of Nuisances.
 Poundkeeper.
 Ranger.
 Inspector of Slaughterhouses.
 Inspector of Kerosene-stores.

It is objectionable, for many reasons, that constables should hold these offices, and is only excusable on the ground that, the constables being paid less for the work than any one else would be, it is economical. There are, however, localities, in which a constable is stationed for special reasons, where, but for these offices, he would have but little to do, and the objection to them being held does not so strongly apply. We are of opinion that the office of Clerk of Court should not be held by a constable where the civil complaints exceed, say, one hundred in number for a year, on the ground that it must interfere with his police duty.

Connection between Police and Permanent Artillery.

A close connection exists between the Civil police and the Permanent Artillery from the fact that members of the latter body, on joining the police, have to answer in the affirmative the question, "Are you willing to undergo a course of ten days' drill annually?" For two years an effort was made to keep up this drill, but it was found to interfere so seriously with police arrangements that it has been discontinued. The Commander of the Forces informs us that, although he has on two occasions called for the Permanent Artillerymen in the Police Force to appear for drill, they have not been able to do so as they could not be spared. In some instances, under the supposed authority of section 75 of "The Defence Act, 1876," members of the Permanent Artillery have been employed on ordinary police street duty—a duty for which they are quite untrained. We think it very important that the respective duties of the two bodies should be clearly defined.

Discipline.

We find a considerable want of that strictness of discipline which is essential in a Force such as the police. This is evidenced by the demeanour and behaviour of men more or less in all the districts, but we were more struck with it at Christchurch, Napier, and Auckland. Throughout the colony we observed a bad habit which the constables have of gossiping while on beat duty. This want of discipline is probably attributable to a great extent to the want of efficient supervision by sergeants—a class until quite recently very much below, and still below, the number required—and to the large number of young untrained constables in the Force. In Auckland the senior constable of ten on night duty for a month was one of just two years' service.

Young constables newly enrolled are placed upon street duty without preliminary training. For a time a constable of longer service accompanies the new man on his beat, but this training is insufficient. By circular of the 30th April, 1896, an order was given that all constables available should be instructed and catechized weekly by non-commissioned officers on subjects appertaining to police duties, and that Inspectors should themselves give a lecture monthly to all their subordinates available, and catechize them on the duties they have to perform, but this instruction has not been carried out in a systematic manner. The nearest approach to a proper execution of the order has been in Wellington. The result is that important and responsible duties are intrusted to inexperienced men not trained to perform them.

Political Influence.

There undoubtedly existed until very recently a strong feeling in the Force, and it probably still lingers, that to secure promotions or appointments to a good station—that is, one at which the emoluments for extra duties are considerable, the cost of living low, and the quarters good—it was necessary to have recourse to influence outside the Police Department,

and that, in order to reach the Minister at the head of the department, it was desirable to obtain the assistance of some member of the Legislature or friend of the Minister; and, acting on that opinion, this influence has been resorted to in many cases. The practice is not of recent origin—it has been in existence more or less since the abolition of the provinces, and under successive Ministries.

The influence thus invoked, so far as our inquiries have enabled us to ascertain, has been exercised more frequently with a view to remedy a supposed wrong or injustice than to obtain special favour in the way of preferment, and without much success; but that it has been used with both objects is established by the evidence we have taken. In no case, however, has it been proved that political services were urged or suggested as the ground for consideration or preferment. In the majority of the cases which have come under our notice the Minister appealed to has replied firmly that the arrangements of the department could not be altered. In a few cases only the concession asked for was granted.

The late Commissioner (Colonel Hume) has informed us that letters marked "Private" are not put on the file, but are usually destroyed, and are therefore not produceable. We can, consequently, form no opinion as to the extent to which influence used in this way may have been successful in securing the advancement of members of the Force. That such influence has been used we can have no doubt—it is used in every service and every State.

As illustrative of the point to which reliance upon support from outside the department has reached, one Inspector (Pardy) stated that a constable had told him that he had sufficient influence to overrule him and the Commissioner too; and a member of the Legislative Council told us that he had been many times applied to by policemen and their friends for his assistance, and had written or wired to Ministers about them; he also stated to us that on one occasion a constable had taken two telegrams already written and addressed to the Minister or to the Commissioner for his signature, and that he had signed one of them: he added that it did not secure its object.

The promotions made during the latter part of last year and the beginning of this year have done much to create a more contented and hopeful spirit in the Force, and we have no doubt will tend to destroy the feeling that outside influence is necessary for advancement.

It is of the highest importance, in order to secure efficiency and proper discipline, that this feeling should cease to exist, and that men should realise that promotion depends on their efficiency and the good opinion of their own officers, and it should be regarded as the duty of all prominent men, politicians especially, to abstain from using their influence on behalf of members of the Force, and not encourage them to break one of the Police Regulations, and so expose themselves to punishment; but so long as the internal affairs of the Force are under the personal control of a Minister it is probable the influence referred to will be brought to bear upon him.

Alleged Sectarian Influence.

It has been stated in evidence before your Commissioners that members of the Force of the Roman Catholic faith are in charge of the majority of the out-stations, and it has been suggested that they have been favoured by Inspectors of that creed. The returns show that 101 Roman Catholics are in charge of out-stations, and 134 Protestants. The suggestion that the members of the Roman Catholic Church have been specially favoured appears to us to be unsupported by facts.

A large proportion of those who joined the Force many years ago, and who are now in charge of stations, were men who had been members of the Irish Constabulary, who in process of time have become senior members of the Force and are numbered amongst its most efficient constables. Of the Inspectors four are Roman Catholics and three Protestants. The proportion of Roman Catholics holding stations is 42·9 per cent., while the percentage of Roman Catholics in the Force is 41·6.

Efficiency as shown by Crime Returns.

Notwithstanding all that we have referred to, the work of the police has been fairly satisfactory in the detection of crime and preservation of order.

As bearing on this subject, we submit for your Excellency's information a statistical analysis of the annual returns, showing in tabular form the proportion of persons sum-

moned or apprehended to the number of crimes reported during the last eleven years. It is obvious that such proportion, if the figures are correct, will reveal the efficiency of the police from year to year :—

Year.	Total Number of Crimes reported in each Year.	Number of Persons summoned or apprehended.	Percentage of Persons summoned and arrested to Crimes reported.	Population of Colony.	Proportion of Police to Population.
1886	18,135	17,000	93·7	635,215	1 to 1,265
1887	17,752	16,500	92·9	646,913	" 1,328
1888	12,897	11,854	91·9	652,125	" 1,347
1889	12,945	11,885	91·8	664,855	" 1,346
1890	13,115	12,177	92·8	668,353	" 1,375
1891	12,674	11,748	92·6	675,775	" 1,401
1892	13,153	12,187	92·6	692,426	" 1,439
1893	13,165	12,100	91·1	714,258	" 1,472
1894	13,530	12,100	89·4	728,121	" 1,495
1895	14,010	12,435	88·7	740,699	" 1,530
1896	14,673	13,171	89·7	754,016	" 1,461
1897	15,219	14,042	92·2	768,910	" 1,435

This table shows that the proportion varies but slightly annually. On the whole there has been a slight decrease in the proportion of persons summoned or apprehended to the number of reported offences. It must be observed that during the same period the proportion of police numerically to the population decreased to a much greater degree until the year 1895, when it reached its lowest point. It is clear that the number of detected crimes compared with the number of those reported, all other things being equal, varies as the strength of the police to the population. In 1886 the proportion of persons summoned or apprehended to the number of reported offences was 93·7 per cent., and in 1895 it was 88·7 per cent. In the former year the proportion of police to population was 1 to 1,265, and in the latter year 1 to 1,530, being a large decrease. Making allowance for this, we cannot find that there has been a falling-off in the efficiency of the Police Force during the period covered by these figures.

By circular No. 18, 1888, officers in charge of districts were directed, when compiling annual returns, to include only those offences for which persons had been or were liable to be arrested, and omit those relating to breaches of by-laws of local authorities, breaches of the Licensing Acts, Rabbit Nuisance Act, &c. If particulars of these cases had been continued in the returns the percentage of persons summoned, &c., would have been greater than appears on the annual table. These returns should show the number of cases under the Licensing Acts, and give particulars for each district as well as for the whole colony.

RECOMMENDATIONS.

After careful inquiry into the present condition of the Police Force, its organization, emoluments, and control, and into the several matters and things connected therewith referred to us by your Excellency's Commission, we submit the following remarks and suggestions as the result of a careful consideration of the evidence given before us and the suggestions made by a large number of members of the Force of all grades, and of various terms of service, speaking for themselves or as delegates of men with whom they serve :—

Control.

The control of the Force being, as we have stated, given to your Excellency by the statute already quoted, it becomes a department under the charge of your Excellency's Ministers. The effect of this has been, in our opinion, to give rise to the desire which we have stated exists in the Force to get behind the officers of the department at the Ministerial head, and has led to that resort to political influence which has caused so much dissatisfaction to the men and to the executive officers of the department,

It appears scarcely necessary that the attention of a Minister of the Crown should be occupied with the internal arrangements of the Police Force, and we submit with all deference that in our opinion the Commissioner of Police, while controlled by the Minister as to expenditure and responsible to him, should have absolute authority as to all appointments, promotions, transfers, dismissals, and distribution of the Force.

The Commissioner of Police, to be intrusted with the powers we are proposing, should be a man of police experience and qualified for the office, and we are of opinion that in the present Commissioner of Police the colony has an officer admirably suited for the position.

Mr. Tunbridge, the present Commissioner, having attended the sittings of the Commission throughout the colony, has had an opportunity of forming an estimate of the individual character of a majority of the members of the Force, and of becoming acquainted with their various grievances and aspirations for the benefit of the body to which they belong, which must be of great value to him.

Districts.

A map showing the police districts will be found in the Appendix.

We recommend that the boundaries of the Districts of Nelson and Westland should be altered so as to include that portion of Marlborough now forming part of the Wellington District, and that the headquarters of the district should be at Nelson instead of Greymouth, as at present; and that Kawhia, which is at present included in the Wanganui District, should form part of the Auckland District, and that the headquarters of the Wanganui District should be removed from New Plymouth to Wanganui. We are informed that the Wanganui headquarters was established at New Plymouth in consequence of Native troubles in the neighbourhood of Parihaka, but no reason appears to your Commissioners for the continuance of that arrangement. We consider that Palmerston North and the present out-stations adjacent thereto, all which now form a part of the Wellington District, might well be added to the Wanganui District. The City of Wellington, with its rapidly increasing population and its other out-stations, will furnish full employment for the Inspector, sergeants, and men of that district. The alterations now proposed will, in our opinion, conduce to the more efficient working of the districts affected by them.

The districts of Auckland, Wellington, Christchurch, and Dunedin each cover a very large area, and the duty of visiting the numerous out-stations necessitates frequent and, occasionally, long absence of the Inspector from headquarters. At such times the local charge is shared by a sergeant and the district clerk, although he may rank only as a constable. This is inevitably attended with loss of discipline and efficiency.

Sub-Inspectors.

With a view to remedy this, we suggest the appointment of a class of Sub-Inspectors, at a salary of £250, one of whom should be stationed in each of those districts. These officers would be qualified and fitted to inspect the out-stations or take charge of headquarters in the absence of the Inspector, and would be available for relief duty in cases of emergency.

Sub-Districts.

We are aware that Mr. Commissioner Tunbridge has initiated a system of sub-districts, each comprising several out-stations, each sub-district to be under the charge of a sergeant. We strongly advise that this system should be carried out throughout the colony. It appears to us a convenient way of securing the frequent inspection of out-stations, without which no satisfactory discipline and efficiency can be secured.

Retirements.

For the sake of the efficiency of the Force it is desirable that the retirement of constables and sergeants at the age of sixty years should be compulsory, and of Inspectors at the age of sixty-five years unless specially requested to retain office.

We do not consider it necessary or advisable that we should name the constables or sergeants whose services we consider should be dispensed with on this ground. The Commissioner of Police, having accompanied us on our journey through the colony, personally inspected the men, and heard all the evidence adduced, is in a position to do this, and we recommend that his opinion be acted upon in the matter.

With regard to Inspectors, however, we find it to be our duty to make special recommendations.

The inquiries made at Napier have satisfied us that Inspector Emerson is no longer fitted to hold his office. With age he has lost the activity and energy of mind and body which are necessary for the proper discharge of his duty; his conduct of late has been in many respects unbefitting his position, and he has lost the necessary control of the men serving under him, and his services ought to be dispensed with.

Inspector Emerson, after having served with great credit in the Royal Irish Constabulary, joined the New Zealand Force in 1864, and has held the rank of Inspector since 1868. As an Inspector he has done good service in times of war and peace. We, taking all the circumstances into consideration, recommend that he be called upon to resign, and that on resignation he be granted such retiring-allowance as, having regard to the result of our inquiries at Napier, recorded in our special finding, concerning him, your Responsible Advisers may consider proper.

At Auckland and at Christchurch we found the discipline very lax, and a want of the close personal supervision and knowledge of the men which we consider essential on the part of the Inspectors.

Inspector Hickson has served as Inspector for twenty-six years, and has been a valuable and efficient officer, but by reason of age has lost the energy and capacity necessary for charge of such a district as Auckland, the area of which is very large and comprises fifty-two out-stations, some of which he has not visited at all and others but seldom during the five years he has been in charge of the district. In our opinion, with a view to the efficiency of the Force, Inspector Hickson should be called upon to resign, and on his doing so be granted the usual retiring-allowance.

Inspector Broham does not appear to us to have that interest in the details of his duties which is desirable, and, contrasting the state of efficiency and discipline of the Force in his district with that of Wellington and Dunedin, we are convinced that the fault is greatly due to the want of vigilant supervision by Inspector Broham, and we recommend that his attention be called to the necessity for more personal energy in the supervision of the men under his charge in town and country, and in the enforcement of the rules and orders regulating the Force.

Depot.

We recommend the establishment of a central depot at Wellington for the training of recruits for the colony. This is a matter which we regard as being of the highest importance. It is unfair to the constable as well as to the public that he should be put on street duty without preliminary training, as is now done. He is armed with much power, and his ignorant use of it may cause serious mischief to the public and himself. Fortunately, those cases which have been brought to our knowledge in which constables have so erred have not been of a grave character.

Enrolment.

Recruits should spend at least four months at the depot, and while there should be diligently trained in all matters relating to police duty by sergeants selected by the Commissioner for the purpose. The subjects in which they should be trained should include the law relating to police duties, functions, and powers, ambulance work and first aid, athletics, simple drill, and other matters ordered by the Commissioner. Ambulance instruction might be given by the police surgeon; no one to be received as a recruit unless he passes an educational test examination to be fixed by the Commissioner.

During the period of training recruits should be paid 4s. a day, with free quarters in barracks. They should not be enrolled as constables until they shall have passed a satisfactory examination. The details of such examination should be arranged by the Commissioner.

Depot training is the method adopted in the chief Police Forces of the Empire, and we regard it as essential to a good Police Force, and believe that with such a system as we now recommend the general efficiency and status of our Force would be greatly increased and the colony thereby benefited.

The system of enrolment established by Police Regulations Nos. 7 and 59 is that all vacancies in the rank of third-class constables shall be filled from the Permanent Militia exclusively, but this, not proving satisfactory, was modified by Order in Council of the 12th March, under which persons not serving in the Permanent Militia may be enrolled.

The departmental records show that a number of irregular appointments were made to the Force in contravention of the regulations limiting the selection of recruits to members of the Permanent Artillery. Most of them were made after it was found that this system had broken down.

There appears to have been no injustice done, as there were no men available at the time in that body who might have complained of being passed over.

The Commander of the Forces tells us that the system of enrolling men for the police from the Permanent Artillery is most unsatisfactory from his point of view, as it deprives the Military Force of many of its best men, whom it has taken a long time to train, and the benefit of whose training is lost to the colony in consequence of their gun practice not being kept up. It was arranged that they should have ten days' drill annually, but they have not been able to attend in consequence of the extent to which it would weaken the Police Force; even if they did attend it would not, in his opinion, be sufficient to keep them up to the necessary standard of efficiency.

We recommend that the present connection between the Permanent Artillery and the Police Force should cease.

From a police point of view the Permanent Artillerymen are not the best recruits, they having for the most part acquired habits quite inconsistent with their new duties. We are of opinion that recruiting for the police should be from the general public and not from any military body; but, taking into consideration the fact that some men may have joined the Permanent Artillery with the view of entering the Police Force, we feel it would be right that the opportunity should be given them of doing so, and suggest that all who desire so to do should be called upon to send in their applications by a date to be appointed, after which none should be received. Their admission to the Police Force should be dependent upon the Commissioner of Police being satisfied as to their suitability. All applications for enrolment should be made to the Commissioner, who should direct inquiries into character and fitness to be made personally by a police officer of rank not below that of sergeant. No candidate should be enrolled under twenty years or over thirty years of age, and not unless the Commissioner be satisfied as to his personal fitness and educational qualifications.

We recommend that the present standard height of 5 ft. 9 in. be maintained, with a chest measurement of 38 in.

Detectives.

We consider it desirable that the present regulation limiting the choice of men for the detective branch to members of the Police Force should be abolished, and that the Commissioner should have the power to appoint any person he may consider suitable to be a detective notwithstanding he may not have served in the Force, provided he has passed the examination required to be passed by constables.

The Commissioner should have power to appoint any detective to be Chief Detective at any station.

Promotions.

Promotions from the rank of constable to that of sergeant should be on the ground of personal fitness combined with efficient police service, and not on the ground of seniority alone. Seniority should be taken into consideration only when other things are equal. Cases of exceptional zeal and ability in the prevention or detection of crime, or special ability in other branches of the service, should be ground for this promotion; but no constable should be appointed a sergeant until he shall have passed an examination in the law of evidence and in the elements of criminal law. This examination should not be competitive.

All promotions should be absolutely at the discretion of the Commissioner, and notified in the *Police Gazette*.

We recommend the abolition of the rank of sergeant-major.

Abolition of Classes.

The existing division of each rank into classes has been the cause of much discontent and jealousy. Its object is to hold out a prospect of obtaining an increase of pay by promotion from one class to another in the rank to which the member of the Force belongs; but, in the absence of any rule governing these promotions, it has given rise to the greatest dissatisfaction. The abolition of classes, and an increase of pay with length of service, will

secure a uniformity of salary throughout the Force commensurate with length of service. We therefore strongly recommend that classes in all ranks be abolished.

Transfers.

The removal of police officers from one place to another is a necessity of the service; but we have found a difference of opinion on the subject of the advantage of frequent removals. Some of the witnesses have asserted that the longer a constable is at one station the better he becomes acquainted with the people and the greater his facilities become for the performance of his duty. On the other hand, it is represented that the familiarity and intercourse with the people arising from a long residence in small communities lead the constable into relationship with one section of the community, which generally results in partisanship, and he becomes identified with local squabbles, with the result that he is regarded as antagonistic to another section of the community.

It appears to us that a man in the position of a constable in charge of an out-station in a country place can hardly avoid forming alliances and acquaintances which tend against the efficient discharge of his duty, and that it is undesirable that any officer should remain in charge of any one out-station for more than five years.

There is another reason in favour of removals at as nearly as possible regular intervals, in the fact that there is a great diversity in the conditions of life at the various out-stations. At some there are good quarters, with pleasant surroundings and cheap living, while at others there are none of these. We have already pointed out the jealousy and envy with which officers who have been long in charge of the favourite stations are regarded by those who, though of equal service, find themselves for many years in stations where they are without any of the advantages possessed by their more fortunate comrades. Transfers at intervals of five years, or less in cases of particularly unfavourable stations, would give each officer in charge a share of the good and bad stations, instead of, as at present, men remaining at one station, good or bad as the case may be, fifteen or twenty years.

Frequent removals of course involve expense, but we are satisfied the expenditure will be for the benefit of the public and the Force.

There is a proper existing rule that the charge of stations shall be given only to married men, but we see no reason why a constable who becomes a widower, but who has grown-up daughters or a respectable woman as housekeeper, should not be allowed to retain charge of a station.

Uniforms.

We are of opinion that sergeants and constables should be supplied with uniforms free as in the case of prison warders. The charge upon the wages of sergeants and constables for the cost of their uniform is a very serious one, and we strongly recommend that their representation in regard to this contained in the evidence should be taken into consideration, and that they should be supplied with the following articles of uniform free, viz.: One tunic, one shako, two pairs trousers or pants, two pairs boots—annually; one mackintosh every second year; one overcoat every third year.

It is desirable that the number of the constable should be more conspicuous on the uniform, and we suggest that the number-plates now worn on the shako should be larger, and that the number should be embroidered on the tunic or in some other way made conspicuous: as now worn it is not.

Bicycles.

We recommend that the use of bicycles by the police should be encouraged, as they have been proved to be of great assistance in police-work. In suburban and country districts, where police are few and far between, they are of especial usefulness, and in some cases have been provided by constables in charge of stations at their own cost. It is desirable that in cases where they can be used with advantage they should be supplied, and that all machines, including those provided by constables and used on police duty, which may be damaged in the service should be repaired at the cost of the department.

Police Surgeons.

Police surgeons should be appointed by the department, at fixed salaries; they should attend sick constables and sergeants in barracks or other quarters within certain areas, and

give medical certificates in cases that require them. They should also attend police-cell cases when required, and render such other medical service as may be arranged in connection with a pension system or otherwise.

At present constables have to obtain certificates at their own cost, and are at times put to the expense of paying their medical attendants for repeated certificates of unfitness for duty when suffering from slight illness. Such certificates are often received with suspicion of malingering, which would no longer exist if the certificates were given by the police surgeon.

Medical attendance on sick constables and sergeants should be free, the usual deduction being made from their pay while on the sick-list, except in cases of injury received in the course of duty.

Inquiries.

There is a rankling sense of injustice felt by some constables owing to records of offences being on their defaulters' sheets, in respect of which they feel they have not had a fair trial. Some go so far as to say that they have not been aware of their records until the sheets were produced to your Commissioners. We are satisfied that in many cases the men have good grounds for complaint. Investigations were, a few years back, conducted in a perfunctory way, and the Inspector, in many instances, was the prosecutor and judge combined. But few instances of this have taken place in recent years; but that Inspectors not now in the Force have behaved in a despotic manner we have no doubt, and the evil results of their acts still remain. It is very desirable that there should be a feeling amongst the members of the Force that punishments are imposed only after a fair trial. We recommend that when an Inspector is conducting an inquiry the evidence should in every case be taken in writing, and signed by the witnesses; that a copy of the decision should be given to the sergeant or constable immediately after it is delivered; and that it should state, in the case of a conviction, whether or not it is to be recorded on his defaulter's sheet. Should the constable or sergeant desire to appeal against the Inspector's decision, he should have the right of appeal to the Commissioner. In the event of appeal the evidence should be taken on oath before a Stipendiary Magistrate, and forwarded to the Commissioner with a report by him on the case. This would give the Commissioner the advantage of having evidence taken on oath, and the case presented to him from the point of view of a man trained in the laws of evidence and wholly disinterested, on which to form his judgment, without in any way interfering with his discretion, as the final decision should rest with him.

The record of trivial offences on a constable's defaulter's sheet should be cancelled after five years' good conduct.

Retiring Allowance.

Although there is no allowance on retirement as of right, it has been the practice for years to grant to constables an amount not exceeding one year's pay as compassionate allowance. In the case of Inspectors, up to two years' pay.

Reappointment after Compensation.

Three cases have been brought to our knowledge where officers have retired on compensation and have been subsequently reappointed to the Force on the understanding that the amount paid to them should be refunded, but this has not been done.

It has been suggested that these men have been favourably treated by the department in being allowed to retain these sums.

In one case an Inspector (Moore) was, after being retired on compensation, readmitted to the Force as sergeant-major. The Minister telegraphed to him, "You are to be reinstated in the Police Force with rank sergeant-major. On first vacancy Inspectorship you to be promoted to your former rank as Inspector. Compensation paid to you to be refunded."

He afterwards contended that the proper interpretation of the Minister's telegram was that he was not required to refund the compensation until restored to his former rank. As the refund was not made the Minister informed him he had lost his confidence, and the officer remained and died in the rank of sergeant-major.

The colony has lost nothing by the amount not being repaid, except the interest, as the amount, if not paid to the officer, would in the usual course have been paid to his widow at his death.

In another case, a first-class constable (Cullinane) who retired on compensation was allowed to rejoin as third-class constable.

The third case was that of a third-class constable (Hattie) who, after retiring on compensation, was allowed to rejoin with the loss of his long-service pay and seniority.

These men have not been in a position to refund the money received as compensation, although each promised to do so, and have been allowed to remain in the Force.

In all these cases the position taken up by the officer was that, as neither his former position nor pay was given him, it was not reinstatement.

As in the first case mentioned, the only loss the colony suffers is the interest on the sums paid to the time these men may be again retired, as no second compensation can be paid.

As the result of our inquiries we acquit the department of blame in respect of the case of Inspector Moore, but in the other two cases we consider too great indulgence has been shown; and in future repayment of the compensation—in full, if the reappointment be to former rank, or in part, if to an inferior one—should be antecedent to the reappointment.

Hours of Duty.

The day is divided for street duty into the following reliefs: From 5 a.m. to 9 a.m., 9 a.m. to 1 p.m., 1 p.m. to 5 p.m., 5 p.m. to 9 p.m., 9 p.m. to 5 a.m.

Men on duty from 5 to 9 a.m. go on again from 1 to 5 p.m.; those on from 9 a.m. to 1 p.m. are on duty again from 5 to 9 p.m. The night-duty men who come off at 5 a.m. do not go on again until 9 p.m., but have to attend the Court sittings during the day as required.

The night-duty relief of eight hours is long and wearying work. To keep the men up to their duty sergeants are appointed in the cities to visit them at intervals during the night, but in the country towns there is practically no supervision. We have examined witnesses with a view to ascertaining if there is any plan by which the eight hours' night duty might be shortened, but without success. In order to secure the night duty being efficiently done it is necessary that the sergeants should be sufficient in number, and vigilant and earnest in the discharge of their duty.

It is desirable to introduce a regulation forbidding all members of the Force, and especially detectives, to give unauthorised information relating to police matters to the Press.

Any information to be given to the Press should be given by the officer in charge of the station, and no one else.

Relieving Allowance.

Some dissatisfaction exists in the Force in respect of the travelling-allowance made to constables on relief duty. Formerly, under Regulation 239, they were paid their actual expenses; but that regulation has been altered, and single men now receive 1s. 6d. per day, and married men 3s. They complain that, after allowing for the ordinary cost of their mess, they have to pay more than they receive. We have no doubt this is so, and recommend the allowance be made 2s. 6d. per day to both married and single. We see no reason why the allowance to married men should be more than to single men.

Leave.

Under the existing regulations sergeants and constables are entitled to twelve days' leave in the year, but it is not cumulative, and they complain of this.

By the rules of the Force they are stationed away from the districts where their friends reside, and have usually long distances to travel to visit them, so that in many cases the greater part of their leave is spent in transit. The relatives of many of the men reside in Australia, and a visit to them is impossible with the leave now granted.

It should be optional with the constable whether the leave should be taken annually or allowed to accumulate for a reasonable time. We recommend that the annual leave be fourteen days, and that it be cumulative up to twenty-eight days in two years; and in the case of those wishing to visit Australia, by permission, to six weeks in three years.

This alteration would not cause extra cost to the department, but effect a saving. When a constable goes on leave and his place is filled by one from elsewhere, the travelling-expenses of the relieving constable are paid by the department, and the fewer the occasions of such relief the less the expense to the department.

We find that at some stations constables are allowed a day off every fourth Sunday—a privilege not granted at other stations. It is desirable that uniformity of practice should exist in regard to Sunday leave as far as possible.

Police Quarters and Cells.

The police-stations at Wellington, Auckland, and Invercargill require immediate attention. At Auckland new barracks are about to be erected, which will provide the necessary and proper accommodation for the men; but the building used as the police-station is quite unsuitable and very inconvenient. At Wellington the accommodation is insufficient for the men, and the conveniences and lavatories very deficient—the walls stained and the plaster broken. At Invercargill the station-offices are so bad that they ought to be at once pulled down and a new building erected. At Oamaru there is want of more accommodation. A mess-room is much needed there, as, in consequence of this want, the constables have been boarding at hotels, which is very objectionable.

The condition of the police-cells generally has been brought under our notice by several witnesses, and we have personally inspected the cells at each place we have visited. The evidence of the witnesses and our observations require that we should represent the urgent need for change in the manner of treating persons held in custody in respect of charges of which they may not be proved guilty. The treatment of such persons contrasts very unfavourably with that of convicted criminals. It appears to be considered that, because occupants of the cells are unfortunate drunkards and outcasts, any place in which they can be safely secured is all that is required. The great majority of the cells are, when closed, little better than dark rooms, ventilated by a few perforations in the wall, without any resting-place but the floor, and from which access to proper sanitary arrangements is practically barred. There is a regulation that not more than three persons are to be confined in a cell at one time unless unavoidable, but we find that it is not a very unusual circumstance for more than the prescribed number to occupy them, and on such occasions the atmosphere becomes sickening. People arrested on Saturday who are detained until Monday suffer considerably, and women, we are informed, suffer especially.

We earnestly recommend that steps be taken to provide proper ventilation and light in all police-cells; that some arrangements be carried out to give means of access to proper sanitary conveniences; that hammocks—such as are supplied to prisoners in gaols—be provided at the cells for those in a condition to use them, and a seat or bench on which to rest by day. The blankets supplied for use in the cells are represented as being in some cases foul and infested with vermin; they are undoubtedly thin, and the colour is well chosen to hide dirt. The rule is to have them washed “every three months—oftener if necessary.” There was no evidence to prove this rule is not carried out.

PART II.

Pay.

The present pay in the various ranks in the Force is as follows:—

Rank.	First Class.	Second Class.	Third Class.
Inspectors*	£400 per annum	£350 per annum	£300 per annum.
Sergeants	9s. 6d. per day	9s. per day	8s. 6d. per day.
Constables	8s. "	7s. 6d. "	6s. 8d. "
Detectives	13s. 6d. "	12s. "	10s. 6d. "

Fourth-class detectives receive 9s. 6d. per day. Constables who joined before 10th February, 1887, receive 7s. per day, and 1s. per day extra after ten years' service. Those who have joined since 1st April, 1895, receive pay of £10 a month, equivalent to 6s. 8d. per day, and are required to insure at their own cost for the sum of £200, payable at sixty years of age or death. Sergeants are paid an additional 10s. a week as house-allowance when not

*£50 per annum house-allowance.

provided with quarters. Sergeant-majors, of whom there are two, receive 10s. 6d. a day. Unmarried constables are provided with free quarters in barracks, while married constables, unless in charge of stations, have to find their own quarters.

The rates paid to constables in the several Australian Colonies are as follows:—

	s.	d.	s.	d.		s.	d.	s.	d.		
New Zealand ...	6	8	to	8	0	Queensland ...	7	0	to	9	6 (c.)
New South Wales ...	7	0	"	8	0 (a.)	South Australia ...	7	0	"	8	0 (d.)
Victoria ...	6	0	"	10	0 (b.)	Western Australia ...	7	0	"	8	6 (e.)

(a.) With free uniform and a pension. (b.) With quarters, fuel, light, and water, or an allowance in lieu thereof; part of uniform free, and a pension. (c.) With a pension. (d.) With free uniform and a retiring-allowance of one month's pay for each year of service. (e.) With free uniform, lodging-allowance, and a benefit fund to which the State contributes.

From this it will be seen that the constables of the New Zealand Police Force are not only paid the lowest rates, but receive none of the other advantages enjoyed by the members of the Forces in the neighbouring colonies. The result of the low pay, together with the small number of men in the Force in this country in proportion to the population, is shown by the following comparison of the cost per head of the population in the several Australian colonies:—

	s.	d.	s.	d.		s.	d.
New Zealand ...	2	8	Queensland ...	6	11½		
Victoria ...	4	4	South Australia ...	4	1½		
New South Wales ...	5	0½	Western Australia ...	13	5¼		

Constables complain that the pay is insufficient: that after paying for uniform and life insurance there is no margin for saving, that in the case of married constables with children it keeps them in poverty. We believe these statements represent the actual fact, and it is one which operates strongly against the efficiency of the Force. It is true there are many applications for admission, but, if it is desirable, as we are convinced it is, to secure for the Police Force respectable and able young men who will enter it with an honest intention of doing their duty and making it a life's work, the rate ought to be higher.

Taking into consideration the wage paid in this country for ordinary labour and the lower mechanical arts, the character of the work performed by the police, the responsible nature of their duties, the class of men and the educational standard necessary for the proper performance of those duties, we recommend that the rates, subject to a deduction of 5 per cent. towards a Pension Fund, be as follows:—

	s.	d.
Constables—		
On joining ...	7	0 a day
After five years' service ...	7	6 "
" ten years' service ...	8	0 "
" fifteen years' service ...	8	6 "
" twenty years' service ...	9	0 "
Sergeants—		
On appointment ...	9	6 "
After three years' service ...	10	0 "
" six years' service ...	10	6 "
" twelve years' service ...	11	0 "
Detectives—		
On appointment ...	9	6 "
After three years' service ...	10	6 "
" six years' service ...	12	0 "
" nine years' service ...	13	6 "

and that a special allowance of 1s. per day be given to constables employed on plain-clothes duty.

District Clerks.—The position of District Clerk should be rewarded by special allowance. The position is a very responsible one and requires a man of superior education to perform its duties. We therefore recommend that the Clerk of each district be paid 1s. a day in addition to his ordinary Police pay.

We recommend that Inspectors on appointment be paid £300 per annum, with an increase of £25 every three years of service up to a maximum of £400. Sub-Inspectors £250 a year, with an increase of £10 every three years to a maximum of £280.

These rates of pay should apply to all present members of the Force, as well as to those who may hereafter join it.

Free quarters being provided for single constables in barracks, we consider the right of married constables to a house-allowance should be recognised, and an allowance of 8s. a week

granted them after three years' service, and the present allowance of 10s. a week continued to married sergeants. Widowers with families should receive the same house-allowance as married men.

It may be mentioned that we are informed the rate of pay given to constables in Great Britain and Ireland is from 30 to 50 per cent. higher than the wage of the class from which they are for the most part drawn.

Pensions.

At the present time men serving in the Force who may retire, or whose services may be dispensed with, whether on the ground of age, infirmity, sickness, or accident, or any other cause, have no claim for monetary assistance. It is true that a grant by way of compassionate allowance, or under section 15 of the Police Force Act, is made in most of these cases—indeed, so often that it may be regarded as a rule; but this is not satisfactory to the Force. The men feel that some reliable provision should be made for their future, and the majority have expressed their willingness to contribute from their pay and emoluments for the purpose of securing it. They do not approve of the present system of compulsory insurance.

The Police Force differs from other branches of the public service. Policemen for many years have to do dreary night duty, and it appears from the evidence that, although they are generally men of superior physical development, there is a tendency to break down at an age at which other Government employés are still vigorous. Their occupation exposes them to great risks of injury and disablement. The duty of a policeman appears to unfit him for any other kind of work, and he must retire at a comparatively early age if the Force is to be an efficient one. For these reasons we strongly recommend the establishment of a Police pension system, such as exists in connection with the Police Force of other colonies.

In making this recommendation we may be going against public opinion, as no other department of the public service now enjoys this advantage, but the special conditions of the Police Service appear to us to justify and require it.

We suggest the following as sources from which a pension fund could be formed:—

- (1.) Deductions of 5 per cent. from all Police Department salaries.
- (2.) All emoluments derived from offices outside police duty, less money out of pocket.
- (3.) Contributions from Government departments for which the police do work, approximately commensurate with the work done.
- (4.) Fines for breaches of Police Regulations.
- (5.) Interest on amount standing to the credit of Reward Fund with the Public Trustee.
- (6.) Contribution from the State of a sum approximating to the amount which would become payable to the present members of the Force as compassionate allowance under the present system; or an annual payment of the sum required to meet any demands beyond what the income of the fund will provide.
- (7.) If considered advisable, the amount of penalties recovered for offences under licensing-laws, gambling-laws, and Police Offences Act.

We submit the following scheme for retiring-allowance and pension, founded upon the evidence of officers of all ranks in the Force, and upon the systems in existence in connection with the Police Services in England, Ireland, Australia, and other parts of the Empire:—

Any police officer who shall retire on a certificate granted by a medical Board certifying that he is permanently unfit for duty, having five years' and less than fifteen years' service, shall be entitled to receive a retiring-allowance equal in amount to one month's pay for each year of service at the rate he may be receiving at the time of his retirement.

In case any police officer shall lose his life in the execution of his duty, or die while in the Force from injuries received in the execution of his duty, an amount equal to three years' salary at the rate paid him at the time of his death or injury shall be paid to his widow or children.

In case any officer shall die in the course of nature while in the Force, his widow or children shall be paid an amount equal to the total sum of his contributions to the pension fund.

Any police officer who shall retire on certificate as above, having fifteen years' service, shall be entitled to a pension of fifteen-fiftieths of his pay at time of retirement, and after

fifteen years an additional one-fiftieth for each additional year of service up to thirty years, when he will be entitled to the maximum pension of three-fifths of his pay.

No police officer shall be allowed to retire, except on certificate as above, unless he shall have served twenty-five years and have reached the age of fifty-five years.

Any police officer who shall, on certificate as above, be shown to be permanently disabled by injuries sustained in the execution of his duty shall be entitled to a pension irrespective of the term of his service, the amount of such pension to be at the discretion of the Commissioner; provided that it shall not be less than fifteen-fiftieths or more than three-fifths of his pay at time of receiving such injury.

Any police officer who shall be dismissed the Force, or who shall have voluntarily retired before reaching the age of fifty-five years, shall forfeit all claim on the pension fund.

By reference to the table showing the length of service of men in the Force it will be seen that there are seventy-four men of over twenty years' service, thirty-seven men of over twenty-five years' service, and twenty-one of over thirty years' service; of these one is now over seventy years of age, five are now over sixty-five years of age, twelve are now over sixty years of age, and twenty-six are over fifty-five years of age.

These men must therefore become an early charge upon the proposed pension fund, and to meet this it is equitable that the State should contribute to the fund as we have suggested.

In order to arrive at an approximate estimate of the amount of that contribution, we must refer to the payments that have actually been made, and to the liability of the State under the Police Force Act, section 15. That section empowers your Excellency, out of moneys voted for the purpose, to award to any officers or constables such sums of money as shall seem meet as, *inter alia*, compensation for injuries, or as allowance to such as shall be disabled by bodily injury, or worn out by length of service. By a return furnished us it appears that the amount paid by the State during the last ten years is as follows:—

Year.					Retiring-allowance.			Compassionate-allowance to Widows and Children.		
					£	s.	d.	£	s.	d.
1888	...	...	...	...	4,210	15	7	164	5	0
1889	...	...	...	...	742	8	9	191	12	6
1890	...	...	...	...	3,747	18	4	786	4	0
1891	...	...	...	...	4,384	9	3	547	10	6
1892	...	...	...	...	1,735	14	7	392	7	6
1893	...	...	...	...	2,008	1	3	310	5	0
1894	...	...	...	...	1,669	17	6	564	9	8
1895	...	...	...	...	795	7	11	219	0	0
1896	...	...	...	...	1,842	6	2	1,247	17	6
1897	...	...	...	...	1,683	7	6	1,284	18	9
					£22,820	7	10	£5,781	10	5

Amounting in the aggregate to £28,601 18s. 3d.; and in addition to this a pension of 15s. a week is paid to a man who was permanently injured.

The liability of the State in respect of the Force under these heads may therefore be taken to be recognised, and our proposal is to relieve it, on the payment of a fixed sum, of any further responsibility. A present payment of £30,000 would, with the annual income to be derived from other sources, be sufficient to establish the proposed pension fund on a satisfactory basis, and so enable men who are past the stage at which they are valuable police officers to be retired from the Force without injustice and without further cost to the State.

If the pension system cannot be adopted, then we recommend that a retiring-allowance similar to that now granted to prison warders—viz., one month's pay for each year of service—be given to all members of the Force whose services are dispensed with, or who may be medically certified to be permanently unfit for duty, instead of the special grants which are now in most cases made as compassionate-allowances.

The adoption of these recommendations and the increase of the Force proposed will involve additional expenditure on the Police Force, but we are quite convinced it must be incurred if the colony desires to have a police service characterized by vitality and earnestness, as opposed to one in which the duties are performed in a perfunctory manner, without heart or

enthusiasm. That there is a great deal of discontent, dissatisfaction, and apathy in the Force there can be no doubt. Life and energy must be infused into it, and we believe that the adoption of the suggestions we have made, and the granting of the rates of pay and the pension system now recommended, will bring about that result, and secure to this country an efficient Force at a much lower cost per head of the population than is possessed by any neighbouring colony.

Rewards.

On the question of rewards much evidence has been given, and a change in the system is greatly needed. Constables have been in some cases rewarded by promotion and grants of money for what appears to us to have been strictly matters of ordinary duty. These rewards have excited much jealousy, and a suspicion that favouritism existed. Monetary rewards should be abolished, except in the case of constables or sergeants who have attained the maximum of pay by length of service, and for acts of bravery or meritorious conduct not connected with crime.

We recommend that rewards for special police service, such as detection of crime, should be by a shortening of the period required to be served before the next increase of pay accrues. In all cases the recommendation for a reward should emanate from an Inspector without personal application by the officer by whom it may be considered due.

Punishments.

Punishments for minor breaches of the regulations should be by fine, but, for more serious offences not calling for dismissal, by putting an offender back in his service-time, or disrating him.

The decision of the Commissioner of Police should be final in all cases of rewards and punishments.

Emoluments of Outside Offices.

In view of the increase of pay and allowances we are now recommending, and with a view to assist in the maintenance of the proposed police pension fund, we recommend that all emoluments attached to offices held by constables not within the duties of police officers, except so much as shall represent money out of pocket, shall be paid into the pension fund. We have already stated that these emoluments are a cause of jealousy in the Force, and we are satisfied the change we now recommend will remove a cause of dissatisfaction to the men, and one of the greatest difficulties the heads of the department have to contend with in the distribution and transfer of constables. One of the evils of these emoluments being retained by constables was mentioned by several witnesses—viz., that they have the effect of making the position of a constable financially better than that of a sergeant, and some good constables who would be valuable non-commissioned officers as sergeants have declined promotion on that account.

PART III.

General Conduct.

Concerning the general conduct, sobriety, and morality of the members of the Force a great amount of evidence has been taken on charges against individual constables, and on a general charge against the Force as a whole. No time was fixed by us anterior to which the conduct of any member should not be investigated, as it was felt that such a limitation might be construed into a desire to shield some unworthy member of the Force. We considered that the purging of the Force of such persons, if they existed, should be one of the results of our inquiry, and therefore permitted the past character of any officer now in the Force to be investigated fully.

The general conduct of the Force, taken as a whole, has been good. It is doubtful if any other body of men, numbering so many, would bear the searching investigation the Force has undergone without as many or more instances of neglect of duty or lapses from good conduct coming to light than have during our inquiry.

The records of the department, however, show that there are a few men in the Force who have brought discredit on it. These men have been repeatedly punished for

various breaches of the regulations, and it is to be regretted that they have been allowed to remain in the Force. Their presence must have furnished a bad example to others, as their records appear to be known by all the men.

These offences have not been of recent date, and as the men have been dealt with and punished, and appear to be now behaving properly, we do not think we should mention their names, no charge having been brought against them before us; but we consider their continuance in the Force should be only permitted while their conduct is irreproachable. Any future transgression, however slight, should at once be taken advantage of to get rid of them. A past such as theirs requires a long course of good conduct to expiate it.

Should the Commissioner consider that in the interests of discipline such men's services should be dispensed with, even without any fresh lapse on their part, he should have a perfectly free hand in dealing with them.

Sobriety.

The offence mostly dwelt upon by those who brought charges against the Force was drunkenness. This is properly considered a serious police offence. Regulation 62 says, *inter alia*, "Drunkenness on duty will invariably be punished by dismissal or enforced resignation, according to previous character. Simple drunkenness will not be overlooked even on a first occasion. Under extenuating circumstances recommended by the Inspector, this offence may on a first occasion be visited with a lesser punishment, but should the offence be repeated the member of the Force will be dismissed."

This regulation has in a great number of cases been enforced, as will be shown by the return in the Appendix, but in other cases there appears to have been an excess of indulgence in dealing with this offence.

Men have been dismissed on account of drunkenness, and have been reinstated owing to pressure being brought to bear on the Minister in charge of the department. The having a large family to provide for, the general unfitness of the man for any other occupation, his previous good conduct, and his steadiness since his dismissal have been the reasons urged by those seeking his reinstatement.

We are reluctant to condemn the exercise of mercy, but it is dangerous to discipline to indulge in it. A man when dismissed from the Force should understand that he is not to enter it again: dismissal should be final.

Morality.

No direct complaint of immorality or misconduct in connection with immorality was made to us. The cases in which a constable has been adjudged the putative father of an illegitimate child are very few. In view of the fact that the Force is largely composed of young vigorous unmarried men, a considerable number of whom have passed into the Police from the Military Force, we are surprised more cases of this kind have not come to our knowledge, as they probably exist.

At present there is no police regulation directly relating to immoral conduct, and one should be framed making adjudication of paternity of illegitimate children or other immoral conduct ground for dismissal.

Efficiency.

We propose now to deal with the question of the efficiency of the Police Force in respect to the enforcement of the laws relating to the sale of liquors, gambling, prostitution, and neglected children, as to which complaint is made; and in doing so shall deal with the subject in its general aspect, without referring, except where it may appear necessary, to individual cases which have been brought under our notice: such cases will be dealt with separately.

In treating of this part of our report, it appears to us that, while pointing out certain matters which, in our opinion, have tended and do tend to affect injuriously the power of the police to enforce the laws of the colony, it comes within the scope of our Commission to offer suggestions for such amendments of the laws as may enable the police more effectually to enforce them. We hope, therefore, in so doing we shall not be considered to be going outside our duty.

Licensing Laws.

A large amount of evidence has been produced to show that the sale of liquor during prohibited hours is practised by hotelkeepers in spite of the provisions in the licensing-laws. We are satisfied that this practice is pretty general throughout the colony, although not to the extent those who are hostile to the liquor trade assert. A return which will be found in the Appendix, showing the number of arrests for drunkenness on Sundays indicates that comparatively few persons obtain liquor on Sundays from hotels or private sources in sufficient quantities to bring about intoxication.

We do not think that those who charge the police with negligence in enforcing the observance of the law relating to the sale of liquor properly appreciate the difficulties they have to contend with. There is a very general unwillingness on the part of persons who induce hotelkeepers to break the law to give evidence against them: and yet it is generally on such persons the police must rely for evidence to support their information.

The police visit licensed houses in towns on Sundays, but their approach is in many cases announced by sentries, secret electric bells and telephonic communication being used for the purpose.

As the law now stands, it is no offence to be in an hotel on Sunday, or at any time during closing hours. Drink may be sold to a lodger, who may supply his guests, and travellers may obtain refreshment on arrival from a journey. When the police enter an hotel they may find a number of persons therein, and actually witness the consumption of liquor; but if a lodger will say he was treating those present as his guests, and the police cannot prove the contrary, it would be useless to prosecute.

A strong inducement to publicans to resort to perjury in defending such cases is the severe nature of the penalties imposed by the Licensing Act. Indorsement must follow a conviction for certain offences. Many hotel leases contain a provision for forfeiture in case of indorsement of the license, and this may involve a loss of hundreds, or even thousands of pounds to the licensee. The evidence may, and often does, show that the offence is merely a technical one, or possibly due to the carelessness of a servant. In such cases, and in all first offences, a discretion should be given to the Magistrate whether or not an indorsement should follow a conviction. The monetary penalties for such offences might be considerably increased. Indorsement is in many cases a punishment out of all proportion to the offence, and Magistrates must feel a reluctance to convict when it carries such a penalty.

Some startling facts were brought under our notice as the result of the observations of persons who "watched" various licensed houses on Sundays, which undoubtedly indicate that a large Sunday trade is carried on. The number of persons who entered those houses, counted between 8 a.m. and 8 p.m., is said to have amounted in one case to 200; in another, 250. The houses referred to are not hotels at which a large number of boarders reside, and, after making allowance for boarders, members of the licensee's family, those who enter to obtain meals and for other legitimate purposes, there is no doubt whatever in our minds that a large number of those who entered did so for the purpose of obtaining liquor. Whether they succeeded we do not know, and the entry of the premises is not, as we have pointed out, illegal.

We are of opinion that the law should be amended in the direction of prohibiting during closing hours the supply of any liquor for consumption by the guest of a boarder, except with meals, and making all persons, other than *bond fide* travellers, lodgers, and members of the hotelkeeper's family and servants, found on licensed premises at prohibited hours, without reasonable excuse, liable to a penalty as provided by section 25 of the English Act. That section, altered as proposed by us, will read as follows:—

"If, during any period during which any premises are required under the provisions of this Act to be closed, any person is found on such premises, he shall, unless he satisfies the Court that he has reasonable excuse for being thereon, be liable to a penalty not exceeding £2.

"Any constable may demand the name and address of any person found on any premises during the period during which they are required by the provisions of this Act to be closed; and if he has reasonable grounds to suppose that the name or address given is false, may, if such person fail upon such demand to give his name or address, or gives a false name or address, apprehend him without warrant, and take him as soon as practicable before a Justice of the Peace.

“ Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a penalty not exceeding £5.”

The circumstances of the colony appear to require the slight modification of this section we propose by the insertion of the provision for reasonable excuse. The hotel in this country is often the only place where people can meet their visiting friends, and it would be a great inconvenience if their doing so on Sundays was prohibited by making a *bond fide* visitor liable to a penalty. At some places in the colony, in consequence of tidal rivers and other causes, intending travellers by sea and land have often to wait for steamers, coaches, and other vehicles at hotels, in the absence of other suitable accommodation, until long after the hour fixed for closing. Such cases as these appear to require the modification of the English Act suggested, but the onus of proof of “ reasonable excuse ” must be on the party claiming it, and what is a “ reasonable excuse ” should be a question of fact to be determined by the Magistrate trying the case.

If the existing law is amended as now indicated, the power of the police to enforce the observance of the law relating to hours of closing would be greatly augmented.

Taking into consideration the difficulties the police have in proving breaches of the licensing laws in licensed houses, we consider they have been fairly successful. It is quite certain that numerous offences under these Acts are committed which are not detected, and of which probably many could be detected with more vigilance on the part of the police; but any want of vigilance which may exist, or has existed, cannot, in our opinion, be attributed to the heads of the department. We are satisfied the late Commissioner has done nothing to check the men in the performance of their duty in the matter, but, on the contrary, has encouraged vigilance in respect of it. It has been suggested that constables who were energetic in prosecutions against hotelkeepers suffered—that they, by the influence of those they had prosecuted, had been removed to other stations, and sometimes to less advantageous positions; but the evidence adduced does not establish this. It is true men have been transferred in some cases shortly after such prosecutions, but such removals have been shown to have been generally to the benefit of the constables. Although hotelkeepers have complained of what they thought sharp work on the part of constables, and have threatened to use their influence to get them removed, and although there are several cases in which a strong impression was created in the minds of some members of the Force that there removal was the consequence of publicans’ influence, yet in no case has it been proved that the removal took place as the result of their action.

A return will be found in the Appendix giving the number of prosecutions and convictions for breaches of the licensing-law (chiefly for being open at unlawful hours, and not including drunkenness) during the last seven years.

The existence of the system of “ No licenses ” in the Clutha district and the King-country has developed a numerous class of sly-grog sellers, whose defiance of the law has called for unusual action on the part of the police.

Sly-grog Selling.

The difficulties already referred to in respect to prosecutions for selling after hours and on Sundays exist and are greater in cases of sly-grog selling. Usually, persons breaking the law in this way in districts where alcoholic refreshment is not otherwise obtainable are regarded by those obtaining it as benefactors, and they are most unwilling to give evidence against them. Such sales are usually in private, and the difficulty of obtaining evidence on which to secure conviction is in consequence very great. The police, after using all ordinary methods, have had recourse to a system which is strongly condemned by many persons: We refer to a system of deception. Constables have, under instructions, assumed false characters and resorted to subterfuge to obtain the confidence of men with the intention of betraying them. We do not think it necessary that we should express to your Excellency our opinion on the ethical question involved, but from a police point of view the course pursued has proved satisfactory. We are aware there are some cases which may justify its use, but express the hope that it will never become a recognised police system in this colony.

In sly-grog-selling cases if purchasers as well as vendors were by law made liable to a penalty it might tend to check the offence. It is true it might increase the difficulty of getting the evidence of those persons, but if the power given by section 5 of “ The Evidence Further

Amendment Act, 1895," were exercised in their behalf it would relieve the witnesses of the consequences of their breach of the law.

In the Clutha district, from October, 1894, to November, 1897, the police prosecutions for sly-grog selling numbered sixty-eight, and resulted in twenty-three convictions, the fines amounting to £645. In the face of this, some witnesses examined at Balclutha charged the police with wilful neglect of duty, alleging that many more convictions could have been obtained if more persistent efforts had been made. On the evidence adduced we have formed the opinion that the action of the police in the Clutha district was earnest and effective, and the censure undeserved. Those who complain do not appear to realise that every conviction is followed by more caution and circumspection on the part of offenders, and consequently subsequent convictions are more difficult to secure. No prosecutions were initiated for these offences in Clutha by any one outside the Police Force. The complainants against the police took no steps themselves, but vigorously urged the police to action, and often by their public proceedings with this object must have put offenders on their guard and increased the difficulty of detecting breaches of the law.

Every reasonable inducement has been offered by the department to constables to use vigilance in discovering offenders, and liberal money rewards have been given to those on whose information convictions have been obtained. Money has not been spared, but it is evident it should not be too liberally spent for this purpose lest it induce crime of a more serious character.

In the district known as the King-country, in which the Maori population preponderates, and in which no licensed houses have existed (except one licensed brewery), the illicit sale of liquor has long been carried on. In May and June a few convictions for sly-grog selling were obtained by the police, but as breaches of the law became more numerous and undisguised the attention of the department was called to it by the local Justices of the Peace. The police thereupon took action by sending constables in plain clothes to the district under instructions to do their best to detect offenders, but as the residents suspected the men and the object of their visit offenders were on their guard, and the result was not satisfactory. It has been stated that the fact they were about to visit the district was known there before they reached it, and the officer in charge at Auckland, Inspector Hickson, has been blamed for neglecting to take proper precautions. In his evidence Inspector Hickson stated he had informed the local Justices by letter that the men were going there, and said he believed it had been made public by them. The Justices concerned wrote to us denying this, and stating that they had received no notification from Inspector Hickson of the intended visit, and the Inspector has since withdrawn his statement and apologized for his error in making it. Letters on this subject will be found in the Appendix.

Last year a more carefully organized effort was made, which resulted in eighty-three prosecutions, on which fifty-seven convictions were obtained, and fines and costs amounting to £631 were inflicted, and twelve sentenced to imprisonment without the option of a fine, but sly-grog selling undoubtedly continues to be carried on extensively. The quality of the liquor sold is very bad, and the effect mischievous. Although the Native population preponderates, there is a large scattered European population, and it is a matter for serious consideration whether it would not conduce to the welfare of the people and to their observance of the law if licensed houses existed in their neighbourhood at which reasonably good liquor could be obtained under proper regulation and control. We are not called upon to express an opinion on this as a social question, but we are satisfied—although no evidence has been given on the subject—that the present condition of things must have the effect of leading many persons, Natives especially, to regard the laws of the colony with but little respect, and that they feel justified in using dishonest means to evade detection when they find deception used to detect breaches of the law.

The alternative would be to make it a prohibited district, so that section 33 of "The Alcoholic Liquors Sale Control Act, 1895," should apply.

The party known as "Prohibitionists" have made the condition of things in respect of sly-grog selling in Clutha and the King-country the ground of special complaint against the police, and allege that the department is indifferent in enforcing the law, and in sympathy with the liquor traffic.

It must be remembered, however unsatisfactory it may be to those who desire absolutely to prevent the supply of liquor to any person, and who think they have obtained their object by the abolition of licenses, that there are those to whom from constitution or habit alcoholic stimulant is necessary, or who regard it as necessary, and who will have it if obtainable, and sly-grog selling is the result.

Selling liquor without a license is a statutory offence, and not a crime, and therefore not of supreme importance from a police point of view. To deal with all cases of sly-grog selling, and enforce the strict observance of the licensing-laws in the manner desired by some who have given evidence would, until the sentiment of the community undergoes a considerable change, require the almost entire attention of a Police Force larger than that which now exists in the colony.

No facts have come before us which we consider justify condemnation of the Police Department in connection with its action in regard to the liquor-laws. Individual constables have on occasions neglected their duty, but in all cases brought under our notice punishment in some form has followed.

Gambling.

Gambling, in the form of betting on horse-races, is very prevalent in the colony, the favourite mode here being on the licensed totalisator, which is legalised, while betting totalisator-odds with unlicensed persons (known as "tote" betting) is illegal, as also is betting with minors. The police have been censured for negligence in respect of these illegal forms of betting. We find police action in the present state of the law is surrounded with difficulties, and submit the following as some of them :

It is illegal for a man to occupy a place for the purpose of making ordinary bets, but he may move about and make as many bets as he pleases. He may not occupy an office for the purpose of betting with persons "resorting thereto," but he may have a dozen offices if he arranges his bets by correspondence, telephone, telegraph, or by moving about amongst the people in the streets or elsewhere. If a warrant be obtained, and the office of a "tote" bettor raided, his accounts may not show that he has been practising "tote" betting, as they are often kept in such a way that the entries are understood only by the owner. Shops are kept ostensibly for a lawful trade or purpose where secret "tote" betting is carried on. Bookmakers openly ply their vocation in the main streets of the large towns of the colony, and there is no power to prevent them unless they obstruct the traffic.

These facts present some of the difficulties in the way of the police securing convictions for breaches of the law against gambling, but many cases have been tried in our Courts and a number of convictions obtained, returns of which will be found in the Appendix. Bookmakers have, as a rule, command of money, and usually get good legal assistance, and the niceties of the law as to betting are taken full advantage of.

We are of opinion that the laws relating to gaming require amendment. If it is not desired to make betting wholly illegal, then the practice of betting as an occupation, or in connection with any other business, should be made unlawful.

With a view to diminish the nuisance of street-betting, we think that section 4 of "The Police Offences Act, 1884," should be amended by the addition of the following new subsection : "Any two or more persons assembled together in any part of a street for the purpose of betting shall be deemed to be obstructing the street, and be liable to a penalty of not exceeding £10 or imprisonment not exceeding three months with hard labour"; or, as an alternative, so as to make any person who shall be found frequenting any public place for the purpose of betting liable to the above penalty.

Brothels.

The law as to brothels appears to be satisfactorily enforced. A considerable amount of prostitution undoubtedly exists, but where it has become a nuisance by the establishment of brothels the police have taken action to suppress it. As those who can give evidence of the acts of prostitution necessary to constitute a brothel are, for obvious reasons, reluctant to do so, the police have to rely on indirect testimony, and experience difficulty in obtaining convictions; but many prosecutions have been instituted with a considerable amount of success and advantage to the community. Returns on this subject will be found in the Appendix. Although there is reason for believing that houses of that class remain, there is no ground for suggesting they are carried on with the connivance of the police, or that the police are indifferent or negligent in dealing with them.

In Auckland the police appear to be under a special difficulty in obtaining convictions, owing to the existence of a by-law of the City Council which makes every inmate of a brothel liable to punishment, and unwilling witnesses eagerly take shelter behind it and

refuse to give evidence on the ground that no witness can be compelled to incriminate himself.

The class of prostitutes found in the streets, so long as they conduct themselves with decency and do not "solicit," do not come within the power of the police, however offensive their presence may be to the public.

In the course of the evidence given at Dunedin, to show neglect on the part of the police in respect to the existence of brothels, reference was made to a house in Asher's Lane occupied by Mrs. Desarthe, an old infirm woman, with whom two young girls (her daughters) were residing. We are satisfied the witnesses were mistaken in attributing disgraceful conduct to these Desarthe girls, and that neither the girls nor Mrs. Desarthe were the persons the witnesses had in their minds and intended to refer to.

We feel that an injustice may be done them by their names appearing in the evidence, and desire to express the opinion that no misconduct on their part was proved. It is a matter for great regret that respectable citizens can be found so ready to asperse the character of others without first making themselves acquainted with facts easily ascertainable.

Neglected Children.

The duty of the police with respect to neglected and indigent children and those in vicious surroundings is to bring them before a Court with a view to an order being made committing them to an Industrial School, and it has been alleged that the police are negligent in the discharge of this duty.

The expense of maintenance of indigent children committed to industrial schools falls upon the local Charitable Aid Boards, and there is a tendency on the part of these bodies to jealously watch what they consider any unnecessary charge upon them; and they have, in some cases, remonstrated with police officers for what, from their point of view, appeared an excess of zeal in this matter. In consequence of this special instructions were given by circular of the 21st December, 1891, as follows:—

(Circular No. 16/91.)

Police Department, Commissioner's Office, Wellington,
16th December, 1891.

THERE is reason to think that a notice which appeared in the *Police Gazette* of 9th May, 1888, pages 92 and 93, and the Circulars No. 19 of 2nd November, 1889, and 16 of the 29th September, 1890, have had the effect of unduly discouraging the committal of children to industrial schools.

The design of the notice and of the circulars was to prevent the committal of children where the Charitable Aid Boards were willing to make more suitable provision in some other way. The Charitable Aid Boards, however, have no special interest in children committed for any reason except indigence. The Government did not desire to put any obstacle in the way of the committal of children living in disorderly houses or given to vagrant habits. When children of this class are sent to an industrial school the cost of their maintenance does not affect the Charitable Aid Boards, and there is no reason to consult the Boards before bringing such children before a Magistrate.

The Government is quite prepared to take the consequences of a vigorous administration of "The Industrial Schools Act, 1882."

A. HUME,

Commissioner of Police.

In view of all the facts we are satisfied there has been no wilful neglect of duty on the part of the police. It can hardly be considered the duty of police officers to investigate the case of every apparently neglected child which comes under their observation; this appears to be more the function of persons connected with charitable bodies. It would, however, be well if the police, when they have reason for so doing, called the attention of some person specially appointed to deal with such cases to the matter, with a view to their being privately investigated, the interference of the police with domestic affairs being always undesirable; and if the result of such investigation, on being reported to the police authorities, justified it, action should be taken, supported by the evidence of those who investigated the case.

In respect to one case at Auckland, which was specially referred to as a neglected case, the evidence showed that the children referred to were on three occasions taken before the Court, but the order was on each occasion refused on the ground that their mother, with whom they were living, was not a prostitute; and, unless the police were negligent in putting their case before the Court, which has not been shown, no blame can be attached to them. We consider Inspector Hickson showed commendable earnestness in regard to this and other cases of neglected children which came under his notice.

There is another class of neglected children who are brought under the notice of the police by their criminal conduct. As to these the duty of the police is clear, and, so far as our inquiries go, they have performed it.

We are of opinion that the age at which children can be committed to the Industrial School should be raised. The age up to which children may now be committed is fifteen years, and this is too low. The age of consent is now sixteen years, and yet a girl between fifteen and sixteen years may be the associate of prostitutes without the police having power to rescue her.

General Remarks.

The sittings of the Commission have been attended by Mr. Tunbridge, the present Commissioner of Police, who has held the office since October last, and by Colonel Hume, who was Commissioner from 1890 up to Mr. Tunbridge's appointment. Each of these gentlemen heard all the evidence adduced, cross-examined witnesses who were called in support of allegations against the department, gave evidence themselves, and produced all documents and records in their custody which were required. The Commissioner of Police further furnished us with all returns and other information called for. From both these gentlemen we received every assistance in their power to afford.

We summoned the Right Hon. the Premier and the Hon. Mr. Thompson, the Minister in charge of the department, to give evidence before us. They appeared and claimed to be exempted on the ground that, as your Excellency's Advisers, they ought not to be called upon to give evidence upon matters as to which they will have to tender their advice to your Excellency, and that as Ministers they can only be called to account for their actions by Parliament. For the reasons given we considered we ought not to require them to give evidence, and did not do so.

A number of constables gave evidence as to personal grievances: men who complained that others, their juniors, had been advanced over their heads, and others who thought their services entitled them to promotion, and that they had been unjustly passed over. These men represented two sections of the Force—namely, those who consider that seniority should give a right to promotion, and those who claim it on ground of special services. There is no existing rule as to promotion; generally it has been for seniority combined with a clean defaulter's sheet, but this did not always secure it. Promotion for special services has been the exception.

A number of men were promoted in class on the ground that they had been Clerks of Court for a certain time. They were in many cases junior to others who had not been fortunate enough to be appointed to stations, and therefore had not been Clerks of Court. The subsequent advancement of these men was made, not on the ground of length of service in the Force, but of service in their class, and men who have longer service in the Force feel they have a grievance in being, as they consider, passed over. On the other hand, if those junior in service but senior in class were not advanced, they too would feel that they had suffered an injustice. The regulation (No. 59, now repealed) relating to promotion appears not to have been generally understood throughout the Force. By it advancement was to be by seniority in class, and not in service.

These promotions constitute one of the evils of the class system, which we desire to see abolished; and by the adoption of the system of payment by length of service, which we recommend, this grievance will, we believe, be removed.

It would be wholly impossible, without an almost entire reclassification of the Force, to remedy the grievances of constables who consider they have been unjustly treated in respect of promotion.

We do not think it necessary to comment upon the individual cases referred to, except those mentioned in the Schedule; but the evidence given in respect to them has been of value in enabling us to form an opinion on the general question of promotions, which we have given expression to in our remarks under that head.

SPECIAL FINDINGS.

The following are our findings on such complaints as have been brought before us which we consider require special notice; the others are submitted in Schedule hereto:—

Charges by Mr. Thomas E. Taylor, M.H.R., and Findings thereon.

Charge No. 1.—“Tuesday, 15th February, 1898.—The Chairman, Police Commission, Wellington.—SIR,—With a view to placing myself in a position to appear before your Com-

mission, I beg to affirm that there is grave discontent existing among the members of the Police Force in this colony; also that the wrongful use of political power by Ministers of the Crown and others has disorganized and demoralised the Force, and generally acted in a prejudicial manner upon the public interests. I propose to elicit facts in support of these allegations before you.—I am, yours faithfully, T. E. TAYLOR.”

Finding.—The matters herein referred to are all dealt with in our general report.

Charge No. 2.—That Inspector Emerson, in charge of the Hawke's Bay Police District, is of drunken habits and addicted to gambling.

Amended Charge.—That on or about the following dates Inspector Emerson was in a state of drunkenness: 2nd May, 1897, at Gisborne; 6th July, 1897, at Gisborne; 7th January, 1898, at Napier. That since he has been in charge of the Hawke's Bay District he has been of intemperate habits and addicted to gambling, and that his conduct in these respects has been destructive of discipline and injurious to the public interests.

Finding.—The charge in reference to the 2nd May, 1897, we declined to investigate, considering that it had been dealt with by Mr. H. E. Kenny, S.M., upon his inquiry *re* Inspector Emerson. Our inquiry in respect of the other charges was confined to the time during which Inspector Emerson had been stationed at Napier. A great number of witnesses were subpoenaed at the instance of Mr. Taylor, M.H.R., and attended and gave evidence in support of such charges at the sittings of the Commissioners at Napier. Many of such witnesses were from Gisborne and other distant places. It was sought to be established that at the Gisborne races on the 6th day of July, 1897, Inspector Emerson was intoxicated. The majority of the witnesses called proved that Inspector Emerson was not intoxicated, but that he was suffering from a bad cold and cough, and was very unwell; so much so that some of his friends induced him to leave the racecourse and return to his hotel at Gisborne early in the afternoon. Although some of the witnesses swore that on this occasion he was “in liquor,” we are satisfied that the weight of the evidence is in his favour, and that he must be acquitted on the charge of intoxication on the 6th day of July, 1897. His falling in the luncheon-booth on that day we are satisfied arose from the seat giving way, and not from intoxication on the part of Inspector Emerson.

It was further alleged that Inspector Emerson was intoxicated at Napier on the 7th day of January, 1898. This was sought to be established by evidence of four persons who, whilst sitting on a seat on the Napier Esplanade, had their attention called to the appearance of figures on the face of the moon by Inspector Emerson, and by reason of his putting his hand on the shoulder of one of them, a female, to call her attention to what he thought he saw. We are satisfied from the evidence of the witnesses called for the defence that Inspector Emerson thought it was his daughter whom he touched on the shoulder, and who had shortly before gone to the Napier Breakwater to see some friends off by steamer. We are further satisfied by the evidence of certain members of Inspector Emerson's family, and of other independent witnesses who were in conversation with him close to the time of the occurrence complained of, both before and after, that on that evening and at that time he was perfectly sober.

We feel bound, however, to report that it has been proved before us that at least on three separate occasions Inspector Emerson has been in the state described by the witnesses as “in liquor,” and at other times also has been so in the presence of some of the members of the Force serving under him. Such a state of things must, of course, be subversive of discipline, and is altogether improper and undesirable.

The occasions to which we refer when Inspector Emerson was so “in liquor” were as follows: (a) On board the steamer on passage between Napier and Gisborne, about five years ago, shortly after Inspector Emerson went to Napier; (b) at Gisborne at night when proceeding from one hotel to another, at which he was staying—namely, the Gisborne Hotel; (c) At Napier, at about dusk, when going to his home in company with two friends (about October, 1896).

A female witness, who at the time referred to lived next door to Inspector Emerson in Napier, swore that upon two separate occasions she saw him taken home in a cab in a state of intoxication, but as this evidence is wholly uncorroborated, and as it is absolutely denied by Inspector Emerson, we cannot consider the allegation proved.

Notwithstanding the above facts, which are, in our opinion, fully established by the evidence before us, a very large number of highly respectable persons were called before us and swore as to the temperate habits of Inspector Emerson. These were persons holding

responsible public and official positions in Napier, such as Mr. Frederick Sutton, late M.H.R., Dr. William Percy Menzies, Dean De B. Hovell, Rev. James Gillies Paterson, Hyam P. Cohen, member of Borough Council; Fairfax Frederick Fenwick, manager, Bank of New Zealand, Napier; Richard T. Walker, editor, *Hawke's Bay Herald*; Dr. De Lisle, Napier; Maurice N. Bower, Town Clerk, Napier; George Thomas Tanner, clerk, Hawke's Bay County Council; Robert Bishop, manager, Messrs. Sargood, Son, and Ewen, Napier; Thomas Morrison, journalist, Napier; John Craig, manager, New Zealand Loan and Mercantile Agency Company, Napier, and others, and who must have had frequent opportunities of being brought into contact with Inspector Emerson and of observing his habits as to sobriety; and they were almost unanimous that he was not of intemperate habits, as alleged, and that they had never known him to be in a condition to interfere with the performance of his duty. In addition to these witnesses, Sergeant Mitchell, who is stationed at Napier, and District Clerk Norwood, also stationed at Napier, both gave similar evidence. If Inspector Emerson's habits were "generally intemperate," we cannot reconcile that fact with the evidence of these respectable persons to whom we have referred. Inspector Cullen was called by Mr. Taylor to prove that Inspector Emerson was of intemperate habits, but, although he had been stationed at Napier with Inspector Emerson for some fifteen months, he was only able to speak of one occasion when he saw Inspector Emerson "in liquor," and that was in 1892, when Inspector Emerson was residing at Hamilton and was on a visit of inspection to Napier, a date prior to that included in our inquiry. Inspector Cullen stated that on various occasions he had seen signs of liquor on him, but nothing very much.

Inspector Emerson is a good deal shaken by illness, and this, combined with his advanced age, might lead many persons erroneously to think at times that he was "in liquor" when such was not the fact.

It has also been proved before us at Napier that about the 11th September, 1896, Inspector Emerson was drinking and playing cards for small sums of money on board a steamer lying at the wharf at the Spit at Napier. Upon this occasion Inspector Emerson was a passenger by such steamer from Napier to Wairoa, and apparently the sailing of the vessel was delayed, and he and others were playing cards to pass the time until the steamer should leave. The amount of money played for was merely ordinary stakes, such as are usually played for for the purpose of giving an interest to the game and providing refreshments. The principal point in the matter, however, appeared to us to be the fact that the steamer had no license to sell liquor whilst alongside the wharf at the Spit, and that therefore Inspector Emerson was a party to breaches of the licensing-law being there committed. It was also proved that on one occasion in the Working Men's Club at Napier Inspector Emerson, contrary to the club rules prohibiting gambling in the club, played cards for a stake—namely, 2s. 6d. a corner. It was also proved that on several other occasions Inspector Emerson played cards for money—namely, shilling and half-crown euchre-loo; that he so played in the hotel where for the time being he was staying on his tour of inspection, in his private room, and that on one occasion the playing was kept up till about 2 o'clock in the morning.

There was evidence before us from which we came to the conclusion that when he was stationed on the West Coast of the Middle Island Inspector Emerson owned racehorses and raced them.

Beyond the foregoing there was no evidence of any gambling on the part of Inspector Emerson. There was nothing in the evidence before us to lead us to conclude that Inspector Emerson had neglected his official duties in any way, or that the police work in his district was not satisfactorily performed. Our recommendations concerning Inspector Emerson's case appear in our general report.

Charge No. 3.—That members of the Police Force frequent licensed houses improperly; and that Constables Barrett and McKenzie have frequented licensed houses in Christchurch contrary to the Police Regulations. That the details of the matter connected with Constables Barrett and McKenzie are as follows: They did, whilst on duty on the night of Thursday, the 13th August, 1897, improperly leave their beat and enter Arena's Hotel, in Cashel Street, Christchurch, remaining there for half an hour.

Finding.—As regards the complaint No. 3 of Mr. T. E. Taylor, M.H.R., against Constables McKenzie and Barrett, the evidence in support and in refutation of the charge was exceedingly contradictory. Upon the whole, and after giving the matter the fullest consideration, we consider we are bound to give the accused the benefit of the doubt we have in the matter, and thus to acquit them of the charge.

Charge No. 4.—That the police have failed to enforce the laws of the colony.

Finding.—We consider this charge is, on the whole, disproved by the evidence before us; but the matter is fully dealt with in our general report. We conclude from the evidence adduced that the percentage of reported crime in the colony which is undetected is comparatively small. Where the police have “failed” to enforce the laws of the colony such failure has, in our opinion, been due to existing defects in various statutes and difficulties in obtaining evidence, and not to want of zeal or ability on the part of the police.

Charge No. 5.—That there has been a lax administration of the law relating to the suppression of houses of ill-fame.

Finding.—We do not consider this charge proved. In all districts the evidence before us has satisfied us that the police have taken all proper steps for minimising the nuisance created by houses of ill-fame, and whenever such places have become in any way disorderly houses have taken prompt measures for the prosecution of the offenders. In the present state of the law, and in the absence of any provision for more effectively regulating prostitution, the effect of police action is merely to drive the keepers of houses of ill-fame from one locality to another. This is a social question which requires to be specially dealt with by legislation, and we cannot hold the Police Force responsible for the present state of things in relation to it.

Charge No. 6.—That Constable Christie, of Mosgiel, did, whilst in charge of Balclutha, collect moneys for various people and engage in duties for profit outside of his police duties, and neglected to protect citizens from injuries.

Finding.—We find this charge not proved.

Charge No. 7.—That about the beginning of 1893, or thereabouts, Constable Christie did carry on the railway from Balclutha, in a passenger-car, contrary to the regulation, the dead body of a child, thereby defrauding the revenue.

Finding.—Constable Christie admitted that he did so carry the dead body of a child—his own child of one month old.

Charge No. 8.—That Sergeant O’Grady is of intemperate habits, and has been during the past five years, and is neglectful of his duty as a police officer. The following are some of the instances of neglect of duty on Sergeant O’Grady’s part: The loss of a watch by Mrs. Jane Isabel Young; the breaking of public lamps, reported by McLaren; the theft of various articles from one McLaren; the failure to suppress the larrikin nuisance.

Finding.—The evidence before us proves that, though Sergeant O’Grady, as he admitted, is in the habit of taking liquor when he wants it, he cannot be fairly said to be of “intemperate habits.” Nor can it be honestly said that he is neglectful of his duty as a police officer. So far as we could discover, his police duties appeared to be carried out in a proper and efficient manner.

With reference to the particular instances of neglect of duty above alleged, we have to report as follows: (*a.*) As to the loss of a watch by Mrs. Jane Isabel Young: There was no evidence whatever of neglect on the part of Sergeant O’Grady. This charge was, during the hearing, abandoned. (*b.*) As to the breaking of public lamps, reported by McLaren: We acquit Sergeant O’Grady of any neglect of duty in this matter. (*c.*) As to the theft of various articles from one McLaren: It appears that McLaren’s poultry mixed with some of those of his neighbours, stated to be women of the town, who, it was alleged, killed and ate such poultry. Such conduct Sergeant O’Grady was powerless to prevent. (*d.*) The failure to repress the larrikin nuisance: It appeared the young lads of Oamaru at times congregated of an evening near the Athenæum there, but it also appeared that the police from time to time dispersed them, and used all reasonable efforts to keep the larrikin element in Oamaru in check.

Charge No. 9.—That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duty.

Finding.—The evidence adduced completely exonerated Constable Mullaney from the charge made against him. The evidence given in support of the charge, as well as that given in defence, showed conclusively that Constable Mullaney is an excellent police officer, strictly temperate, and in every way a credit to the Force. The evidence on his own behalf included

two Prohibitionists, men of good standing in their district, and who spoke most highly of him as a police officer, and of his character generally. The charge against him can fitly be described as vexatious.

Charge No. 10.—“I hereby charge Sergeant O’Grady with having acted in an improper manner towards Mrs. Mary Simpson, in that he has on various occasions suggested that he should have sexual intercourse with her, and that on one occasion he brought two men to her house in Reid Street, Oamaru, and asked her to have improper relations with them, telling her that they had plenty of money, and she was to make them pay well for it, and that the Sergeant on these various occasions was under the influence of liquor.—T. E. TAYLOR.”

Finding.—A charge somewhat similar in terms to the above (No. 10) was lodged with us on behalf of Mrs. Mary Simpson. It was in Mr. T. E. Taylor’s handwriting, and varied from the above in that it alleged that Sergeant O’Grady asked her that the “two men” should be allowed to enter her house for immoral purposes. Mrs. Simpson’s charge was withdrawn by her, whereupon Mr. Taylor lodged the above charge himself. Mrs. Simpson was too ill to attend before the Commission, and at Mr. Taylor’s request we attended at her house with Press reporter and our own reporter; but owing to Mrs. Simpson being so very ill and so much distressed at our coming to her house, we could not take her evidence. No other evidence was tendered. Letters bearing upon this matter appear in the Appendix.

Charge No. 11.—That Constable Patrick McGill is of intemperate habits, and on the 9th and 10th of April, 1898, was in a state of drunkenness on the public streets. Also, that in connection with the collection of the dog-tax in Sydenham he has displayed gross carelessness in registering dogs in Sydenham which ought to have been registered in Springston district. In the case of an intended visit of inspection *re* kerosene licenses, he informed the person concerned—viz., one Bowden, of the intended visit.

Finding.—The records show that Constable Patrick McGill, about the 7th day of March, 1890, was compelled to resign in consequence of drunkenness, and that about the 5th June, 1890, he was reinstated. Since that time, according to the evidence before us (and some of which was given by many well-known leading men, both in business and out of business in Christchurch, and who have had frequent, and, indeed, almost daily and nightly opportunities of observing Constable McGill), it appears that his conduct as regards temperance has been satisfactory. The charge that he “is of intemperate habits” is quite disproved. The specific charges of his drunkenness on the 9th and 16th of April, 1898, were not proved. The charges against Constable McGill in connection with the collection of the dog-tax and inspection *re* kerosene licenses we did not investigate, as these duties were not in his capacity as a police officer.

Charge No. 12.—That Inspector Emerson has neglected to enforce the Gaming and Lotteries Act, and on occasions shown open sympathy with those accused—as in the prosecution of Robinson and others.

Finding.—We are of opinion that such neglect has not been proved; but we are of opinion that his conduct during the hearing of a prosecution of two spielerers at Napier was indiscreet and improper.

Complaints by Various Persons, and Findings thereon.

Charge by Mr. James Brown against Sergeant Hannan, of Stafford, of acting dishonourably in reference to the purchase of certain property of Miss Conway, at Stafford Town, West Coast.

Finding.—We find this charge, so far as it relates to Miss Conway’s property, fully proved, and are of opinion that the circumstances show that Sergeant Hannan should no longer be retained in the Police Force of the colony. Miss Conway, of Stafford, by the death of her mother, became under her will entitled to a certain hotel, land, billiard-table, and other property. Sergeant Hannan was Clerk of the Court and agent for Public Trustee at Stafford at the time of Miss Conway’s mother’s death, and was on friendly terms with the family. His wife was at Mrs. Conway’s death-bed. He led Miss Conway to believe he was her friend, and represented to her that he knew some one who would buy the hotel property, but that he could not get more for her than £135 for the whole property. He represented, further, to her that one Henne, a rival hotelkeeper at Stafford, would not buy her property from her,

On the other hand, he had represented to Henne, for whom he had undertaken to purchase a part of the property—viz., the license and billiard-table—and who had authorised him to give £160 for such part, that Miss Conway would not sell same for less than £170. Sergeant Hannan subsequently told Henne that Miss Conway had sold the property to him, Sergeant Hannan, and he agreed to sell the license and billiard-table to Henne for £160, who agreed to buy same at that price after he knew that Hannan had bought for himself. Upon Hannan's representation that he could not get more for her, Miss Conway agreed to sell, and did sell, the whole property to him for £135, so that he got the whole property (including land and buildings, estimated for stamp duty by his solicitor at £45) for £135, and sold the license and billiard-table only to Henne for £160. In short, we find that he deceived both Henne and Miss Conway, each of whom Hannan led to believe he was acting in their interest, and that he acted fraudulently towards both of them.

Complaint of Third-class Sergeant John Dwyer, No. 268, as to his non-promotion in turn.

Finding.—Sergeant Dwyer, in our opinion, is an excellent officer, a fact which the present Commissioner of Police has recognised by removing him from Clyde to Christchurch. We think that the non-promotion in turn of Sergeant Dwyer arose through a misunderstanding by the late Commissioner of Police (Colonel Hume) in thinking that Sergeant Dwyer was unwilling to be moved from his position as police-gaoler at Oamaru. If Sergeant Dwyer's position in the seniority list can be now rectified without injustice to others we are of opinion that it should be done. We are of opinion that in all cases of sergeants or constables acting as police-gaolers their seniority of service should not be interfered with by reason of their so acting.

Complaint of Constable H. Mulholland, No. 135, that he has been most unfairly treated in regard to promotion, and that his juniors in the service have been promoted to the rank of sergeant.

Finding.—Having heard Constable Mulholland's evidence at great length, we do not consider he has any ground of complaint owing to non-promotion to the rank of sergeant. Constable Mulholland's case is an illustration of the necessity for periodical removals of constables, so that the better as well as the more undesirable and disadvantageous stations should be occupied by different constables in turn. While Constable Mulholland was at what may be called a "good" station, with considerable extra emoluments, he made no complaint of non-promotion. We have no recommendation to make in this case.

Complaint of Mr. A. C. Henderson, of Invercargill, solicitor, that he had suffered pecuniary loss and much annoyance through the Police Force at Invercargill preventing prisoners employing him. Also suggesting that members of the Force be not allowed to remain too long in one place.

Finding.—There has been evidently some feeling between the complainant, Mr. Henderson, and Sergeant Macdonell, but we cannot say that it is proved that members of the Police Force at Invercargill prevent prisoners or others employing Mr. Henderson professionally. We think the police should be instructed to send for any solicitor a prisoner may desire to see, or, if he does not know the names of the local solicitors, the names of those in the habit of practising in the local Police Court, of whom a list should be kept at the station, should be supplied to him. We think this would prevent such complaints as Mr. Henderson's being made in the future. The matter of periodical removal of members of the Force is dealt with in our general report.

During the investigation of the above complaint, evidence was given as to what were considered questionable methods used by Sergeant Macdonell in obtaining evidence in criminal cases, by leading persons to believe that certain other persons had made statements to him which had not been made, whereby such first-mentioned persons were deceived into making certain admissions. Whilst recognising the difficulties the police often have in procuring the necessary evidence to obtain conviction against guilty persons, we desire to record our opinions that a resort to falsehood by the police in order to procure evidence to obtain a conviction is highly reprehensible.

Complaint by First-class Constable John Jeffries, No. 36, who complains as follows: (1.) That many juniors to myself in the service have been promoted to higher class and pay, while others have been appointed to stations where the emoluments are considerable in

connection with work outside what is generally deemed to be police employment. (2.) That during the time Colonel Hume was Commissioner I was transferred four times, being a removal about every year and eight months on the average, which I think unreasonable; besides, it has been ruinous financially and otherwise to myself and family. I am utterly unconscious of having done wrong in any way to deserve it, hence am anxious to know why I have been selected for so much punishment. (3.) That, having been informed by Colonel Hume I was transferred from Picton because I interfered in the last election, and, having denied the accusation, asked him to grant me an inquiry into it, and he peremptorily declined to do so, thus affording me no opportunity whatever of defending myself, which I consider a drastic and most un-English-like proceeding, and contrary to all sense of fair-play. (4.) That when transferred from Picton Station, Colonel Hume would not allow me any compensation for improvements I had made to it, and which I was almost bound to effect or carry out in order to make the premises inhabitable and somewhat comfortable, neither would he permit me to remove them after giving up possession of the building, but retained them, either in the interest or on behalf of the Government, or for the benefit of the constable who succeeded me there, which I consider not only denotes ill-feeling and prejudice against me, but was a drastic proceeding, whereby I have been made a monetary sufferer, amounting to several pounds. The improvements in question consisted of the erection or fitting-up of venetian window-blinds, clothes-bars and hooks, hat-racks, shelving, lamp-stands, &c., wash-house, wood- and coal-house, and other outdoor improvements, all of which were necessary and cost money.

Finding.—A great deal of evidence was taken in reference to this complaint, both at Nelson and Blenheim, and we have come to the following conclusion on the matter: (1.) As to non-promotion complained of by Constable Jeffries, we have no recommendation to make. His and similar complaints upon this head are dealt with in our general report. (2.) As to the second complaint we have no recommendation to make. (3.) The main point sought to be established by Constable Jeffries in reference to his conduct during the preparation of the electoral roll for the House of Representatives, prior to the last general election, was that he, Constable Jeffries, had not improperly omitted from the Wairau electoral roll the names of a number of persons living at Admiralty Bay and other places to the westward of Pelorus Sound, who were entitled to have their names placed upon that roll. The evidence entirely satisfied us that Constable Jeffries carried out the instructions he received from his superiors fully and in a perfectly impartial manner. We are also satisfied that a telegram which was sent to him by Sergeant Möller, at the instance of Mr. Mills, M.H.R., altering his (Constable Jeffries') first instructions was not received by him at all. (4.) We are of opinion that Constable Jeffries should have been allowed to remove from the police quarters occupied by him at Picton the following things: Venetian window-blinds, clothes-bars and hooks, hat-racks, shelving, and lamp-stand; and that, as he was not allowed to remove them, he should be paid a reasonable value for the same.

Complaint of Third-class Constable John Cullinane, complaining of evidence given by Charles Slight before the Commissioners concerning the complainant, and alleging a promise by the Minister in charge of the Police Department that complainant should be restored to his former position as first-class constable upon refunding the compensation which he had received on being allowed to retire from the Force through illness.

Finding.—We find that Constable Cullinane retired from the service as a first-class constable owing to illness, and that the Minister in charge of the Department agreed that he should be allowed to rejoin as a constable upon refunding the compensation which was paid to him on retirement. This he did not refund, claiming that he was promised by the Minister that he should be reinstated as a first-class constable. This promise is not proved to our satisfaction. We consider that when Constable Cullinane leaves the service again he should not receive any further compensation or retiring-allowance. If the police pension scheme is instituted he would be entitled to receive his pension in the usual way, his service to count from the date of his rejoining the Force.

Complaint of Constable Edward Brophy, who complains that he was put to extra expense in being sent on relief duty to Seddonville and detained there on that duty for nearly six months, whereas he had been led to believe he would be kept there for only a few weeks.

Finding.—We consider that, under the circumstances, Constable Brophy should be compensated to a reasonable extent for the extra expense so incurred by him.

Complaint of Constable Thomas John O'Brien, representing that he had been ordered to proceed on transfer from Auckland to Napier, and that while so proceeding he was wrecked in the s.s. "Tasmania," and lost clothing and effects to the value of £80 16s., and that the Police Department had refused to recompense him in any way in respect of such loss, on the ground that he should have insured the articles referred to.

Finding.—We are of opinion that as Constable O'Brien was proceeding to Napier under orders, and, as the loss was beyond his control, he should be reimbursed by the department the value of his uniform and clothing. We cannot consider the department liable for extra articles, such as his violin and things beyond his outfit as a constable.

Mr. Fleming's Complaints.—We consider the several charges made by Mr. George Spencer Fleming, and which are set out in the Schedule hereto, were wholly without foundation, and we have ordered that the costs of such witnesses as were subpoenaed at his request be paid out of the amount deposited by him for their expenses.

In addition to the matters referred to in the Schedule hereto, a large number of letters were received by us containing suggestions as to various matters connected with the organization and administration of the Police Force of the colony. At each place where we held sittings, the local members of the Force were invited to bring any grievances, complaints, or suggestions which they had to make in respect to the Force before us, and at each place complaints and suggestions were received in writing. These have been carefully considered, and the result of our consideration is embodied in our general report.

We now return to your Excellency the Commission with which you honoured us, together with this report. The Evidence, Minutes of Proceedings, and Appendix are being printed, and will be forwarded to your Excellency as soon as possible.

In witness whereof we have hereunto set our hands and seals, this twenty-eighth day of July, one thousand eight hundred and ninety-eight.

(L.S.) ALBERT PITT,
 (L.S.) J. W. POYNTON,
 (L.S.) H. S. WARDELL.

SCHEDULE.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
1	John McMahon (ex-police-sergeant)	Police Department	AUCKLAND DISTRICT. As to his alleged wrongful discharge from the Police Force	Case not entertained by Commissioners as to his retirement from the Police Force, being excluded by terms of the Royal Commission; his contention as to the existence of a rule in the service that powers of watchhousekeeper in watchhouse are absolute (and as to which the Commissioners took evidence) held not to be proved by the evidence given	Ex-Sergeant McMahon alleged that the rule referred to existed, and sought to justify his conduct on occasion referred to in his complaint.
2	A. J. McClusky (ex-Inspector of Police)	Police Department	As to his alleged wrongful discharge from the Force	Matters not entertained, being excluded by the terms of the Royal Commission.	
3	Thomas Collis	Police Department	As to his alleged wrongful discharge from the Force	Not entertained.	
4	District Constable C. T. Dunne (Kaikati)	Police Department	Complaining as to the insufficiency of his pay as a District Constable		
5	Maria Smith	Police Department	Persecuting her son and herself		Consider salary should be increased.
6	Rév. F. W. Tsitt	Police Department	(1.) That the efficiency of the Police Force has been seriously impaired to the detriment of the public interest by the exercise of outside influence which has been brought to bear upon it, especially by influence of an outside nature (2.) That the licensing laws and those laws which relate to gaming have not been strictly enforced; and that the laws under which the sale of intoxicating liquors in the King-country and other Native districts is prohibited have been administered with special laxity	Satisfied no ground exists for charge, and that complainant suffers from a delusion in the matter.	
7	John Bell	Constable McLelland	Unfair arrest of complainant when he was ill; and held medical certificate	Disproved.	
8	John Bell	Inspector Hickson	Unduly interfering with complainant	Disproved.	
9	John Bell	Constable Kennedy	Improper interference with complainant when about to address a public meeting	Disproved.	See reference to these matters in general report.
10	John Bell	Sergeant Lyons and ex-Sergeant Gamble and ex-Sergeant McMahon	Unlawfully conspiring to prevent complainant addressing the public	Disproved.	
11	John Deans	Sergeant Green	(1.) Insulting language to complainant in reference to his wife (2.) Allowing hotel at Onehunga to keep open after hours	We are of opinion that the words alleged to have been used were used, but merely in jest.	
12	George Everard Bentley	Police Department	As to administration of licensing laws; conduct of police in Auckland; state of police cells, and treatment of prisoners therein	Appears that the hotel at Onehunga, referred to was frequented by travellers who had visited Onehunga to attend a ball or entertainment. See report of evidence, and see also special reference in general report as to watchhouses and police-cells.	

SCHEDULE—continued.

Number of Charge or Complaint	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.			
NAPIER DISTRICT.								
13	T. E. Taylor ..	John Emerson ..	Being of drunken habits, and addicted to gambling Having neglected to enforce the Gaming and Lotteries Act, and on occasions shown open sympathy with persons accused July 6th, 1897, at Gisborne; and January 7th, 1898, at Napier Intemperate habits since having charge of Hawke's Bay district, and addicted to gambling Mismanagement of Police duties .. Suggestions as to position of District Clerks .. Concerning evidence given by Colonel Hume re the late Inspector Moore's retiring-allowance Allowing Railway Refreshment Rooms at Waipawa to be kept open between departure and arrival of trains	..	See special findings.			
14	T. E. Taylor ..	John Emerson ..		..		..
15	T. E. Taylor ..	John Emerson ..		..		..	No appearance. Dealt with in general report. No appearance of Miss Moore. Her letter appears in the Appendix.	
16	T. E. Taylor ..	John Emerson ..		..		..
17	J. H. Phillips ..	John Emerson ..		..		..
18	S. P. Norwood ..	..		..		..
19	Miss Elizabeth Moore ..	..		..		..
20	Harry Bryant Thompson	Constable Dennis Broshan		..		..		Complainant did not appear at time appointed. Complaint not dealt with; but we were satisfied upon the Constable's explanation that complainant had no ground for complaint
NEW PLYMOUTH DISTRICT.								
21	J. J. Gilbert ..	Constable John Gillespie		Improper conduct when in Armed Constabulary in 1886		..		Not heard; excluded by terms of Commission.
WELLINGTON DISTRICT.								
22	Constable John Gillespie	Police Department		Upon several occasions having been unfairly treated		..		These charges were withdrawn on account of complainant's illness, but matters appear to have been already investigated by Mr. Hasselden, S.M.
23	Francis Rumsey	Constable T. O'Rourke ..		(1.) Assisting a prisoner who was convicted of theft to evade justice. (2.) Neglect of duty on various occasions ..		Disproved .. Disproved ..		During the inquiry it was shown that Constable O'Rourke was playing cards in a hotel in plain clothes. He admitted it, saying he considered he had a right to do so.
4	Charles Slight	Police Department		Claiming compensation for services as constable ..		..		We consider ex-Constable Charles Slight acted with great courage on the occasion referred to in the evidence.
25	Constable T. O'Rourke ..	..		To give evidence and to defend his character upon matters not connected with Rumsey's charges		Evidence satisfactory.		..

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
26	Sergeant A. H. Wright	Police Department	<p>WELLINGTON DISTRICT—continued.</p> <p>Complains of being deprived of 1s. per day clerical allowance in 1893</p>	<p>It appears that the former holder of the office of District Clerk at Wellington has received 1s. per day. Wright was promoted a first-class constable, and removed to Wellington as District Clerk. The intention of the Commissioner (Lieut.-Colonel Hume) appears to have been to do away with this allowance in respect of new appointments</p>	<p>See reference to this subject in general report.</p>
27	Constable F. O'Leary	..	<p>To give evidence concerning his character</p>	<p>This constable lost some summonses whilst he was proceeding to serve them. He paid the costs incurred in consequence of their loss.</p>	<p>The implied imputation against Inspector Pender of having improperly deprived Constable Foley of the charge of the Manners Street Police Station, Wellington, is disproved by the evidence.</p>
28	Constable John T. Foley	Police Department	<p>Complains of his treatment in the service since placed in charge of Manners Street Police Station, Wellington</p>	<p>This constable complained of having been reprimanded and an entry made upon the defaulter's sheet without his having been informed that it would be so entered. He denied having committed the offence in respect of which such entry was made. He obtained the removal of the entry by applying to Mr. John Duncan, M.H.R.</p>	<p>Copy of certificate of death of Amy Dyson appears in appendix, showing death from natural causes.</p>
29	Ex-Const. George Neale	Inspector Pender	<p>At Christchurch: Neglect of duty in not calling witnesses in case of alleged concealment of birth by Mrs. Boyd of child of one Amy Dyson, and that in consequence there was a gross miscarriage of justice</p>	<p>Evidence not completed; but so far as it went it wholly disproved the charge alleged against Inspector Pender, which we fully believe to be utterly unfounded. Complainant withdrew, and declined to call further evidence</p>	<p>These matters are all dealt with in the general report.</p>
30	T. E. Taylor, M.H.R.	The Police Department	<p>(1.) Asserts grave discontent among the members of the Police Force in the colony. That the wrongful use of political power by Ministers and others has disorganised and demoralised the force, and generally acted in a prejudicial manner upon the public interest 2.) That the police have failed to enforce the laws of the colony</p>	<p>..</p>	<p>..</p>
31	Frederick Pirani, M.H.R.	..	<p>PALMERSTON NORTH DISTRICT.</p> <p>Complaining that Constable Gillespie had been persecuted by the Department at the instigation of brewers and publicans</p>	<p>..</p>	<p>Not heard in consequence of absence of Mr. Pirani owing to illness. No evidence tendered. Constable Gillespie also at same time confined to Wellington Hospital through illness.</p>

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
32	W. Hamer ..	Constable John Gillespie ..	<p>PALMERSTON NORTH DISTRICT—continued.</p> <p>Neglect of duty in respect of charge of theft against two men made by complainant</p>	..	Not dealt with. Complainant not present; Constable Gillespie being absent also through illness.
38	Sergeant Edward Wilson	..	Explanation as to removal from Akarua, and correction of evidence given in reference thereto	Sergeant Wilson's explanation and evidence thereon quite satisfactory.	
34	E. Purser ..	Police force at Blenheim	<p>BLENHHEIM DISTRICT.</p> <p>Failure to take prompt action <i>re</i> disappearance of Harry Satherley</p>	We consider the police did all in their power under the circumstances. Whether Satherley died from accident or was murdered is yet to be proved.	
35	John Jeffries ..	Colonel Hume ..	Unfair treatment ..	See special finding.	
36	James Brown ..	Sergeant Daniel Hannan	<p>WESTLAND DISTRICT.</p> <p>Fraud in trafficking in hotel property ..</p>	See special finding.	
37	John Cullinane ..	..	Complaining of incorrect evidence having been given about him, and urging claim to promotion	See special finding.	
38	Henry Nickless ..	Constable Bennett ..	Disclosing information wrongfully ..	Charge disproved.	
39	Ruffino Taminelli ..	Constable Stewart ..	Failing to take action against persons who placed complainant's wagon in river bed	Charge disproved.	
40	Antony Marley ..	..	Complaining of the evidence given by Constable Philpotts	Marley was not before the Commission at Westport, but Constable Philpotts applied there to have an entry in his defaulter's sheet removed, which entry was the result of his observations to Marley as to the latter's conduct. We have no recommendation to make in the matter. (See his evidence.)	
41	Constables Macdonnell and Brophy	..	Complaining that marks were put on their defaulter's sheets unjustly	We have no recommendation to make. The constables should have continued to watch the steamer "Dingadee" when ordered to do so.	
42	Constable James Gantley	..	<p>CANTERBURY DISTRICT.</p> <p>Asks to be allowed to refer to allegation in evidence given before the Commissioners which suggested he had been guilty of exhibiting obscene pictures</p>	Allegation disproved. Constable Gantley's statement quite satisfactory.	
43	Ex-Sergeant Beck ..	Certain officers of Police Force	Complaining of being unjustly treated ..	Withdrawn.	
44	Constable Flewollen ..	Police Department ..	Claiming that others unfairly promoted over him ..	See evidence. This constable has an excellent record, a clean sheet, and we think he must have been inadvertently overlooked in the matter of promotion; and we recommend him for favourable consideration.	Matter of promotion dealt with in general report.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
CANTERBURY DISTRICT—continued.					
45	Rev. Father D. M. Salvador (Lytelton)	Constable O'Connell	Complaining of allegations made by Constable O'Connell in his evidence concerning him	See evidence.	
46	W. M. De Weston	Certain members of the Police Force	False arrest of complainant, and assault	Not heard, having been already dealt with in law courts.	
47	Constable A. Stanton (District Clerk, Christchurch)	Police Department	Complaining of being refused clerical allowance as allowed to other District Clerks	Does not appear to have any right to allowance, which the late Commissioner (Lieut.-Col. Hume) evidently intended to do away with on new appointments.	Matter of allowance to District Clerks dealt with in general report.
48	Detective Benjamin (delegated)	Police Department	Complaining as to expense incurred by detectives in procuring and maintaining bicycles for detective work	See general report, where matter dealt with.	
49	Constable George Hastie	Police Department	Non-promotion	See evidence. Matter dealt with in general report.	
50	Amelia Cook	Constable Patrick McGill	(Particulars not given)	Not heard, having already been dealt with by law court.	
51	Sydney Day (Sydenham)	Police	Neglect of duty; not detecting perpetration of burglary	Not proved (see evidence).	
52	J. D. Crockett (ex-Mounted Constable)	Police Department	Providing complainant with an unsound trooper, and that in consequence complainant suffered loss and inconvenience	Horse unsound, but whether so when purchased does not appear.	
53	T. E. Taylor, M.H.R.	Constable Patrick McGill	That Constable McGill was of intemperate habits. That on the 9th and 16th April, 1898, was in a state of drunkenness in the public streets; also, that in connection with the collection of the dog-tax in Sydenham he has displayed gross carelessness; also, that in case of intended visit of inspection 72 kerosene, because he informed the person concerned, namely, one Bowden, of the intended visit	See special findings in these cases.	
54	T. E. Taylor, M.H.R.	Constable McKenzie (Christchurch), and Constable Thomas Barrett (Christchurch)	Improperly entering hotel in Christchurch, namely, Arenas's Café, and remaining there during the time they should have been on duty	See special findings in this case.	
55	George Spencer Fleming	Constable Patrick McGill	Having broken into house of John Cook and Amelia Cook and assaulted them	Not heard. Matter already dealt with by court of law.	
56	George Spencer Fleming	Constable Ryan	Neglect of duty in case of one Spain who drew a knife and assaulted one Jansen	Not proved.	
57	George Spencer Fleming	Inspector Broham	Being bouncable and arrogant	Charge withdrawn.	
58	George Spencer Fleming	Sergeant Scully	That he insulted and unduly interfered with one Jules Lelievre	Disproved.	
59	George Spencer Fleming	Sergeant Scully	Assaulting Jules Lelievre and August Lelievre, and causing disturbance in public street	Withdrawn.	
60	George Spencer Fleming	Police	Not inquiring into circumstances of complaint, made by one Field at Eketahuna, as to loss of bullock	No evidence adduced.	

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
CANTERBURY DISTRICT—continued.					
61	George Spencer Fleming	Police	Neglecting (about two years previously) to discover people who stole—(a) 2,000 of complainant's sheep at Katuna; (b) a number of sheep belonging to one Hugh Buchanan of Little River; (c) 300 cattle belonging to one Randall of Akaroa Heads; (d) 1,000 sheep belonging to — Menzies of Macintosh Bay	Not proved.	
62	George Spencer Fleming	Detective Benjamin	In June, 1897, forcing his way into house of Mrs. Cummings in Tuam Street, Christchurch, while she was ill in bed	No evidence adduced.	
63	George Spencer Fleming	Constable Hill	Insulting one Annie Murdoch, and then arresting her on imaginary charge	Disproved.	
64	George Spencer Fleming	Constable Hill	Forcing his way into house of girl named Smith, breaking a window, and blackening her eye	Disproved.	
65	George Spencer Fleming	Constable Ryan	Failing to keep promise to attend at Fort Levy at complainant's house, to keep order against possible intruders and larrikins at a dance given there by complainant	Disproved.	
66	George Spencer Fleming	Constable Ryan	Vexatiously causing complainant to make unnecessary alterations to woolshed	Not proved.	
67	George Spencer Fleming	Police Department	That Constable Crockett supplied with and compelled to ride a horse unfit for work, and unsafe also	Not heard. Dealt with on Constable Crockett's own complaint	See order as to the costs 72 complaints by Mr. George Spencer Fleming.
68	George Spencer Fleming	Sergeant Rutledge	That three years previously the Sergeant, then at Lyttelton, refused to investigate case of cruelty to animals at Diamond Harbour	Disproved.	
69	Constable Stephen Maitland Kelso	Police Department	Complaining of non-promotion	This Constable appears by the evidence to have been recommended for promotion by his Inspector upon three separate occasions. We think he must have been inadvertently passed over in the matter of promotion, and we recommend him for favourable consideration.	
TIMARU					
70	Constable J. J. Wethered	..	Relating to being fined 10s., and asking for promotion	..	Dealt with in general report. We make no special recommendation.
71	T. E. Taylor, M.H.R.	Constable Mullancy	That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duties	..	Special finding.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved Wholly, Partially, or Disproved.	Remarks.
TIMARU—continued.					
72	Robert Crawford	..	Claiming promotion ..	Inspector Weldon, in September, 1884, recommended this constable for promotion to first class, and a distinct written promise was given by Colonel Reader, then Commissioner of Police, in a minute upon Inspector Weldon's recommendation, that Constable R. Crawford should be promoted to second class upon first vacancy in Dunedin. He was not promoted second class until 1893. If there had been any previous vacancies in Dunedin in the interim since Colonel Reader's minute it is clear that the promise to Constable Crawford has not been kept, and we recommend him to favourable consideration. Constable Crawford has an excellent record	Matter dealt with in general report.
73	T. E. Taylor, M.H.R.	Sergeant Thomas O'Grady	Alleged improper conduct towards Mrs. Mary Simpson	See special finding ..	No evidence taken in consequence of illness of principal witness. Withdrawn.
74	Mary Simpson	Sergeant Thomas O'Grady	Alleged improper conduct towards Mrs. Mary Simpson	..	..
75	T. E. Taylor, M.H.R.	Sergeant Thomas O'Grady	Intemperate habits and neglect of duty ..	See special finding.	..
76	Hugh McLaren	Sergeant Thomas O'Grady	Neglect of duty ..	Disproved.	..
77	H. G. Hunt	..	As to pay of members of Police Force ..	Dealt with in general report under the head of "Pay of the Police Force."	..
78	Michael Hannon	Michael Greene	Neglect of duty and absent from beat during hours of duty	We find that Constable Greene quitted his beat and went to his sleeping-room, and remained there longer than was necessary for the alleged purpose of changing his boots. We do not find he was in liquor.	..
79	Edmund Charles Trehey	..	Asking for mess to be established at Oamaru, &c. ..	Dealt with in general report.	..
OTAGO.					
80	T. E. Taylor, M.H.R.	Police	Neglect of duty in respect of suppression of houses of ill-fame	See special finding and general report.	..
81	Arthur Henry Widdas	Constable T. Howard	Falsely charging complainant with being drunk ..	Not considered by Commission ..	Charge having been already brought before a Court and dealt with.
82	Constable James Pratt	Police Department	Claiming promotion ..	Matter dealt with in general report ..	We have no special recommendation to make.
83	W. J. Winter	Constable Pratt	Compaining of incorrect statements in Constable Pratt's evidence	..	See Appendix. See also Ex-Inspector Buckley's letter on same subject in Appendix.
84	Constable David Hannifin	..	Asking to be allowed to give explanation in reference to evidence given by Sergeant Conn	..	See Constable Hannifin's evidence, pages 460 to 462.

SCHEDULE—continued.

Number of Charge or Complaint.	By whom made.	Against whom.	Nature of Charge or Complaint.	Whether Proved, Wholly, Partially, or Disproved.	Remarks.
OTAGO—continued.					
85	Constable J. W. Brennan	..	Complaining of evidence given about him, and asking that it be corrected	..	See evidence given by Inspector Pardy relating to him, pages 209 and 250.
86	Sergeant John Dwyer	..	Claiming promotion	..	See special finding.
87	Constable Hugh Mulholland	..	Claiming promotion	..	See special finding.
88	R. Rainer Jones	..	Claiming reward for arrest of escaped prisoner	..	No recommendation to make.
89	Constable Daniel Treacy	..	Asking that service in Armed Constabulary be allowed, so that he can get long-service pay.	..	The reward is claimable, if at all, from the Prisons Department, provided the Judge trying the case recommended the payment of such reward. No such recommendation was made in the case referred to by complainant. Constable Treacy's case is similar to many others. He and they must have known when they entered the Service that the period served in the Armed Constabulary would not count. The work in the Armed Constabulary was not as wearisome as that in the police, and it is a rule of the Department that "service in the Armed Constabulary does not count as service in the Police Force." We see no reason to disturb this rule. We have no recommendation to make.
90	Constable Jas. Leece	..	Claiming promotion	..	We have no recommendation to make.
91	Sergeant P. Bowman	..	Claiming extra pay for acting as gaoler at Arrowtown	..	We have no recommendation to make. No pay attached to the position of Police Gaoler (as such) at Arrowtown.
92	T. E. Taylor, M.H.R.	..	Constable Christie	..	See special finding.
93	J. J. Meikle	..	Constable Leece	..	We find that the statements made by Constable Leece as to the stock and chattels upon complainant's property were believed by him to be true at the time he made them. We also find that the words relating to the young man Johnston, "remaining to father such a large family," were not intended to impute immoral relations between Mrs. Meikle and Johnston, although open to such a construction. See special finding.
94	A. C. Henderson	..	Sergeant Macdonnell	..	That Sergeant Macdonnell prevents prisoners from employing complainant professionally, and suggesting periodical removal of officers in charge of station
95	Nicholas Azzariti	..	Constable Treacy	..	Disproved.
96	Robert Rae	..	Unfair treatment of complainant's wife	..	Disproved.
97	Mrs. S. J. Slattery	..	Failure of police to arrest certain persons	..	Disproved.
			Neglect of duty on part of police	..	Withdrawn.

MINUTES OF PROCEEDINGS.

WELLINGTON.

MR. POYNTON arrived in Wellington Friday, 11th February, 1898.

Colonel Pitt arrived in Wellington Saturday, 12th February, 1898.

SATURDAY, 12TH FEBRUARY, 1898.

During the day an informal meeting was held at the residence of Mr. Wardell, at which preliminary matters were discussed and agreed upon.

MONDAY, 14TH FEBRUARY, 1898.

The Commission sat at the Parliamentary Buildings, Wellington, at 10.30 a.m. on Monday, the 14th day of February, 1898.

Present: Albert Pitt, Esquire, barrister; Joseph William Poynton, Esquire, S.M.; and Herbert Samuel Wardell, Esquire, S.M.

Resolved, on the motion of Colonel Pitt, That Mr. Wardell be appointed Chairman of the Commission.

The official reporters, A. M. Kay and J. Dunbar Gray, and the Secretary, E. W. Kane, were in attendance.

The Commission was read.

Resolved, on the motion of Mr. Poynton, That the public proceedings of the Commission shall be open to the Press.

The Commission resolved as follows:—

1. That any person making an allegation or complaint, or against whom any complaint is made, may appear personally or may be represented by counsel.

2. A form of advertisement, to be inserted in all daily papers throughout the colony outside the Wellington Provincial District, was agreed to, as follows:—

ROYAL COMMISSION TO INQUIRE INTO MATTERS AFFECTING THE POLICE FORCE OF THE COLONY.

NOTICE is hereby given that a Royal Commission has been appointed to inquire, *inter alia*, into the general organization, distribution, control, enrolment, discipline, efficiency, pay, emoluments, and rewards of the Police Force of the colony as it now exists, and as to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

Pursuant to the terms of the Commission, no inquiry will be held by the said Commission into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct or for any other reason.

All persons who desire to make any complaint or allegation within the terms of the Commission are hereby notified that a general statement of such complaint or allegation, in writing, must be forwarded to the Secretary of the Commission, at the Parliamentary Buildings, Wellington, so as to reach him on or before the 10th day of March, 1898.

The Commission will sit to hear evidence and make inquiry into such complaints or allegations, and generally into the administration, efficiency, and control of the Police Force, at such places as may be most convenient, at times

E. W. KANE,

Secretary of the Commission.

Wellington, 14th February, 1898.

3. A form of advertisement to be inserted in all daily papers within the Wellington Provincial District was agreed to as follows:—

ROYAL COMMISSION TO INQUIRE INTO MATTERS AFFECTING THE POLICE FORCE OF THE COLONY.

NOTICE is hereby given that a Royal Commission has been appointed to inquire, *inter alia*, into the general organization, distribution, control, enrolment, discipline, efficiency, pay, emoluments, and rewards of the Police Force of the colony as it now exists; and as to the general conduct, sobriety, and morality of the members of the said Force, and the alleged failure of the said Police Force to maintain order and enforce the laws of the colony.

Pursuant to the terms of the Commission, no inquiry will be held by the said Commission into any matter or thing which has already been investigated and determined before any judicial or other lawfully constituted tribunal, or where any member of the Police Force has been dismissed from the service, or whose services have been dispensed with in consequence of his misconduct, or for any other reason.

All persons in the City and Provincial District of Wellington who desire to make any complaint or allegation within the terms of the Commission are hereby notified that a general statement of such complaint or allegation, in writing, must be forwarded to the Secretary of the Commission, at the Parliamentary Buildings, Wellington, so as to reach him on or before the 1st day of March, 1898.

The Commission will sit to hear evidence and make inquiry into such complaints or allegations, and generally into the administration, efficiency, and control of the Police Force, at such places as may be most convenient, at times

E. W. KANE,

Secretary of the Commission.

Wellington, 14th February, 1898.

4. That Mr. Tunbridge, Commissioner of Police, be asked to have a copy of the Commission inserted in the *Police Gazette*, and also a notification inviting all members of the Police Force to lay any complaint or suggestion they may desire before the Commission.

5. That the Commissioner of Police be asked to supply all papers and records that may be likely to afford information to the Commission.

Colonel Arthur Hume, the late Commissioner of Police, attended, and asked permission to read a letter he had addressed to the Hon. the Minister of Justice, asking that he might be allowed to attend the sittings of the Commission and cross-examine witnesses, and, if necessary, call evidence. Colonel Hume asked the Commissioners to grant their permission to his being present, and cross-examine witnesses and call evidence if necessary.

The Commissioners resolved that the necessary permission be granted to Colonel Hume, as requested.

During the afternoon the Commission sat at the office of the Commissioner of Police, and Mr. Tunbridge was present.

Peter Pender, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.30 the Commission adjourned until to-morrow at 10.30 a.m.

TUESDAY, 15TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Colonel Hume and Mr. Tunbridge were in attendance.

The minutes of the previous meeting were read and confirmed.

Resolved, on the motion of Colonel Pitt, That the advertisement sent to the newspapers in the City of Auckland, Wellington, Christchurch, and Dunedin be inserted in three issues of the newspapers.

John Evans, senior clerk, Commissioners' office, Police Department, attended, was sworn, and gave evidence, which was taken down by the reporter.

During Mr. Evans's examination Mr. T. E. Taylor, of Christchurch, M.H.R., attended, and stated that, as he had made charges against the administration, he should be allowed to ask questions; and the Commissioners thereupon agreed to Mr. Taylor's request, and he was permitted to cross-examine the witness.

Colonel Hume was to be called as the next witness, and, as Mr. Taylor desired to be present, and expressed a wish that the evidence of Colonel Hume would not be commenced till to-morrow, the Commission adjourned at 1 p.m. till 10.30 a.m. to-morrow.

WEDNESDAY, 16TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume, Inspector of Prisons and late Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned till to-morrow at 10.30 a.m.

THURSDAY, 17TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Arthur Hume continued his evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

FRIDAY, 18TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Arthur Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Arthur Hume continued his evidence, which was taken down by the reporter.

Mr. Taylor intimated that it was necessary for him to return to Christchurch by to-day's steamer, but that he would meet the Commission on a subsequent date, and would then desire to continue his cross-examination of Colonel Hume.

At 4.30 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

SATURDAY, 19TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commissioners were engaged during the day perusing official documents and exhibits.

At 1 p.m. the Commission adjourned till 10.30 a.m. on Monday next, 21st February instant.

MONDAY, 21ST FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Before commencing to take evidence the Chairman (Mr. Wardell) said he wished to make a remark to the reporters—viz., “During the last day or two some things have occurred which make me inclined to doubt the wisdom of admitting the Press to this inquiry. I refer to comments on incomplete evidence, and the publication of remarks not on oath (aside, in fact) which make or suggest charges against individuals. These asides it is impossible for us at all times to stop, as they are uttered before we can interfere—especially as part may be relevant. But the Press should abstain from reporting these, or, having reported them, from accentuating the mischief by paragraphing them and quoting them in leading articles. We hope the reporters will take this hint, and that editors will not forget the responsibilities of their papers, and that reporters should confine themselves to reporting sworn evidence only.”

Mr. Poynton and Colonel Pitt concurred in the remarks made by the Chairman.

Colonel Hume continued his evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

TUESDAY, 22ND FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

The Chairman informed Colonel Hume that for the present his evidence was concluded, but that he would probably be required to give further evidence at a subsequent date.

Captain John Coleman, Permanent Artillery Defence Force, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Tunbridge brought before the Commission an official file of papers (Police, 97/1437) relating to the petition of ex-Constable G. Neale, and which the Cabinet desired the Commission to consider, if coming within the scope of the Commission.

Resolved, That the Commission is of opinion that, having no power to inquire into any case of dismissal, the petitioner should be informed that if he desires to bring any charge against any officer of police he must formulate it, and forward it to the Secretary before the 1st March, 1898, and it will then be dealt with.

At 5.30 p.m. the Commission adjourned till 10.30 on Thursday next.

THURSDAY, 24TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commission was engaged during the day in perusing official records.

At 5 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

FRIDAY, 25TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Mr. Tunbridge and Colonel Hume were in attendance.

Complaint :—Charles Slight, ex-constable, but at present a licensed victualler, Paikakariki, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 1 o'clock p.m. the Commission adjourned till to-morrow at 10.30 a.m.

SATURDAY, 26TH FEBRUARY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged perusing records and correspondence, and at 1 p.m. adjourned until 10.30 a.m. on Monday next.

MONDAY, 28TH FEBRUARY, 1898.

The Commission met at 10.30 a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged up to 1 o'clock p.m. perusing official records and correspondence.

At 2.30 p.m. the Commission met at the Central Police-station, Lambton Quay. The Force was drawn up on parade, and, after being inspected, were addressed by the members of the Commission, and also by Mr. Tunbridge, and were invited, if they had any complaints to make or suggestions to offer to place same before the Commission, when they would receive full consideration.

The Commissioners and Mr. Tunbridge then inspected the quarters of the men, and examined the official books in use at the station.

The Mount Cook and the Manners Street Stations were then visited, and the men and quarters inspected.

The Commissioners addressed the men at each station.

At 5.30 p.m. the Commission adjourned till 10.30 o'clock to-morrow.

TUESDAY, 1ST MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of George Neale, ex-constable, against Inspector Pender:—Mr. Neale and Inspector Pender were in attendance.

George Neale, ex-constable, at present boardinghouse-keeper, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

At the conclusion of his giving evidence, Mr. Neale called the following witnesses, viz.: Colonel Hume; Peter Pender, Inspector of Police; and William Thomas Mason, Sergeant-Major, Police Force, Wellington: and they were each sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

WEDNESDAY, 2ND MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of George Neale, ex-constable, against Inspector Pender:—Upon George Neale being called to attend, the Secretary stated that Mr. Neale had called at the office before the hour for the meeting of the Commission, and stated he did not mean to attend the Commission further, for the reasons disclosed in his letter to the Chairman. The following letter, addressed to the Chairman, was read:—

SIR,—

Wellington, 2nd March, 1898.

I beg to draw your attention to a charge made by me against Inspector Pender and Constable Cullen, for suppression and obstructing a charge of murder *in re* Boyd case, concealment of a birth of a child in Christchurch in 1883. The opening proceedings on the 1st instant by the Royal Police Commission were as follows, viz.: solely to confine myself to the charge preferred by me against Inspector Pender, and that other charges brought by me would be dealt with by the Commission. I have already now submitted to the Commission the names of those subpoenaed in the above case that were subpoenaed to give evidence, and I have also been subjected to a cross-examination not at all relevant to the case in question.

Further, the reports appearing in the public Press of the 1st and 2nd March, 1898, at Wellington, are not consistent with the evidence taken, which is misleading in the above case on the 1st March, 1898.

Further, I beg to draw your attention that I shall be doing an act of injustice to myself and family by attending a Royal Commission as set up, and also at my own expense, for the benefit and welfare of the community at large.

I remain, &c.,

GEORGE NEALE.

The Chairman, Police Royal Commission, Wellington.

There being no appearance of George Neale, the Chairman inquired of Inspector Pender if he desired to give any further evidence. Inspector Pender, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter. During his examination Inspector Pender handed in a copy of the certificate of the registration of death of Amy Dyson, and it was marked as Exhibit No. 14. Inspector Pender not desiring to call any further evidence, the Chairman intimated that, as Mr. Neale had not attended, the case was closed.

Case of Sergeant-Major Moore:—Miss Elizabeth Moore wrote complaining of the evidence given by Colonel Hume concerning her father. *Resolved*, That Miss Moore be informed that the Commission would sit at Napier on a future date, when the Commission would be prepared to receive her evidence.

Colonel Hume attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

At 5 o'clock p.m., the Commission adjourned till 10.30 a.m. to-morrow.

THURSDAY, 3RD MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

The Commission perused and replied to a quantity of correspondence.

At 11 o'clock a.m. the taking of evidence was continued.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

During the evidence of Colonel Hume, Mr. Taylor raised the question as to what was Mr. Tunbridge's position on the Commission. The Chairman stated that Mr. Tunbridge was present as head of the Police Department, and that the Commission had agreed to his being so present, with the right to cross-examine witnesses or to defend his department.

Mr. Tunbridge brought before the Commission a memorandum from Constable Carr, Patea with reference to the evidence of Colonel Hume referring to the constable; also, a memorandum from Sergeant E. Wilson, Palmerston North, calling attention to certain evidence given by Colonel Hume.

Resolved, That the officers in question would be given an opportunity at a later date of giving evidence, if they so desired.

Mr. T. E. Taylor handed in a complaint that he proposed to call evidence to prove that Inspector Emerson, in charge of the Hawke's Bay Police District, is of drunken habits and addicted to gambling.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

FRIDAY, 4TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Several letters were received, read, and dealt with.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume continued his evidence, which was taken down by the reporter.

Arthur Hobbins Wright, Sergeant of Police and District Clerk, Wellington, attended, was sworn, and gave evidence, and the same was taken down by the reporter.

James Armishaw, of Wellington, brickmaker, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. T. E. Taylor, M.H.R., handed in a complaint that Constables Barrett and McKenzie have frequented licensed houses in Christchurch, contrary to the Police Regulations.

At 4 p.m. the Commission adjourned until to-morrow at 10.30 a.m.

SATURDAY, 5TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Maria Smith, of Wellington, widow, attended, and made a statement. The Chairman informed her that if she would make specific charges the same would be considered by the Commission.

Colonel Hume made a correction of his evidence, which was taken down by the reporter.

At 12 o'clock the Commission adjourned till 10.30 on Monday next.

MONDAY, 7TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Inspector Pender, called by Mr. Taylor, attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

Sergeant Arthur Hobbins Wright, District Clerk, Wellington, called by Mr. Taylor, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Foley:—John T. Foley, third-class constable, Manners Street, attended, was sworn, and gave evidence, and the same was taken down by the reporter.

Mr. T. E. Taylor, M.H.R., handed in the following complaint:—"I desire to call the above witnesses to prove that the police have failed to enforce the laws of the colony" (names of twenty-one witnesses given).

At 5 o'clock p.m. the Commission adjourned till 10.30 a.m.

TUESDAY, 8TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Constable Foley:—Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter. John T. Foley, being reminded he was on his former oath, continued his evidence, which was taken down by the reporter. Peter Pender, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Florence O'Leary:—Florence O'Leary, police-constable, Newtown, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor's charge, police failing to enforce the laws of the colony:—Robert Denton, engineer, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter. John Arthur Daniel Chisholm, watchmaker, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter. Ernest Fraser Jones, general printer, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

The Commission sat at 10.30 a.m.

WEDNESDAY, 9TH MARCH, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mr. Taylor's charge, police failing to enforce the laws of the colony:—Mr. Taylor called the following witnesses—viz., Arthur Wakefield Nicol, plumber, Wellington; Joseph Beaglehole, carpenter, Wellington; James Robert Crawford, blacksmith, Wellington; Irene Diana Jones, spinster, Wellington; William Hurrell, carriage-maker, Wellington; Percy Denton, watchmaker, Wellington; Featherston Herron, labourer, Wellington; Albert Tonks, saddler, Wellington; Augustus Thompson, carpenter, Wellington; George Petherick, bootmaker, Wellington. Each of the witnesses was sworn, and gave evidence, which was taken down by the reporter.

On the conclusion of the evidence the Commissioners dealt with a number of letters and other correspondence.

At 4.30 p.m. the Commission adjourned till 10.30 a.m.

THURSDAY, 10TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Florence O'Leary:—Charles Herbert Treadwell, Wellington, solicitor, attended, was sworn, and gave evidence, which was taken down by the reporter.

Application of Constables Johnston and Murphy:—Constable John Jackson Johnston attended, was sworn, and gave evidence, which was taken down by the reporter. Constable Michael Murphy attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—The Rev. John Crewes, ex-minister of religion, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor called Detective William Campbell, Wellington, and Plain-clothes Constable Charles R. Broberg. The witnesses were sworn, and each made a statement, which was taken down by the reporter.

At 5 15 p.m. the Commission adjourned till 10.30 a.m. to-morrow.

FRIDAY, 11TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge, Colonel Hume, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Mr. J. J. Gregson, of Wellington, settler, attended, and made a statement. The Chairman informed Mr. Gregson he could bring the matter again before the Commission on some future date.

Colonel Hume, called by Mr. Taylor, being reminded he was still on his oath, gave further evidence, which was taken down by the reporter.

Frank Geoffrey Burton Waldegrave, Under-Secretary, Justice Department, attended, was sworn, and gave evidence, which was taken down by the reporter.

A number of letters and other correspondence was perused and answered.

The Commission at 5.30 p.m. adjourned until to-morrow at 11 o'clock a.m.

SATURDAY, 12TH MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Colonel Hume, being reminded he was on his former oath, gave evidence, which was taken down by the reporter.

At 1 p.m. the Commission adjourned.

DUNEDIN.

WEDNESDAY, 16TH MARCH, 1898.

The Commission met at the Supreme Court Buildings, Dunedin, at 10.30 a.m., and arranged formal business.

At 3.30 o'clock p.m. the Commission met at the Central Police-station. The Force was drawn up on parade, and, after being inspected, the men were addressed by the members of the Commission and by Mr. Tunbridge, and were invited, if they had any complaints to make or suggestions to offer, to place same before the Commission, when they would receive full consideration.

The men's quarters were then inspected, and the official books in use examined.

The Commission then adjourned till to-morrow at 10.30 a.m., at the City Council Chambers.

THURSDAY 17TH MARCH, 1898.

The Commission opened its proceedings for public business at 10.30 a.m., at the City Council Chambers.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Commission fixed the order of business, and arranged for the calling of witnesses.

William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till to-morrow at 9.30 a.m.

FRIDAY, 18TH MARCH, 1898.

The Commission sat at 9.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Inspector William Stone Pardy attended, and, being reminded he was still on his former oath, continued his evidence, which was taken down by the reporter.

Complaint:—Constable Hugh Mulholland, of St. Clair, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Mr. Alexander S. Adams, solicitor, Dunedin, attended as counsel for Mr. John Hay, and, after discussion he promised to have the complaint lodged by Mr. Hay put in proper form.

Complaint:—Frederick Mallard, ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till to-morrow at 10 o'clock a.m.

SATURDAY, 19TH MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Mr. John Hay attended, with his solicitor, Mr. Adams. Mr. Adams stated that since yesterday's sitting he had had an opportunity of conferring with Mr. Hay, and that he was instructed to state that Mr. Hay did not now propose to proceed further before the Commission with the complaint lodged.

Mr. T. E. Taylor, M.H.R., lodged the following complaint:—That there has been a lax administration of the law relating to the suppression of houses of ill-fame.

General efficiency of the Force:—William Stone Pardy, Inspector of Police, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter. John Andrew Millar, M.H.R., Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge of Mr. T. E. Taylor—suppression of houses of ill-fame:—James McGill, Moray Place, Dunedin, builder, attended, was sworn, and gave evidence, which was taken down by the reporter. John Bryce Thompson, builder, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Terence O'Brien, Chief Detective, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Joseph Albert McGrath, detective, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. John Cooney, plain-clothes constable, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Tudor Boddam, plain-clothes constable, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock on Monday next.

MONDAY, 21ST MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge was in attendance.

The Commission spent the morning perusing and answering correspondence, and going through documentary evidence.

At 1 p.m. the Commission adjourned till to-morrow at 10 o'clock a.m.

TUESDAY, 22ND MARCH, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Mr. Tunbridge was in attendance.

The Commission spent the morning perusing documents and records.

During the afternoon the Commission visited the following suburban police-stations and inspected the quarters and examined the official books—viz., North Dunedin, South Dunedin, Caversham, St. Clair, and Anderson's Bay.

At 6 p.m. the Commission adjourned until Friday next at 10 a.m.

FRIDAY, 25TH MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Robert Rae, of Kensington, butcher, wrote to the Commission saying he did not propose to proceed further with the complaint he had lodged, as the matter complained of had occurred some years ago, and the constable chiefly concerned had now left the Dunedin district.

Complaint :—Nicholas Azzariti, Port Chalmers, settler, attended, was sworn, and gave evidence, which was taken down by the reporter. Susan Azzariti, wife of the said Nicholas Azzariti, attended, was sworn, and gave evidence, which was taken down by the reporter. Denis Treacy, constable, Port Chalmers, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—R. R. Jones, of Dunedin, private detective, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Denis Treacy, constable, Port Chalmers, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of J. M. Brennan, constable, Caversham :—William Stone Pardy, Inspector of Police, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Complaint :—Sergeant John Dwyer, sergeant of police, Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sarah Jane Slattery, of Dunedin, wife of John Slattery, miner, attended, was sworn, and gave evidence, which was taken down by the reporter. Sergeant William McLeod, at present stationed at Sydenham, Christchurch, formerly of Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter. James Danvers Leece, constable, formerly of Clyde, at present stationed at South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until to-morrow at 10 a.m.

SATURDAY, 26TH MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint :—Charles Bonner, mounted constable, Queenstown, attended, was sworn, and gave evidence, which was taken down by the reporter.

William Stone Pardy, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sergeant John Dwyer attended, and, being reminded he was on his former oath, gave further evidence, which was taken down by the reporter.

Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions :—Sergeant John Dwyer, Clyde, attended as a delegate for certain members of the Police Force stationed on the goldfields in the Otago district, and, being sworn, gave evidence, which was taken down by the reporter.

At 1 p.m. the Commission adjourned till Tuesday next, at Invercargill, at 10 o'clock a.m.

INVERCARGILL.

TUESDAY, 29TH MARCH, 1898.

The Commission opened its proceedings for public business at the Supreme Court Buildings, Invercargill, on Tuesday, the 29th March, 1898, at 10 o'clock.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Mr. Tunbridge and Colonel Hume were in attendance.

Complaint :—Arthur Chillas Henderson, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. During the hearing of Mr. Henderson's evidence a new charge was sprung against Sergeant Macdonell, to which he was entitled to twenty-four hours' notice, but which he waived, and the case was proceeded with. John McDonough, police-constable, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Peter McDermott, labourer, Seaward Bush, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Richard Matthews, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Mary Powell, wife of Thomas Powell, West Plains, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaints and suggestions :—William Walker, constable, Riverton, attended, was sworn, and gave evidence, which was taken down by the reporter. Godfrey Cornelius Jeffery, police-constable, at present at Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

WEDNESDAY, 30TH MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Complaint of Mr. Henderson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John McAlister, solicitor, Invercargill; A. C. Henderson, solicitor, Invercargill; James Torrance, medical practitioner, Bluff; James Young, medical practitioner, Invercargill; William Bernard McIlveney, plain-clothes constable; William Warring, sergeant of police; Godfrey Cornelius Jeffery, constable; Ewen Macdonell, sergeant of police; and the Hon. J. G. Ward.

At 5.45 p.m. the Commission adjourned until 10 o'clock to-morrow.

THURSDAY, 31ST MARCH, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Henderson:—Lavington George Roope, of Invercargill, brewer, attended, was sworn, and gave evidence, which was taken down by the reporter. John McDonough, constable, North Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. During the examination of Mr. Roope, certain evidence was given by Mr. Roope which practically amounted to a charge against Constable McDonough, and to which he was entitled to twenty-four hours' notice, but which he waived, and the matter was proceeded with. Ewen Macdonell, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John James Meikle:—John James Meikle, farmer, Wyndham, attended, was sworn, and gave evidence, which was taken down by the reporter. James Kelly, M.H.R., Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. Robert McNab, solicitor, Invercargill, attended, was sworn, and gave evidence, which was taken down by the reporter. William Graham Fox, collector of rates, Southland County Council, and ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter. Hon. Joseph George Ward attended, was sworn, and gave evidence, which was taken down by the reporter. James Danvers Leece, constable, South Dunedin, formerly of Mataura, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—William Graham Fox, ex-Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Arthur Henry Weddas, hairdresser, Invercargill, attended, and lodged a written complaint against Constable Howard. The Chairman informed the complainant that, as the matter had already been inquired into by a Court of law, the Commission were debarred from inquiring into the matter.

Evidence in respect of Constable Thomas Mayne:—Ewen Macdonell, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5.15 o'clock p.m. the Commission closed its proceedings at Invercargill, and adjourned till 4 p.m. to-morrow, at Balclutha.

BALCLUTHA.

FRIDAY, 1ST APRIL, 1898.

The Commission opened its proceedings for public business at the Courthouse, Balclutha, on Friday, the 1st April, 1898, at 4 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the preceding meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Sale of liquor within the Clutha District:—Mr. Daniel Douglas Macdonald, solicitor, Dunedin, appeared on behalf of the following witnesses, who had been subpoenaed: George Thomson, J.P., James Thomson, John Dunne, J.P., Dr. Smith, J.P., and William Wilson. Mr. Taylor called—Alexander Scott Malcolm, schoolmaster, Kelso, attended, was sworn, and gave evidence, which was taken down by the reporter. Thomas Greenwood, Railway Stationmaster, Tapanui, attended, was sworn, and gave evidence, which was taken down by the reporter. Bertrand Edgar De Latour, surgeon, Tapanui, attended, was sworn, and gave evidence, which was taken down by the reporter. Andrew Christie, constable, Mosgiel, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 7 p.m. the Commission adjourned till 9.30 a.m. to-morrow.

SATURDAY, 2ND APRIL, 1898.

The Commission sat at 9.15 a.m.

Present: Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Chairman announced that Colonel Pitt would be absent from the Commission for a few days, as he had to proceed to Westport in connection with the Easter Encampment of Volunteers, and at its conclusion would rejoin the Commission.

Sale of liquor within the Clutha District:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Robert Hislop, Stationmaster, Clinton; John Ramage, tinsmith, Balclutha. During the evidence of this witness the Commission interposed, as it related to a charge against Constable Christie, of which no notice was given, and the further evidence of the witness was adjourned. William Mathieson, mounted constable, Tapanui; Thomas Griffith, constable, Balclutha; Alfred Edward Remer, constable, Clinton; Daniel Stewart, solicitor, Balclutha; James Thomson, Balclutha; William Moir, farm-labourer, Balclutha; George Thomson, J.P., dealer, Balclutha; and James Henry, bootmaker, Balclutha. It was arranged that any remaining evidence be taken at Dunedin.

The Commission, at 4 p.m., adjourned till Monday next at 10 o'clock a.m., at the Corporation Buildings, Dunedin.

DUNEDIN.

MONDAY, 4TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of previous meeting read and confirmed.

Complaint of Mr. T. E. Taylor:—Mr. T. E. Taylor, M.H.R., handed in the following complaint: "That Constable Christie, of Mosgiel, did, whilst in charge of Balclutha, collect moneys for various people, and engage in duties for profit outside of his legal duties, and neglected to protect citizens from injuries."

Complaint:—James Pratt, constable, Clyde, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Thomas Griffith, constable, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: David Latimer, police-constable, Dunedin; Owen McCormack, police-constable, Dunedin; Jeremiah Toomey, police-constable, Dunedin; Patrick O'Neill, sergeant of police, Dunedin; Sergeant John Bell, district clerk, Dunedin; and William John Quinn, police-constable, Dunedin.

At 9.45 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

TUESDAY, 5TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell and Poynton.

The minutes of previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor—suppression of houses of ill-fame:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Frederick Woodhouse, solicitor, Dunedin; William Asher, house and estate agent, Dunedin; William Stone Pardy, Inspector of Police; and Right Rev. Bishop Neville.

Sale of liquor within the Clutha District:—John Dunne, J.P., farmer, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

Application of Constable Parker, Waimate:—William Stone Pardy, Inspector of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—Sergeant Brown, of South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Constable Christie:—Mr. D. D. Macdonald, solicitor, Dunedin, appeared for Constable Christie. The following witnesses attended, and each being sworn, gave evidence, which was taken down by the reporter: William E. Burley, cabinet-maker, Balclutha; Frederick Mills, bootmaker, Balclutha; James William Mitchell, tailor, Balclutha; Michael Bernstone, tailor, Balclutha; James Henry, bootmaker, Balclutha; and Alexander Burnett Henderson, builder, Balclutha.

During the examination of this witness Mr. Taylor handed in the following further charge against Constable Christie: "That about the beginning of 1893, or thereabouts, Constable Christie did carry on the railway from Balclutha, in a passenger-car, contrary to the regulations, the dead body of a child, thereby defrauding the revenue.—T. E. TAYLOR."

As Constable Christie was entitled to twenty-four hours' notice, the further consideration of the charge was adjourned until to-morrow. Mr. Macdonald said, with regard to the charge as to the child, Mr. Christie's child, a month old, died. Mr. and Mrs. Christie desired that it should be buried in Dunedin, where other of their children were buried. It was put in a coffin, and Mr. and Mrs. Christie brought it, wrapped in brown paper, to Dunedin, in a first-class railway-carriage. Mr. T. E. Taylor said those were the facts. It was a breach of the railway regulations. He was satisfied with the admission.

Suggestions:—Ward George Wohlman, police-constable, Dunedin, attended as a delegate from the members of the Police Force, Dunedin, and, being sworn, gave evidence, which was taken down by the reporter.

At 6 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 6TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

General efficiency of the Force:—David Pinkerton, M.L.C., attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of J. J. Meikle:—A letter, dated the 2nd April, 1898, was received from Mrs. Jane Meikle, wife of J. J. Meikle, referring to the evidence given at Invercargill by Constable James Danvers Leece. Constable Leece attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter.

Complaint:—James Danvers Leece, constable, South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Political interference:—Alexander Samuel Adams, barrister and solicitor, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

General efficiency of the Force:—Christopher Conn, sergeant of police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. James Bennett Dales, constable and assistant-clerk, Police-office, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter. Thomas Griffiths, constable, Balclutha, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—Ward George Wohlman, constable, Dunedin, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter. Ernest Bingham, constable, South Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Constable Christie:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Robert Angus, labourer, Balclutha; George Thomson, J.P., dealer, Balclutha; George Campbell, farmer, Cannibal Bay, near Balclutha; Adam Patterson, storekeeper, Catlin's River; Thomas Griffith, constable, Balclutha; and John Gibson Smith, medical practitioner, Balclutha.

Sale of liquor within the Clutha District:—William Stone Pardy, Inspector of Police, Dunedin, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 6.15 p.m. the Commission adjourned until 10 a.m. to-morrow.

THURSDAY, 7TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charges against Constable Christie:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Hogg, watchmaker, Balclutha; Rev. Father James O'Neill, Catholic priest, Milton; and Andrew Christie, constable, Mosgiel.

Constable Walker's complaint:—At the request of Constable Walker, of Riverton, the Commission examined his defaulters' sheet, and the same was noted in evidence.

Sergeant Macdonell, of Invercargill, wrote forwarding extract from official reports relating to a charge against Constable Griffiths, and the same was ordered to be noted on the evidence.

Sergeant Dwyer, of Clyde, wrote forwarding a letter from the Stipendiary Magistrate, Queenstown, in reference to his conducting cases in Court, and the same was ordered to be noted on the minutes.

Constable Drury, of Waitati, attended in compliance with a summons, but, as Mr. Taylor had left for Christchurch by the express train, the constable was excused from further attendance.

Thanks:—Resolved, That the Chairman send a letter to his Worship the Mayor of Dunedin, thanking him for the use of the rooms in which the sittings had been held.

This concluded the whole of the Dunedin business, and the Commission adjourned until Wednesday next, at 10 o'clock a.m., at Oamaru.

OAMARU.

WEDNESDAY, 13TH APRIL, 1898.

The Commission opened its proceedings for public business at the Supreme Court Buildings, Oamaru, on Wednesday, the 13th April, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell and Poynton.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

General efficiency of the Force:—Thomas O'Grady, sergeant in charge police, Oamaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor, M.H.R.:—Mr. T. E. Taylor, M.H.R., handed in the following complaint: "That Sergeant O'Grady is of intemperate habits, and has been during the past five years, and neglectful of his duty as a police officer." The following are some of the instances of neglect of duty on Sergeant O'Grady's part: The loss of a watch by Mrs. Jane Isabel Young; the breaking of public lamps reported by—McLaren; the theft of various articles from one McLaren; the failure to suppress the larrikin nuisance.

Complaint of Mr. T. E. Taylor, M.H.R.:—Mr. T. E. Taylor handed in the following complaint: "That Constable Mullaney frequents licensed houses, and conducts himself in such a manner as to interfere with the efficient discharge of his duty."

Complaint of Mrs. Simpson, handed in by Mr. T. E. Taylor, M.H.R.: "I hereby charge Sergeant O'Grady with having acted in an improper manner towards me in the following ways, viz.: He did bring two men to my house in Reid Street about three years ago, and propose to me that they should enter my house for immoral purposes. He said they had plenty of money, and I was to make them pay well. I refused them admission. He has on various occasions suggested immoral connections to me, and on other occasions has threatened to force me to leave the town.—MARY SIMPSON.—R——— Street, Oamaru, 13th April, 1898.—Witness to signature—George Dash."

Withdrawal of case:—Thomas Mayne, plain-clothes constable, wrote desiring to withdraw his application to lay his case before the Commission, and his application was granted.

Complaint of Mr. Michael Hannon:—Michael Hannon, hotelkeeper, Oamaru; Constable Michael Greene, Sergeant Thomas O'Grady, Mounted Constable Henry George Hunt, Constable William Christie, Constable Edmund Charles Trehey, Constable Patrick Cotter, and James Albert Sheard, hairdresser, Oamaru, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

At 2.30 o'clock the Commission inspected the police quarters and men on parade, and examined the official books in use at the station. The men were addressed by the Chairman, and invited to lay any suggestions before the Commission that they might think desirable.

Suggestions:—Constable Edmund Charles Trehey attended, and, being sworn, gave evidence, which was taken down by the reporter.

Failure of the police to carry out the licensing-laws in the Waimate district:—George Dash coachbuilder, Waimate, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5.30 p.m. the Commission adjourned until 10 o'clock to-morrow.

THURSDAY, 14TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Constable David Hannifin, of Port Chalmers, attended to give evidence in reference to certain evidence given by Sergeant Conn at Dunedin. Ernest Page Lee, barrister, appeared for Constable Hannifin. David Hannifin and Christopher Conn, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mrs. Mary Simpson:—Mr. Lee, solicitor, handed in the following written document: "I hereby withdraw the charges made by me to the Police Commission against Sergeant O'Grady.—MARY SIMPSON. Witness—Ivon A. Barton."

Complaint of Mr. T. E. Taylor:—Mr. Taylor handed in the following complaint: "I hereby charge Sergeant O'Grady with having acted in an improper manner towards Mrs. Mary Simpson in that he has on various occasions suggested that he should have sexual intercourse with her, and that on one occasion he brought two men to her house in Reid Street, Oamaru, and asked her to have improper relations with them, telling her that they had plenty of money, and she was to make them pay well for it, and that the sergeant on these various occasions was under the influence of liquor."

Complaint of Hugh McLaren:—Mr. McLaren attended, and said he desired to withdraw the charge. Permission granted, and charge withdrawn.

Complaint of T. E. Taylor against Sergeant O'Grady:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Henry Richmond, librarian, Oamaru Athenæum; Ernest Page Lee, barrister, and secretary to the Athenæum; Thomas Edward Taylor, M.H.R., land and estate agent, Christchurch; David Smart, Ardgowan, Oamaru, ex-constable; Michael Greene, police-constable, Oamaru; Isabella Young, wife of

Alexander Young, labourer; Thomas O'Grady, sergeant of police; William Smythe, Oamaru, baker; William Cross, salesman, Oamaru; John Barclay, stonemason, Oamaru; Michael Madden, police-constable, Oamaru; Patrick Cotter, police-constable, Oamaru; Thomas Mayne, plain-clothes constable, Oamaru; Edmund Charles Trehey, constable, Oamaru; Michael Greene, constable, Oamaru; and George Will, grocer, Oamaru.

At 6 o'clock p.m. the Commission adjourned until 9.30 o'clock to-morrow.

FRIDAY, 15TH APRIL, 1898.

The Commission sat at 9.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mrs. Simpson being too ill to attend at the Courthouse, the Commissioners visited her residence with a view to taking her evidence on Mr. Taylor's charge. Finding her physically unfit to undergo examination, nothing was done, and no other evidence was offered.

Complaint of Mr. Taylor—charge against Sergeant O'Grady:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: James Houston Milligan, grocer, Oamaru; James Allen, carpenter, Oamaru; Hugh McLaren, contractor, Oamaru; William Smythe (recalled); Elizabeth Ellen Dudeney (made declaration in lieu of oath); William Christie, constable, Oamaru; Hugh McLaren, lamplighter, Oamaru; Thomas O'Grady, sergeant of police, Oamaru; Thomas Broham, Inspector of Police, Christchurch; James Craig, timber merchant; Heber Newton, barrister, Oamaru; Henry Hawthorne Grant Ralfe, Clerk of Court, Oamaru; Thomas Young Duncan, M.H.R.; Terence O'Brien, detective, Dunedin; Henry Aitken, J.P., Mayor of Oamaru; Thomas Young Duncan, M.H.R. (recalled).

Sale of liquor within prohibited hours at Waimate:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: William McLeod, butcher, Waimate; George Johnston, groom, Waimate; Lawrence Thynne, groom, Waimate; Edward Sole, cook, Bluecliffs, near Waimate; Charles Hobbs, road-foreman, County Council, Waimate; Walter Foster Finn, clerk, Waimate; Geoffrey Selwyn Matthias, bank agent, Union Bank of Australia, Waimate; Frank Henry Parker, police-constable, Waimate; John Manchester, general storekeeper, Waimate.

This concluded the sitting at Oamaru, and at 4 o'clock p.m. the Commission adjourned until to-morrow at 10 o'clock, at Timaru.

TIMARU.

SATURDAY, 16TH APRIL, 1898.

The Commission opened its proceedings for public business at the Courthouse, Timaru, on Saturday, the 16th April, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Suggestions:—A telegram was received from Constable Dougan, of Temuka, stating that Constable Barrett, who had written suggestions, and who was summoned to attend to-day, was too ill to leave Temuka. Thomas Livingstone, detective, in temporary charge of police-station, Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Charge against Constable Mullaney:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Martha Gilmour, wife of Adam Orr Gilmour, hotelkeeper, Fairlie's Creek; Margaret Jane Hamilton, wife of James Hamilton, carpenter, Fairlie's Creek; Adam Orr Gilmour, hotelkeeper, Fairlie's Creek; Ellen Gilmour, daughter of Adam Orr Gilmour; William James Comrie, Presbyterian minister, Fairlie's Creek; Francis Robert Gillingham, farmer, J.P., Fairlie's district; and Allen Hugh McLean, J.P., farmer, Fairlie's Creek.

Suggestions:—Charles Fraser, sergeant of police, Timaru, in charge of district, but at present on leave of absence, attended, was sworn, and gave evidence, which was taken down by the reporter.

Frank Stanley Parker, constable, Waimate, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—John Joseph Weathered, constable, Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Inspection of quarters:—At 2 o'clock p.m. the Commission inspected the men on parade, and they were addressed by the Chairman. The Commissioners then inspected the police quarters and offices, and examined the official books in use.

Upon resuming,

The Rev. William Gillies, Presbyterian clergyman, stationed at Timaru, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Robert Crawford, mounted constable, Timaru, attended, was sworn, and gave evidence, which was taken down by the reporter.

Rev. William Gillies attended, and gave further evidence, which was taken down by the reporter.

Colonel Hume (called by Constable Weathered) attended, was sworn, and gave evidence, which was taken down by the reporter.

At 4 o'clock p.m. the Commission adjourned until Monday next, at 10 o'clock, at Christchurch.

CHRISTCHURCH.

MONDAY, 18TH APRIL, 1898.

The Commission opened its proceedings for public business at the Council Chambers, Christchurch, on Monday, 18th April, 1898, at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Thomas Broham, Inspector of Police, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 2.15 p.m. the Commission visited the Central Police-station. The men were drawn up on parade and inspected, and were then addressed by the Chairman, and invited to lay any complaints or suggestions before the Commission. The quarters of the men were afterwards inspected, and the official books at the office examined.

Subsequently the following suburban stations were visited: Papanui Station, St. Albans, Bingsland, Sydenham, and Addington, and the official books examined at each place.

At 6 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

TUESDAY, 19TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint:—Alfred Stanton, district clerk, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor, *re* Constables Barrett and McKenzie:—Mr. Philip Kippenberger, solicitor, Christchurch, appeared for Constables Barrett and McKenzie. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Thomas Broham, Inspector of Police, Christchurch; Thomas Edward Taylor, M.H.R., Christchurch; Frederick Robson, bootmaker, Sydenham; Alfred Thomas Hoddinott, machinist, Christchurch; Thomas Broham (recalled); Garrett Fitzgerald, detective, Christchurch; Frank Thompson, house and land agent, Christchurch; Thomas Barrett, police-constable, Christchurch; Donald McKenzie, police-constable, Christchurch; Claude Alfred Manning, assistant barman, Opawa; George Beauchamp, manager, Café Hotel, Christchurch; Henry Paget, night-watchman, Christchurch; Major Cunningham, life insurance agent; William Robinson, boot- and shoe-maker, Christchurch.

Complaint:—S. Maitland Kelso, mounted constable, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 20TH APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaints of Mr. T. E. Taylor, M.H.R.:—General charge, and failure of the police to enforce the laws of the colony. Mr J. A. Cassidy attended to represent Mr. Kippenberger, who was to appear for certain constables, but was unable to attend to-day. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: John Joyce, M.H.R.; George Bowron, leather merchant; William Wilcox Tanner, M.H.R.; George Thomas Smith, M.H.R.; Francis Whitmore Isitt, Wesleyan minister of religion; Thomas Broham, Inspector of Police; John Cullen, Inspector of Police, Westland, and lately in temporary charge at Christchurch. During the evidence of Mr. Tanner the question was raised as to whether evidence given by a witness before the Commission was privileged. Mr. Tanner was relieved from giving further evidence until the Commissioners had time to confer and consider the question. Later in the sitting the Chairman announced that the Commissioners had arrived at the opinion that witnesses attending before the Commission and giving evidence were privileged, as they would be in a Court of justice; but he desired to say that they did not in any way express an opinion as to the liability of the newspapers in publishing what the witness had said. The witnesses are privileged when the newspapers may not be.

General organization of the Police Force:—William Jarvis Harker, independent gentleman, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10 o'clock to-morrow.

THURSDAY, 21ST APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Enforcing of licensing-laws:—Edward Mackay, sergeant of police, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint:—S. Maitland Kelso, mounted constable, Christchurch, attended, and, being reminded he was still on his former oath, gave further evidence, which was taken down by the reporter.

Complaint:—James Gantley, police constable, Christchurch (for whom Mr. Philip Kippenberger, solicitor, appeared), attended, was sworn, and gave evidence, which was taken down by the reporter.

Failure of police to enforce licensing-laws:—Charles Henry Pratt, constable, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter; Frank Thompson, house and land agent, Christchurch, and Alfred Thomas Hoddinott, machinist, Christchurch, attended, and, each being sworn, gave evidence, which was taken down by the reporter. During the hearing of the evidence of the last two witnesses reference was made to a number of people frequenting the Tattersall's Hotel on a Sunday. Word was sent to the licensee (Mrs. Conway) that if she so desired she might produce evidence. Desiring to do so, Charles Ross, head stableman, Delamain's Stables, attended, and, being sworn, gave evidence, which was taken down by the reporter. At this stage Mr. Cresswell, solicitor, attended as solicitor for Mrs. Conway, and desired a postponement of further evidence till to-morrow, which was granted.

Failure of the police to enforce licensing-laws, and general efficiency of the force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: James Armishaw, kilnman, Tonks's Brickyard, Wellington; Emma Gordon, spinster, St. Albans, Christchurch; Jane Roberts, spinster, Linwood; Christina Caverhill, spinster, Linwood; Harriet Field, wife of John Field, Lower High Street; John Connell, police-constable, Lyttelton.

At 5.30 the Commission adjourned until 10 o'clock to-morrow.

FRIDAY, 22ND APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Alleged Sunday trading at the Tattersall's Hotel, Christchurch:—Mr. Cresswell, solicitor, Christchurch, attended as solicitor for Mrs. Conway, the licensee. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Meade Conway, son of the licensee; Leith Carter, clerk, Christchurch; William James Hussey, coach-driver, Christchurch; Jane Sophia Francis Conway, widow, licensee; Charles Rose, stableman, Christchurch (recalled); Helen Cockayne, boardinghouse-keeper, Christchurch; Phœbe Conway, spinster, Victoria Conway, spinster (daughters of the licensee, Tattersall's Hotel); Edward Mackay, sergeant of police, Christchurch; J. Meade Conway (recalled); Mary O'Neill, domestic servant, Tattersall's Hotel.

Alleged Sunday trading:—George William Pearce, licensee, Railway Hotel, Christchurch, attended, and, being sworn, gave evidence, which was taken down by the reporter. Charles Armstrong, blacksmith, Christchurch, attended, and gave evidence, which was taken down by the reporter. Mrs. Schulthies, licensee, White Swan Hotel, Christchurch, and Mr. Marshall, licensee, Royal George Hotel, Christchurch, attended. Mr. Tunbridge understanding that the witnesses would object to answer questions which might criminate them, they were not examined.

Charges of general inefficiency of the Police Force:—Mr. P. Kippenberger, solicitor, Christchurch, appeared for Constables Barrett and McKenzie. Thomas Barrett, police-constable, Christchurch, and Donald McKenzie, police-constable, Christchurch, attended, and, each being sworn, gave evidence, which was taken down by the reporter. James Stewart, hotel servant, attended, was sworn, and gave evidence, which was taken down by the reporter.

Failure of the police to enforce the licensing-laws:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Joseph Knott, traveller, Christchurch; Frederick Robson, bootmaker, Christchurch; Albert Turner, tinsmith, Rangiora; Henry George Ell, salesman, Spreydon, Christchurch.

At 5 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock.

SATURDAY, 23RD APRIL, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Henry George Ell, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Suggestions: Constable David Jackson, Rangiora, and Maurice Roche, constable, Amberley, attended, were sworn, and gave evidence, which was taken down by the reporter.

Political interference:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Maurice Roche, constable, Amberley; David Jackson, constable, Rangiora; Frank White, silversmith, Christchurch.

Failure of the police to enforce the licensing-laws :—William Wilcox Tanner, M.H.R., Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter. John William Simms, printer, Christchurch, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 1.15 the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 25TH APRIL, 1898.

The Commission sat at 10 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Charges lodged by Mr. George Spencer Fleming against certain members of the Police Force :—Mr. Weston, solicitor, appeared for Mr. Fleming; Mr. Donnelly, solicitor, appeared for Constable Hill; and Mr. Kippenberger appeared for Sergeant Scully. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., George Spencer Fleming, J.P., farmer, Port Hills; Hugh D. Buchanan, sheep-farmer, Little River; John Henry Menzies, J.P., Mackintosh Bay, sheep-farmer; John Randall, sheep-farmer, Christchurch; William Bowes Clarkson, cattle-dealer, Christchurch (James Gibbs, shepherd, was called, but, as it appeared his evidence would not be material to the charges, he did not give evidence); Richard Shanks, warehouseman, Christchurch; Patrick Ryan, constable, Little River; Annie Murdoch, spinster, Christchurch; Victor Austin Hill, constable, Christchurch; Patrick Scully, sergeant of police, Christchurch; William Henry Scott, constable, Christchurch; Thomas Moore, night-watchman, Christchurch; Elizabeth Smythe, spinster, Christchurch; and Jule Lelievry, of Little River, farmer; John Finnerty, boardinghouse-keeper, Christchurch; Patrick Scully, sergeant of police, Christchurch (recalled).

A 5 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

TUESDAY, 26TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Political interference :—John Connell, constable, Lyttelton, and the Rev. Father Salvador, Roman Catholic priest, Lyttelton, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Charges of Mr. Fleming against the police :—George Laurenson, J.P., merchant, Lyttelton, and Mr. G. S. Fleming attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint :—Joseph D. Crockatt, of Christchurch, ex-mounted constable, attended, and, being sworn, gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Delegates *re* repairing bicycles in use by detectives :—Richard Marsack, detective, Christchurch, attended as a delegate, and, being sworn, gave evidence, which was taken down by the reporter.

General working of the Force :—Thomas Broham, Inspector of Police, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Suggestions :—Harry Feast, general commission agent, Christchurch, and ex-Inspector of Police, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Mr. T. E. Taylor :—Mr. Taylor, M.H.R., lodged the following complaint : That Constable Patrick McGill is of intemperate habits, and has, during the past year and previously, been seen in a state of drunkenness on the public streets. Also that, in connection with the collection of the dog-tax in Sydenham, he has displayed gross carelessness, and in the case of an intended visit of inspection *re* kerosene licenses he informed the person concerned of the intended visit.

At 4 o'clock p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 27TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint :—Samuel Flewellen, constable, stationed at Bingsland, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint :—Sydney Day, of Sydenham, butcher, attended, was sworn, and gave evidence, which was taken down by the reporter. The witness was proceeding to give evidence which amounted to a charge against a police-officer. The Commission decided to adjourn the further evidence of the witness until the officer referred to had notice.

Complaint:—George Hastie, constable, Lyttelton, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—W. M. de Weston, of Christchurch, settler, attended to give evidence in reference to a complaint he lodged. He was informed that, as the matter had been already adjudicated on in a Court of law, the Commission was barred from inquiring into the charge.

General inefficiency of the Police Force:—The following witnesses—viz., Lillie Broadwood, wife of John Broadwood, of Christchurch; Thomas Barrett, constable, Christchurch; Thomas Broham, Inspector of Police, Christchurch; Thomas Edward Taylor, M.H.R., Christchurch; Lillie Broadwood (recalled)—attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Mr. G. S. Fleming's charges:—The following witnesses—viz., George Laurenson, of Lyttelton, merchant; Gideon Henderson, farmer, Diamond Harbour; John Robert Henderson, farmer, Diamond Harbour; George S. Fleming; Charles Rutledge, sergeant of police, Lyttelton; Thomas Joseph McCormack, constable, Lyttelton—attended, and, each being sworn, gave evidence, which was taken down by the reporter. Mr. Weston, on the conclusion of Mr. Laurenson's evidence concerning the charge against Inspector Broham of being of domineering manner, stated he would not proceed further with the matter, and asked that the evidence should be expunged.

The charge against the police of neglecting to make inquiries regarding alleged cruelties to a horse was withdrawn by Mr. Weston at the conclusion of the evidence given by the police.

Charge of Mr. T. E. Taylor *re* Constable McGill:—Mr. J. A. Cassidy, solicitor, appeared for Constable McGill. Mr. Cassidy taking exception to the want of definiteness in the charge, it was altered as follows: "That Constable Patrick McGill is of intemperate habits, and on the 9th and 16th April, 1898, was in a state of drunkenness on the public streets. Also that, in connection with the collection of the dog-tax in Sydenham, he has displayed gross carelessness in registering dogs in Sydenham which ought to have been registered in the Spreydon and other districts. In the case of an intended visit of inspection *re* kerosene licenses he informed the person concerned—viz., one Bowden—of the intended visit." Mr. Cassidy was offered the right of an adjournment to give him time to meet the altered charge. He decided to hear the witnesses called in support of the complaint, reserving his right of cross-examination at a future time. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Alice Matilda Wallace, spinster, Christchurch; Annie Watters, wife of Thomas John Watters, of Christchurch; Henry George Ell, of Christchurch, salesman; William Oswald, salesman, Christchurch; Robert William Jewiss, draper's assistant, Opawa; and Ernest Trist, tent-maker, Opawa.

At 5.15 p.m. the Commission adjourned until 9.30 o'clock a.m. to-morrow.

THURSDAY, 28TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Resolutions: On the motion of Colonel Pitt, it was resolved,—1. That, having regard to the terms of the Royal Commission appointing this tribunal, the members of the Commission resolve that in future no charge or matter will be entertained or dealt with by the Commission which has arisen or happened, or which shall arise or happen, after the 4th day of February, 1898, being the date of the Royal Commission herein. 2. That, having regard to the public notice published in all the daily papers of the colony calling upon persons having complaints in respect of matters to be dealt with by the Commission to lodge such complaints in writing with the Secretary of the Commission by a certain date—namely, the 10th day of March, 1898—and to the special notice given at the opening of the sittings of the Commission in Christchurch, and having regard, further, to the already lengthy period during which the proceedings of the Commission have been continued, the members of the Commission resolve that no charge or complaint brought before the Commission by any person or persons will be accepted, investigated, or dealt with by the Commission in Christchurch which is not now before it; and that at other places where the Commission may sit, no charge, complaint, or matter will be investigated or dealt with by the Commission unless such charge, complaint, or matter, with reasonably detailed particulars as to names of persons, dates, and places of occurrence, be forwarded in writing to the Secretary of the Commission (and so as to be received by him) within twenty-four hours after the commencement of the sittings of the Commission at each such place.

Complaint, Mr. Taylor against Constable McGill:—The following witnesses attended for cross-examination by Mr. Cassidy; each gave evidence, which was taken down by the reporter: Annie Watters, Alice Matilda Wallace, Henry George Ell, William Oswald, and Robert William Jewiss. Benjamin Throp (called by Mr. Taylor), Inspector, Borough of Sydenham, attended, was sworn, and gave evidence, which was taken down by the reporter. After the evidence of Mr. Throp, it was pointed out that the alleged offence of Constable McGill having communicated his intended visit of inspection regarding storage of kerosene had been already dealt with by the Inspector, and, Constable McGill being already punished in connection therewith, the Commission, on satisfying themselves that this was correct, refused to go further into the matter.

General condition of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—namely, Thomas Broham, Inspector of Police, Christchurch; Samuel Flewellen, constable, Bingsland; and Walter Martin, Clerk of the Court, Avon.

Delegates from local Police Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Constable John James Cassells; Thomas Bourke, Sergeant; Alfred Stanton, constable and district clerk; and Charles Henry Pratt, constable.

At 4.15 p.m. the Commission adjourned until to-morrow at 10 a.m.

FRIDAY, 29TH APRIL, 1898.

The Commission sat at 10 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charge of Mr. T. E. Taylor, *re* Constable McGill:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Tucker Ford, auctioneer, Addington; Frederick Trent, merchant, Christchurch; John Cox Sopp, J.P., chemist, Addington; George Bissett, journalist, Christchurch; Ashton Wachsmann, auctioneer, Addington; Frederick Henry Pyne, auctioneer, Christchurch; William Henderson, chairman of directors of saleyards, Addington; John Wilson Storey, retired farmer, Christchurch; Montague Lewin, gentleman, Addington; Samuel Flewelen, constable, Bingsland; Edward Thomas Bosworth, constable, Sydenham; James Gantley, constable, Christchurch; George Lambie, manager Union Steamship Company, residing at Addington; Margaret Beveridge, matron Samaritan Home, Christchurch; Robert Parker, private detective, Christchurch; Richard William Shepherd, constable, Christchurch; John Bridgman, valuator, Christchurch; Edwin Cicero Berry, butcher, Christchurch; Daniel Falvey, commission agent, Christchurch; Richard Robert Bell, formerly in charge of Samaritan Home, Christchurch; Louis Edmund Crosby, J.P., Addington; George Thompson, tram-driver, Addington; John Hoare, tram-driver, Christchurch; George Collier, formerly licensee of the A 1 Hotel, Christchurch; Patrick McGill, police-constable, Addington; Annie Watters, wife of Thomas John Watters (recalled); Lzaiah David Davis, furniture dealer, Christchurch.

General efficiency of the Force and conduct of the police:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Cox Sopp, J.P., chemist, Addington; Frederick Trent, merchant, Christchurch; Jane Elizabeth Patrick, widow, Christchurch.

General conduct of the police:—The following witnesses, called by Mr. Kippenberger, solicitor, attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz: John Martin Thompson, J.P., formerly professional musician; Henry Bylove Sorenson, auctioneer, Christchurch; Edward Smith, J.P., boot and shoe dealer and superintendent Christchurch Fire Brigade, and Edward Walker Turton, employé Ballantyne and Co, ex-superintendent Fire Brigade, Christchurch; Thomas McClatchie, J.P., settler, Christchurch.

General efficiency of the Force and conduct of the police:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Thomas Broham, Inspector of Police; James McDonald, constable, Christchurch; John James Cassells, constable, Christchurch; Edmond Michael Joyce, constable, Christchurch; Edward Mackay, sergeant of police, Christchurch; John James Cassells, constable, Christchurch (recalled); Christina Thompson, wife of William Thompson, Cambridge Terrace; Samuel Saunders, journalist and editor of the *Lyttelton Times*; and James Walker, tobacconist, Christchurch.

At 5 o'clock p.m. the Commission adjourned until 10 a.m. to-morrow.

SATURDAY, 30TH APRIL, 1898.

The Commission sat at 10 o'clock.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Mr. Tunbridge intimated that search had been made for any papers in connection with the complaint made by Mrs. Thompson against a policeman, for accosting her in the street; that no papers could be found at the Christchurch Police-office, and, that as Sergeant Mason was the officer in charge at the time the occurrence happened, he could be examined at Wellington later on.

There being no further evidence forthcoming, the Commission closed its sittings at Christchurch, and adjourned until Wednesday next, at Hokitika, at 2 p.m.

HOKITIKA.

WEDNESDAY, 4TH MAY, 1898.

At 12 o'clock noon the Commissioners visited the police-station. The men were drawn up on parade and addressed by the Chairman. The quarters were then visited, and the official books at the station were examined.

The Commission opened its proceedings for public business at the Courthouse, Hokitika, on Wednesday, 4th May, 1898, at 2 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force, and suggestions:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz: Alexander McDonald, sergeant of police, Hokitika; Daniel Hannan, sergeant of police, Stafford Town; Michael Joseph Wildermoth, constable, Hokitika.

Complaint of Mr. R. Taminelli, sawmiller, Kanieri, against Constable Stewart and other officers of the Police Force:—Mr. Beard, solicitor, appeared for Constable Stewart. Ruffino Taminelli, sawmiller, Kanieri, attended, and, being sworn, gave evidence, which was taken down by the reporter. George Stewart, constable, Kanieri, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Mr. Henry Nickless, against Constable Bennett:—Mr. Lewis, solicitor, appeared for Constable Bennett. Henry Nickless, sawyer and wood-turner, Flowery Creek, attended, and made an affirmation in lieu of oath, and gave evidence, which was taken down by the reporter. Mr. Lewis announced that Constable Bennett would waive his right to the twenty-four hours' notice of the complaint. Albert Bennett, constable, Hokitika, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the sitting was closed at Hokitika, and the Commission adjourned until to-morrow, at 10.30 a.m., at Greymouth.

GREYMOUTH.

THURSDAY, 5TH MAY, 1898.

The Commission opened its proceedings for public business at the Courthouse, Greymouth, on Thursday, the 5th May, 1898, at 10.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force:—John Cullen, Inspector of Police, Westland District, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Sergeant Hannan, *re* purchasing Miss Conway's Hotel:—Mr. M. Hannan, solicitor, appeared for Sergeant Hannan. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Alfred Hassall King, District Land Registrar, Hokitika; Frederick John Simon Charles Henne, hotelkeeper, Staffortown; Daniel Hannan, sergeant of police, Staffortown. Frederick John Simon Charles Henne recalled.

At 2 o'clock p.m. the Commission visited the police-station. The men were drawn up on parade, and addressed by the Chairman. Afterwards the quarters were inspected, and the official books examined by the Commissioners.

Complaint:—Complaint of Robert Vincent McGlone, constable, Reefton, formerly of Greymouth. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Robert Vincent McGlone, constable, Reefton; Michael McKeefrey, constable, Greymouth; Edward Sterling White, sergeant of police, Greymouth; John Tanner, farrier, Greymouth; Anthony Isemonger, constable and district clerk, Greymouth.

At 5.15 the Commission adjourned till to-morrow, at 10 o'clock a.m.

FRIDAY, 6TH MAY, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: John Cullen, Inspector of Police, Greymouth; Michael McKeefrey, constable, Greymouth.

There being no further evidence tendered, the proceedings of the Commission at Greymouth closed, and the Commission adjourned until 8 o'clock a.m., at Reefton.

REEFTON.

FRIDAY, 6TH MAY, 1898.

The Commission sat at the Police Office, Reefton, on Friday, the 6th May, 1898, at 8 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting were read and confirmed.
Mr. Tunbridge was in attendance.

The men were drawn up on parade and inspected, and the official books in use at the station examined.

There being no complaints to inquire into, and the local Force stating that they had no suggestions to make, the Commissioners adjourned till to-morrow, at 8 o'clock p.m., at Westport.

WESTPORT.

SATURDAY, 7TH MAY, 1898.

The Commission sat at the Courthouse, Westport, on Saturday, 7th May, at 8 o'clock p.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Prior to the opening of the proceedings the Commission inspected the local Force and the quarters. The men were examined, and addressed by the Chairman, and the official books in use examined.

The minutes of the previous meeting were read and confirmed.

General efficiency of the Force:—Henry Green, sergeant of police, in charge of police at Westport, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaints of Constables McDonnell and Brophy *re* entries in their defaulter's sheet: Mr. Harden, solicitor, appeared for the constables. After Mr. Harden had addressed the Commission, it was decided that the Commission should examine the papers in connection with the entries upon their arrival in Wellington, and to examine Inspector McGovern at New Plymouth.

Complaint:—Edward Brophy, constable, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume and George Henry Harris, constable, Westport, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Thomas Philpotts, constable, Charleston, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint:—George Henry Harris, constable, Westport, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the Commission closed its sittings at Westport, and adjourned till Tuesday next, at 10 o'clock a.m., at Nelson.

NELSON.

THURSDAY, 12TH MAY, 1898.

The Commission opened its proceedings for public business at the Court-house, Nelson, on Thursday, 12th May, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

The Commission intended to open at Nelson on Tuesday, the 10th May, 1898, but in consequence of being delayed by heavy weather, and the roads being washed away, the opening of the proceedings was delayed till to-day.

Prior to the opening of the proceedings the Commission inspected the police quarters and the men on parade, and the books were examined.

General efficiency of the Force:—Henry McArdle, sergeant of police, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—Robert Kelly, mounted constable, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable John Cullinane:—Mr. A. Maginnity, solicitor, appeared for Cullinane. John Cullinane, constable, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter. Henry McArdle, sergeant of police, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter. Colonel Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge against Sergeant Hannan of purchasing an hotel:—Kate Conway, spinster, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned till 10 o'clock a.m. to-morrow.

FRIDAY, 13TH MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of Constable John Jeffries:—Mr. Samuel Perth McNab, solicitor, appeared for Constable Jeffries. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Hugh Calders, chief postmaster, Nelson; Henry McArdle, sergeant of police, Nelson; John Bennett Tunbridge, Commissioner of Police, Wellington. The further hearing of the complaint was adjourned until to-morrow, at the sittings of the Commission at Blenheim.

There being no further evidence forthcoming, the proceedings of the Commission at Nelson were closed, and the Commission adjourned until to-morrow, the 14th May, 1898, at 11 o'clock a.m., at Blenheim.

BLENHEIM.

SATURDAY, 14TH MAY, 1898.

The Commission opened its proceedings for public business at the Borough Council Chambers, Blenheim, on Saturday, the 14th May, 1898, at 11 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of Constable Jeffries:—Mr. McNab appeared for Constable Jeffries. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: John Jeffries, constable, the Port, Nelson; and James Butler Stoney, registrar of electors, District of Wairau.

Complaint of Edward Purser *re* failure of the Police in connection with the Satherley case:—As the complaint was lodged without the twenty-four hours' notice being given, Colonel Hume and Sergeant Kiely were informed they were entitled to the twenty-four hours' notice, but which they waived. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter, viz.: Edward Purser, Mayor of Blenheim; and Nicholas Kiely, sergeant of police, Blenheim.

Suggestions:—Nicholas Kiely, sergeant of police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Inspection of police quarters:—At 2 o'clock p.m. the Commission inspected the police quarters. The men were drawn up on parade, and addressed by the Chairman. The official books were then examined.

At 6 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 16TH MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Suggestions:—William John Parry, constable, Blenheim, attended, was sworn, and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—Thomas Henry Prior, mounted constable, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Jeffries:—Clarence Herbert Snow, of Blenheim, hawk, formerly boardinghouse-keeper, and John Porter, labourer, Blenheim, attended, and each being sworn gave evidence, which was taken down by the reporter.

Re Satherley Case—Mr. Purser's Complaints:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: William Gamble, expressman; Arthur Hume, ex-Commissioner of Police; and Edward Purser (recalled).

Suggestions:—John Jeffries, constable, The Port, Nelson, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Jeffries:—The following witnesses were sworn and gave evidence, which was taken down by the reporter, viz.: John Jeffries, constable; Charles Houghton Mills, M.H.R.; Colonel Arthur Hume. At Mr. McNab's request his cross-examination of Colonel Hume was postponed till the Commission sat at Wellington this week.

There being no further evidence forthcoming, the proceedings of the Commission at Blenheim were closed, and the Commission adjourned until Wednesday next, at 10 o'clock a.m., at Wellington.

WELLINGTON.

WEDNESDAY, 18TH MAY, 1898.

The Commission resumed its sittings at the Parliament Buildings, Wellington, on Wednesday, the 18th May, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Suggestions:—John Bennett Tunbridge, Commissioner of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

The Commission then adjourned until to-morrow, at 10 o'clock a.m.

THURSDAY, 19TH MAY, 1898.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Ex-Inspector Buckley's request *re* Constable Pratt's evidence:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter: Peter Pender, Inspector of Police, Wellington; Arthur Hobbins Wright, Sergeant of Police, Wellington; Arthur Hume, ex-Commissioner of Police.

Delegates' Suggestions:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Alfred Hammond, constable, Wellington, and Allan Cameron, constable, Wellington.

Complaint:—Alfred Hammond, constable, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Re Mrs. Thompson's Evidence concerning Assault by Policeman at Christchurch:—William Thomas Mason, Sergeant of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—John O'Donovan, Sergeant of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Constable Jeffries' Complaint:—Arthur Hume, ex-Commissioner of Police, attended, and was cross-examined by Mr. McNab, solicitor, and his evidence was taken down by the reporter.

Charges against Constable O'Rourke by Francis Rumsey:—Francis Rumsey, wood-splitter, Otaki, attended, was sworn, and gave evidence, which was taken down by the reporter. Constable O'Rourke was informed that as part of the charges against him referred to matters connected with his duties when acting for the Public Trustee, the Commission would not go into them. He, however, specially requested that the matter should be gone into, as Rumsey had been injuring his character by showing a copy of the letter making the charges to the people about Otaki.

At 5.30 p.m. the Commission adjourned till 10 o'clock to-morrow.

FRIDAY, 20TH MAY, 1898.

The Commission met at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Constable Jeffries:—Mr. McNab, solicitor, appeared for Constable Jeffries. James O'Malley, Sergeant of Police, Masterton, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Francis Rumsey against Constable T. O'Rourke:—Timothy O'Rourke, constable at Otaki, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John Gillespie:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: John Gillespie, constable, Wellington; Arthur Hume, ex-Commissioner of Police; and William Thomas Mason, Sergeant-Major of Police, Wellington. In reference to the complaint of Constable Gillespie, the Commission decided that all matters which had previously been inquired into by Mr. Haselden, S.M., were excluded from the scope of the present inquiry. At the request of Constable Gillespie he was granted permission to appear by counsel when the Commission would sit at Palmerston North, to argue the point.

Suggestions:—Correction of Former Evidence:—John Jackson Johnston, constable, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Brophy:—Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Suggestions:—John Bennett Tunbridge, Commissioner of Police, attended, and, being reminded he was still on his former oath, gave evidence on examination by Mr. Taylor, and the same was taken down by the reporter.

Complaint of Constables Brophy and McDonnell (Westport):—Colonel Arthur Hume attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of Constable Harris (Westport):—John Bennett Tunbridge, Commissioner of Police, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Resolution:—It was intimated that, at the close of the present sitting at Wellington, no more evidence would be taken upon the return of the Commission to Wellington, except the evidence of the Premier and the Minister of Defence and such other evidence as the Commissioners may deem it necessary to call.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

SATURDAY, 21ST MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Arthur Hume, ex-Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter, and produced papers relating to the complaints and evi-

dence of Constable Philpott (Charleston), Constable Harris (Westport), Constable McGlone (Reefton), Constable McClelland (Christchurch), Constable John Jeffries (Nelson), Constable Bennett, on complaint of Henry Nickless, and Constable Mathieson (Tapanui).

The Commission at 12 o'clock noon adjourned until 10.30 o'clock a.m. on Wednesday next, at Napier.

NAPIER.

WEDNESDAY, 25TH MAY, 1898.

The Commission opened its proceedings for public business on Wednesday, 25th May, 1898, at 10.30 o'clock a.m., at the Courthouse.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the preceding meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor against Inspector Emerson:—Mr. Taylor handed in the following amended charge: "That on or about the following dates Inspector Emerson was in a state of drunkenness: May 2nd, 1896, at Gisborne; July 6th, 1897, at Gisborne; January 7th, 1898, at Napier; that since he has been in charge of the Hawke's Bay District he has been of intemperate habits and addicted to gambling; and that his conduct in these respects has been destructive of discipline and injurious to the public interests."

General Efficiency of the Force:—John Emerson, Inspector of Police, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 2 o'clock p.m. the Commission inspected the Police quarters. The men were drawn up on parade, and addressed by the Chairman. The official books in use were afterwards examined.

Complaint:—Thomas John O'Brien, constable, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Thomas John O'Brien, constable, Napier; Rudolf Blofield Matthias, Clerk of the Court, Napier; John Emerson (recalled); Arthur Hume, ex-Commissioner of Police, Wellington.

At 4.45 p.m. the Commission adjourned until 10.30 o'clock to-morrow.

THURSDAY, 26TH MAY, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Mr. Taylor, M.H.R., lodged the following complaint:—"That Inspector Emerson has neglected to enforce the Gaming and Lotteries Act; and on occasion shown open sympathy with those opposed, as in prosecution of Robinson and others."

Escape of — Gower from Woodville:—John Emerson, Inspector of Police, attended, was sworn and gave evidence, which was taken down by the reporter.

General Efficiency of the Force:—John Bennett Tunbridge, Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Mr. Taylor's complaint against Inspector Emerson:—Mr. Cresswell, solicitor, appeared for Inspector Emerson. The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Thomas Hopper Hustwick, Inspector under the Licensing Act; Jane Sheen, widow, licensed victualler, Gisborne; Herbert Roscoe, stoker, Holt's timber-mills; Isabella Roscoe, wife of the said Herbert Roscoe; Ellen Barney, domestic servant, Napier; Hetty Roscoe, spinster, Napier; John Hodgson Aislabie, commission agent, and secretary Poverty Bay Turf Club, Gisborne; James Price, stablekeeper, Gisborne; Edward Patricks Joyce, commission agent, Gisborne; James Craig, confectioner, Gisborne; and Arthur Francis Bridges, ex-licensed victualler, Gisborne.

During the examination of Mr. Hustwick, Mr. Cresswell raised the question whether Inspector Emerson's conduct on the 2nd May last could be inquired into by the Commission, as matters occurring on that date had already been inquired into before Mr. Kenny's Commission. After hearing Mr. Taylor, and consultation by the Commission, the Chairman stated that the opinion of the majority of the Commission, from which he dissented, was that the condition of Inspector Emerson on the 2nd May had already been inquired into by Mr. Kenny, S.M., under his Commission, and could not therefore be gone into by the present Commission. The Chairman dissenting on the ground that Mr. Kenny's Commission only referred to Inspector Emerson's condition when he went on board the "Dingadee," and not prior thereto.

At 5.15 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

FRIDAY, 27TH MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Charge of Mr. Taylor against Inspector Emerson:—Mr. Cresswell, solicitor, appeared for Inspector Emerson. The following witnesses attended, and each being sworn, gave evidence, which was taken down by the reporter, viz.: John Nesbitt, wool-buyer, Gisborne; George Heslop, J.P., farmer, Woodville; William Wood Fullbrook, gardener, Napier; James Taylor, J.P., farmer, Woodville; James Buckman Elms Herd, foreman, fellmongery, Toamoana; Francis Logan, solicitor, Napier; Frederick Forbes, hotel employé, Napier; Horace Baker, surveyor and land agent, Napier; William James Grundy, draper, Napier; John Ferguson Jardine, commission agent, Napier; Charles Philip Lound, Secretary Working-men's Club, Napier; Patrick Black, Sergeant of Police, Gisborne.

General Efficiency of the Force:—Patrick Black, Sergeant of Police, Gisborne, attended, was sworn, and gave evidence, which was taken down by the reporter.

Charge of Mr. Taylor against Inspector Emerson:—The following witnesses attended, and each being sworn gave evidence, which was taken down by the reporter, viz.: Agnes Patton Moore, formerly Fullbrook, Napier; Thomas Charles Moore, medical practitioner, Napier; Annie Parkinson, widow, Napier; James Smith, mounted police-constable, Gisborne.

Complaint of Harry Bryans Thompson against Constable Brosnahan:—When the charge was called on Constable Brosnahan was in attendance, but there being no appearance of the complainant, the complaint lapsed. Constable Brosnahan asked the Commission to examine certain papers under which the license was held, and which would explain his position.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

SATURDAY, 28TH MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., in attendance.

Complaint:—Harry Bryans Thompson appeared, and, in answer to a question by the Chairman, desired that the whole of his charges be inquired into. The Chairman informed him that the Commission decided that the only one that came within the scope of the Commission was the charge preferred against Constable Brosnahan, of allowing the Railway Refreshment-room at Waipukurau to be open daily after and before the arrival and departure of trains, and pointed out to him that this was no breach of the law, as the terms of the contract under which the licensee had the rooms permitted it. Mr. Thompson then desired to make charges against Mr. Tunbridge, Commissioner of Police, which the Commission refused to accept, as they had not been lodged within the required time, viz., twenty-four hours after the opening of the Commission at Napier.

Charge of Mr. T. E. Taylor against Inspector Emerson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William James Grundy (recalled), Charles Philip Lound (recalled), Mary Elizabeth Tanner, wife of William Tanner, Napier; Henry John Holder, president, Working-men's Club, Napier; Charles Philip Lound (recalled); Frederick Badley, merchant, Dannevirke; and Simon Lindsay Flyger, baker, Napier.

At 12 o'clock noon the Commission adjourned until Monday next.

MONDAY, 30TH MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Arthur James Cotterill, solicitor, Napier; John Ferguson Jardine, commission agent, Napier; George Henry Swan, Mayor of Napier; Thomas Harvey, police-constable, Napier; James Siddells, sergeant of police, Dannevirke; Thomas Reidy, carpenter, Napier; Anne Panton, wife of James Panton, baker, Napier; Barrett Rutledge, constable, Taradale; Alfred James Mitchell, sergeant of police, Napier; Russell Beecham, commission agent, Napier; Alfred Thornton Danvers, veterinary surgeon, Hastings.

During the examination of Thomas Reidy, carpenter, the witness refused to answer certain questions put to him by the Chairman, and, after being duly cautioned of the consequence of such refusal, and the witness still refusing to answer the questions put to him, the Commission ordered the said Thomas Reidy to forfeit the sum of £10, and directed Edward William Kane, the secretary to the Commission, to proceed to recover the same in manner by law provided.

General efficiency of the Force :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Barrett Rutledge, constable, Taradale, and Alfred James Mitchell, sergeant of police, Napier.

At 4.30 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

TUESDAY, 31ST MAY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Francis Logan, solicitor, Napier; John Cullen, Inspector of Police, stationed at Greymouth; Walter Williams, Woodville; William Coughlan, constable, Clive; Samuel Percival Norwood, constable and district clerk, Napier.

At 2.30 p.m. the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 1ST JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

Complaint of Mr. T. E. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Herbert John Bennett, constable, Wairoa; James Hannah Smyth, toll-keeper, Wairoa; Arthur Hume, ex-Commissioner of Police; Harry Rolls, tailor, Napier; George Bickerstaff, shop-assistant, Napier.

General efficiency of the Force :—Walter Williams, constable, Woodville, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Constable Gillespie :—John Bennett Tunbridge, Commissioner of Police, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until to-morrow at 9.30 a.m.

THURSDAY, 2ND JUNE, 1898.

The Commission sat at 9.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor were in attendance.

Complaint of Mr. Taylor against Inspector Emerson :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Cullen (recalled); William Heslop, Omarunui, J.P., formerly president, Town and Suburban Racing Club, Taradale; Sarah Erskine, confectioner and caterer, Gisborne; William James Quigley, architect; Arthur John Cooper, bootmaker, Gisborne; John Eugene Whitby, produce merchant, Gisborne; Cecil Francis Lewis, general merchant, Gisborne; Robert Little, farmer, Gisborne; James Harris, livery-stable keeper, Gisborne; James Price, cab-driver, Gisborne; Annie Parkinson, widow, Napier.

After the completion of the day's evidence, the Commissioners, accompanied by Mr. T. E. Taylor and Mr. Cresswell, solicitor for Inspector Emerson, visited the premises of Mrs. Annie Parkinson, and inspected the same in connection with the evidence.

Mr. Taylor then closed his case, and Mr. Cresswell asked for an adjournment until 9.30 a.m. to-morrow before calling evidence.

At 3 o'clock p.m. the Commission adjourned till 9.30 o'clock to-morrow.

FRIDAY, 3RD JUNE, 1898.

The Commission sat at 9.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. Taylor, M.H.R., were in attendance.

Complaint of Mr. Taylor against Inspector Emerson :—Mr. Cresswell, solicitor for Inspector Emerson, called the following witnesses, each of whom, being sworn, gave evidence, which was taken down by the reporter—viz., Thomas Edward Taylor, M.H.R.; Frederick Sutton, commission agent, Napier; Percy William Menzies, medical practitioner, Napier; De Berdt Hovell, Dean of Waiapu, Napier; James Gillies Paterson, clergyman, Presbyterian Church, Napier; Hyman Phineas Cohen, auctioneer, Napier; Charles Hugh Cranby, merchant, Napier; Samuel Carnell, J.P., photographer, Napier; Henry Williams, ironmonger, Napier; Fairfax Frederick Fenwick, manager, Bank of New Zealand, Napier; John Griffin, contractor, Napier; Richard Thomas Walker, editor,

Hawke's Bay Herald, Napier; Frederick Irvine De Lisle, medical practitioner, Napier; John Commons McVay, saddler, Napier; George Thomas Fannin, clerk, Hawke's Bay County Council, Napier; Robert Bishop, manager Sargood, Son, and Ewen, Napier; Maurice Norman Bower, Town Clerk, Napier; Josiah Pratt Hamlin, licensed Native interpreter, Napier; Thomas Morgan, schoolmaster, Napier; Thomas Waitt Balfour, insurance and general agent, Napier; Thomas Morrison, journalist, Napier; Alexander Eccles, chemist, Napier; John Craig, manager, New Zealand Loan and Mercantile Company, Napier; Patrick Barry, wood and coal merchant, Napier; John Emerson, Inspector of Police, in charge of Hawke's Bay and East Coast District; Harry Faulkner, caretaker, Recreation-ground, Napier; Charlotte McMillan Emerson, spinster, Napier; Daisy Emerson, spinster, Napier; Florence Hooper, spinster, Napier; Margaret Hooper, spinster, Napier; Henry Clarke Wilson, clerk, Union Bank of Australasia; Richard Major Roberts, draper, Napier; Sydney Reynolds, visitor to Napier; John William McDougall, journalist; Henry Charles Wilson, dentist, Napier; and James Spence, storekeeper, Napier. This closed the witnesses called on behalf of Inspector Emerson.

General efficiency of the Force:—Frederick Sutton, commission agent, Napier, attended, was sworn, and gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the proceedings of the Commission at Napier were closed, and the Commission adjourned at 4.30 p.m. until Wednesday next, at 10.30 o'clock a.m., at Auckland.

AUCKLAND.

WEDNESDAY, 8TH JUNE, 1898.

The Commission opened its proceedings for public business at the Harbour Board Offices, Auckland, on Wednesday, the 8th June, 1898, at 10.30 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
Colonel Hume and Mr. Tunbridge were in attendance.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: Frank Lawry, M.H.R. for Parnell; Arthur Hume, ex-Commissioner of Police; James Hickson, Inspector of Police, Auckland; Martin Grace, Chief Detective, Auckland.

At 4.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

THURSDAY, 9TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.
The minutes of the previous meeting read and confirmed.
Colonel Hume and Mr. Tunbridge were in attendance.

Delegates from Police Force:—Edward Thomas Howell, constable, Auckland; Joshua Hutchison, constable, Auckland; and Samuel Thompson, constable, Auckland, attended as delegates from the local Police Force; and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of George Everard Bentley:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter: George Everard Bentley, journalist, Auckland; James Hickson, Inspector of Police, Auckland; Patrick Crean, constable, Auckland; and Rose O'Brien, matron, Auckland Police-station.

Ex-constable John Haddock's case:—As it appeared that the Right Hon. the Premier had promised to make provision for ex-Constable Haddock's case to be inquired into by the Commission, it was decided to wire to Wellington in reference to the matter, and to give a final decision whether the case could be gone into.

Complaint of ex-Sergeant McMahon:—Mr. Jackson Palmer, solicitor for Sergeant McMahon, attended, and applied that Sergeant McMahon's case should be inquired into, alleging it was not barred, Sergeant McMahon having resigned. The Commissioners decided (Mr. Wardell dissenting) that, as ex-Sergeant McMahon's services had been dispensed with in consequence of misconduct, the matter to be inquired into was outside the scope of and barred by the terms of the Commission. The grounds of Mr. Wardell's dissent were that, as Sergeant McMahon was allowed to resign from the Police Force, it could not be said that his services had been dispensed with, and he had all the rights of a person who had resigned, even though the resignation was enforced. Mr. Jackson Palmer then applied to be allowed to tender evidence to show that, as Sergeant McMahon got into trouble through observing an established rule as to non-interference with a watchhouse-keeper, it was desirable in the interests of discipline that the existence of this rule should be established beyond doubt, or that it should be abolished, in order to prevent a recurrence of a similar trouble in future. The Commission consented to hear evidence on this point.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

FRIDAY, 10TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of John Bell against Constable McClellan:—John Bell, ship's-rigger, Auckland, and William John McClellan, constable, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Bell against Constable H. P. Kennedy:—It appearing that the complaint had already been decided upon before a competent tribunal, the Commission decided they had no power to inquire into the complaint.

Complaint of John Bell against Sergeant Lyons:—John Bell, ship's-rigger, Auckland, and William Lyons, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Bell against Inspector Hickson and Sergeant Kelly:—John Bell, ship's-rigger, Auckland; James Hickson, Inspector of Police; and Joseph Swinburne Kelly, sergeant of police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—Henry Patrick Kennedy, plain-clothes constable, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Suggestions:—John Hinton, constable, Eden Terrace, Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of John Dean against Sergeant Greene:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Dean, market-gardener, Onehunga; William Haggan, driver baker's cart, Onehunga.

Complaint of John Dean that hotels at Onehunga are allowed to keep open after hours:—John Deans, market-gardener, Onehunga, and Bernard Greene, sergeant of police, Onehunga, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint:—Annie Jane Cassells, widow, Auckland, attended in reference to a complaint lodged, but, as it appeared the matter complained of had arisen since the date of the Commission, the Commissioners decided they had no power to deal with the matter.

Complaint of ex-Constable John Haddock:—The Chairman intimated that he had communicated with the Premier with reference to ex-Constable Haddock's case. The Premier had replied that the promise he had made in the House with reference to Haddock's case had escaped his memory at the time of the preparation of the Commission, otherwise he would have made special provision for the case to be inquired into, and requested the members of the Commission to hold an inquiry, and report thereon.

At 5 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

SATURDAY, 11TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume and Mr. Tunbridge were in attendance.

Complaint of ex-Sergeant McMahon:—Mr. Jackson Palmer, solicitor, appeared for Sergeant McMahon. The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John McMahon, ex-sergeant of police; John Strathern, inspector, Charitable Aid Office, Auckland; Alexander McGilp, constable, Rawene; Joseph Swinburne Kelly, sergeant of police; and William Lyons, sergeant of police, Auckland. The further consideration of the complaint was adjourned until Monday next.

At 12.45 p.m. the Commission adjourned until Monday next, at 10 o'clock a.m.

MONDAY, 13TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

The Police and Permanent Artillery:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Arthur Pole Penton, Commander New Zealand Forces, Auckland; Arthur Hume, ex-Commissioner of Police; and Sir Arthur Percy Douglas, Bart.

Ex-Sergeant McMahon's case:—Mr. Jackson Palmer, solicitor for ex-Sergeant McMahon, attended and intimated he did not intend to call further evidence.

The following complaint, lodged by the Rev. F. W. Isitt, was taken into consideration:—

The Chairman of the Police Commission, sitting in Auckland: SIR,—I, the undersigned, lay the following charge against the Police Department that it may be inquired into at your sessions in Auckland:—

1. That the efficiency of the Police Force has been seriously impaired, to the detriment of the public interests, by the exercise of outside influence which has been brought to bear upon it, especially by influence of a political character.

2. That the licensing-laws, and those laws which relate to gaming, have not been strictly enforced; and that the laws under which the sale of intoxicating liquors in the King-country and other Native districts is prohibited have been administered with special laxity.

FRANK W. ISITT.

James Hickson, Inspector of Police, Auckland, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of ex-Sergeant McMahon:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., James Hickson, Inspector of Police, Auckland; Patrick Crean, constable, Auckland; and John Bennett Tunbridge, Commissioner of Police.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Rev. William Gittos, Wesleyan minister of religion, Auckland; Hami Kingi, Wesleyan minister of religion, Kopua, Waikato (the Rev. William Gittos was sworn in as interpreter); John Edward Taylor, settler, Mangere, and member of District Hospital and Charitable Aid Board; and Charles Stanyer, constable, Otorohanga.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

TUESDAY, 14TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of Rev. Mr. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William Jones, constable, Te Awamutu; John Cavanagh, constable, Ngaruawahia; Frank Souter Malcolm, outfitter, Auckland; David Goldie, timber merchant, Auckland; John Watson Forbes, constable, Te Aroha; Edward William Sharman, medical practitioner, Auckland; Arthur Cleave, proprietor, *Sporting Review and Licensed Victuallers' Gazette*; Rev. William Henry Wilson, Church of England clergyman, Paeroa; Laurence Carroll, constable, Kihikihi; John Henry Upton, bookseller, Auckland; John William Ellis, J.P., sheep-farmer, Otorohanga; Patrick Macdonnell, J.P., storekeeper, Otorohanga; Alexander Rose, Collector of Customs, Auckland; and Arthur Myers, brewer and wine and spirit merchant, Auckland.

At 5 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

WEDNESDAY, 15TH JUNE, 1898.

The Commission met at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Correction of evidence (general efficiency of the Force):—James Hickson, Inspector of Police, Auckland, attended, and, being reminded he was still on his former oath, gave evidence, which was taken down by the reporter.

Complaint:—Charles Thomas Dunne, of Katikati, attended, was sworn, and gave evidence, which was taken down by the reporter.

Complaint of John Dean against Sergeant Greene:—Frederick Neave, labourer, Opitonui, near Coromandel, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Rev. George McMurray, Auckland; Rev. William Beatty, Auckland; the Rev. William Eugene Gillam, Ellerslie, Episcopalian clergyman; George Thomas Wilkinson, Government Native Agent and Land-purchase Officer, Otorohanga; Charles James Johnston, J.P., Otorohanga; John William Ellis, J.P.; John Edward Taylor, settler, Mangere; and Herbert William Brabant, S.M., Auckland.

Case of Constable Gillespie:—Herbert William Brabant, S.M., Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 16TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of Rev. F. W. Isitt's charges:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., William Alfred Bayley, detective, Auckland; Martin Grace, chief detective, Auckland; Peter Thomas McMahon, detective, Auckland; William Maddern, detective, Auckland; William Murray, sergeant of police, Tauranga, and formerly of Rotorua; Gabriel Elliott, Wesleyan Home missionary, Kaihu; James Alexander Mathew, constable, Auckland; Michael Gaffney, constable, Auckland; Abraham Bowden, cab-proprietor, Auckland; William Joseph Napier, solicitor, Auckland; George Goldie, Sanitary Inspector, Auckland; Samuel Dawson Hanna, manager, Auckland Freezing Company; Alexander Alison, manager, Ferry Company, Auckland; John McEffer Shera, sharebroker, Auckland; Laura Francis, deaconess of an unsectarian order, Door of Hope Rescue Home; Charlotte Sparks, widow, adjutant, Salvation Army, and in charge of Rescue Home, Grey Street, Auckland; and the Rev. William James Williams, Wesleyan minister, Auckland.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

FRIDAY, 17TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn gave evidence, which was taken down by the reporter—viz., Lizzie Porter, secretary of the Society for the Protection of Women and Children, Auckland; James Hickson, Inspector of Police, Auckland; Thomas Gresham, barrister and solicitor, and Coroner at Te Awamutu; the Right Rev. George Michael Lenihan, D.D., Roman Catholic Bishop of Auckland (made affirmation in lieu of oath); Patrick Herbert, detective, Thames; Frank Lawry, M.H.B., Parnell; and John Bennett Tunbridge, Commissioner of Police.

Case of Matthew O'Brien, constable:—John Joseph Reynolds, J.P., Helensville, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

SATURDAY, 18TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of Mrs. Maria Smith:—Thomas Harrison Smith, constable, Auckland, attended, and, being sworn, gave evidence, which was taken down by the reporter.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Hubert Ferguson, Inspector of Factories, Auckland; William Thomas Jennings, M.L.C., Auckland.

At 6.30 p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 20TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Rev. F. W. Isitt were in attendance.

Complaint of the Rev. F. W. Isitt:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Henry William Northcroft, S.M., Wanganui; James McCrea Brigham, secretary and treasurer, Auckland Harbour Board, Auckland.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Edwin Harrow, farmer, Lake Takapuna; James Hickson, Inspector of Police, Auckland; and John Bennett Tunbridge, Commissioner of Police.

Complaint of John Dean against Sergeant Greene, Onehunga:—Bernard Greene, sergeant of police, Onehunga, attended, and, being sworn, gave evidence, which was taken down by the reporter.

There being no further evidence forthcoming, the proceedings of the Commission at Auckland were closed, and the Commission adjourned until Wednesday next, at 10.30 o'clock, at New Plymouth.

NEW PLYMOUTH.

WEDNESDAY, 22ND JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, New Plymouth, on Wednesday, 22nd June, 1898, at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

Complaint of John Gilbert against Constable Gillespie:—Mr. Gilbert appeared, and was informed by the Chairman that his complaint could not be gone into, as the complaint arose before either himself or Constable Gillespie were in the Police Force, and that the complaint was over twelve years ago, and also because his (Gilbert's) services had been dispensed with.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Francis McGovern, Police Inspector, New Plymouth; William Grey, constable, New Plymouth; Hal Goodacre, boot-manufacturer, New Plymouth; Martin Dudley Stagpoole, sergeant of police, New Plymouth; Michael Roche, constable, New Plymouth; Charles Ahier, sawmiller, New Plymouth; John Duffin, ex-sergeant of police, New Plymouth; and Francis McGovern (recalled).

There being no further evidence forthcoming, the proceedings of the Commission closed at New Plymouth, and the Commission adjourned until 10 o'clock a.m. on Friday next, at Wanganui.

WANGANUI.

FRIDAY, 24TH JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, Wanganui, on Friday, 24th June, 1898, at 10 o'clock a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force:—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., John Ellison, sergeant in charge, Wanganui; Charles Cargill Kettle, District Judge and S.M., Wanganui; Benjamin McCaul, livery-stable keeper; John Ellison (recalled); Marguerite Williamson, wife of Hugh Williamson, chemist, Wanganui; Margaret Bullock, widow, Wanganui; Luke Lynch Carolan, cab-proprietor, Wanganui; Frederick Hamilton Spencer, clerk in holy orders, Wanganui; Thomas Godfrey Hammond, Wesleyan missionary, West Coast, North Island; and Francis McGovern, Inspector of Police, Wanganui and West Coast district.

There being no further evidence forthcoming, the Commission, at 4 p.m., adjourned until to-morrow, at 9.30 a.m., at Palmerston North.

PALMERSTON NORTH.

SATURDAY, 25TH JUNE, 1898.

The Commission opened its proceedings for public business at the Courthouse, Palmerston North, on Saturday, 25th June, 1898, at 9.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force:—Edward Wilson, sergeant of police in charge of sub-district, Palmerston North, attended, was sworn, and gave evidence, which was taken down by the reporter.

Correction of evidence:—Edward Wilson, sergeant of police, Palmerston North, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint of Constable Gillespie:—It being reported to the Commission that Constable Gillespie was unable to attend through illness, his complaint was not dealt with.

Complaint of F. Pirani, M.H.R.:—It being reported to the Commission that Mr. F. Pirani, M.H.R., was unable to attend through illness, his complaint was not dealt with.

Complaint of W. Hamer, of Foxton, against Constable Gillespie:—There being no appearance of Mr. Hamer, his complaint lapsed.

There being no further evidence forthcoming, the proceedings of the Commission at Palmerston North closed, and the Commission adjourned until Monday next, at 10.30 o'clock a.m., at Wellington.

WELLINGTON.

MONDAY, 27TH JUNE, 1898.

The Commission resumed its sittings at the Parliament Buildings, Wellington, on Monday, 27th June, 1898, at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Mr. T. E. Taylor, M.H.R., and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force (Mr. Taylor's complaint) :—Henry James Checketts, fireman and greaser, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

Production of papers :—Arthur Hume, ex-Commissioner of Police, attended, and produced papers relating to Thomas J. O'Brien, constable, Napier, and Patrick Quinn, constable, formerly of Hawera, now at Palmerston North, and gave evidence thereon, which was taken down by the reporter.

Re evidence of ex-Constable Charles Slight :—Alexander Hattie, constable, Palmerston North, attended, and, being sworn, gave evidence, which was taken down by the reporter.

General efficiency of the Force (complaint of Mr. T. E. Taylor) :—William Campbell, chief detective, Wellington, attended, was sworn, and gave evidence, which was taken down by the reporter.

At 5 p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

TUESDAY, 28TH JUNE, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Rev. F. W. Isitt, and Mr. T. E. Taylor, M.H.R., were in attendance.

Arthur Hume, ex-Commissioner of Police, attended, and produced papers relating to the following matters :—(1) Papers relating to the correspondence from certain Justices of the Peace at Otorohanga and the Police Department relating to the sale of grog in the King-country ; (2) transfer of Constable Donovan from Coromandel to Tolaga Bay ; (3) correspondence between the Rev. F. H. Spencer, Rotorua, and the Police Department relating to the sale of grog to the Natives ; (4) papers relating to Constable Watty's retirement ; (5) papers relating to transfer and threatened dismissal of ex-Constable Pascoe from Methven, Canterbury ; (6) Constable Whelan's transfer from Tauranga to Port Awanui ; and, being sworn, gave evidence on the several matters, which was taken down by the reporter.

General efficiency of the Force :—Arthur Hume, ex-Commissioner of Police, attended, was sworn, and gave evidence, which was taken down by the reporter.

Municipal Colonial Police :—John Bennett Tunbridge, Commissioner of Police, and Arthur Hume, ex-Commissioner of Police, attended, and, each being sworn, gave evidence, which was taken down by the reporter.

Complaint against ex-Sergeant Hannan :—Ex-Sergeant Daniel Hannan applied to be further heard in reference to the complaint against him, and to be allowed to call more evidence. The Commissioners, after consultation, informed him that he would be allowed to give rebutting evidence on any testimony given after he was examined, but not on any other matter. He was accordingly reminded that he was still on his former oath, and gave evidence, which was taken down by the reporter.

At 5 o'clock the Commission adjourned until to-morrow, at 10 o'clock a.m.

WEDNESDAY, 29TH JUNE, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was occupied during the whole of the day discussing matters in connection with the preparation of the report.

At 5.15 p.m. the Commission adjourned until to-morrow, at 10.30 o'clock a.m.

THURSDAY, 30TH JUNE, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission was engaged during the whole of the day discussing matters in connection with the preparation of the report.

At 5.30 p.m. the Commission adjourned until 10.30 o'clock a.m. to-morrow.

FRIDAY, 1ST JULY, 1898.

The Commission met at 10.30 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

Colonel Hume, Mr. Tunbridge, Mr. T. E. Taylor, M.H.R., and the Rev. F. W. Isitt were in attendance.

General efficiency of the Force :—The following witnesses attended, and, each being sworn, gave evidence, which was taken down by the reporter—viz., Henry J. Checketts (recalled), Roderick McKenzie, M.H.R., Henry J. Checketts (recalled), the Hon. William Kelly, M.L.C., Arthur Hume, ex-Commissioner of Police, and John Bennett Tunbridge, Commissioner of Police.

Production of papers :—Arthur Hume, ex-Commissioner of Police, attended, and produced papers referring to the following matters: Constable Walter Bond Young, Constable W. J. Rist, Constable William Patrick Patton, Constable Michael Cox, Constable S. M. Kelso, and, being sworn, gave evidence thereon, which was taken down by the reporter.

At 5.15 p.m. the Commission adjourned until to-morrow, at 10.30 o'clock a.m.

SATURDAY, 2ND JULY, 1898.

The Commission sat at 10.30 a.m.

Present: Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

Correspondence :—The following communication was received from the Right Hon. the Premier :—

Premier's Office, Wellington, 1st July, 1898.

MEMORANDUM for the CHAIRMAN, POLICE COMMISSION.

REFERRING to the request preferred by the Commissioners, asking the Premier to name a time when it would be convenient for him to be examined, the Premier begs to say that, having carefully considered the position, he has come to the conclusion it would be inexpedient—if not unconstitutional—that he should attend before the Commissioners for such a purpose.

The Commission was appointed by His Excellency the Governor upon the Premier's advice, and when the Commissioners have made their report it will again be his duty to tender advice to the Governor.

This being so, the Premier thinks he ought not to submit himself for examination, and commit himself to opinions which might prejudice his future action, or tend to diminish his responsibility to Parliament. This seems the more obvious at the present time when Parliament is in session.

With regard to the list of matters which accompanies the above request, the Premier suggests that the departmental records will possibly afford the Commissioners all the information they desire, or that the same may be obtained from other sources.

R. J. SEDDON.

The following communication was received from the Hon. the Minister of Justice :—

MEMORANDUM for the CHAIRMAN, POLICE COMMISSION.

Office of the Minister of Justice, 2nd July, 1898.

REFERRING to your communication *re* my appearing for examination, I beg to refer you to the Premier's memorandum of the 1st July, and to state that I am also of opinion that I ought not to submit myself for examination, and commit myself to opinions which might prejudice my future action, or tend to diminish my responsibility to Parliament. This seems the more obvious at the present time when Parliament is in session.

With regard to the list of matters which accompanies the above request, I would suggest that the departmental records will possibly afford the Commissioners all the information they desire, or that the same may be obtained from other sources.

T. THOMPSON.

The Commissioners sent for Mr. T. E. Taylor, M.H.R., who had desired the attendance of the Premier and Hon. Mr. Thompson, and, upon Mr. Taylor attending, the Chairman informed him of the receipt of the two foregoing memoranda, and the contents thereof.

The following memorandum was sent to the Right Hon. the Premier :—

MEMORANDUM for the Right Hon. the PREMIER.

I HAVE the honour to acknowledge the receipt of your memorandum of the 1st instant, referring to our request that you would name a time convenient for you to attend the Commission to be examined on certain matters by Mr. Taylor, M.H.R., and to inform you that on its contents being communicated to that gentleman he announced his intention of bringing the matter before the House on a question of privilege on Tuesday next.

4th July, 1898.

H. S. WARDELL, Chairman, Police Commission.

General efficiency of the Force: Thomas Cahill, M.D., Wellington, attended, and, being sworn, gave evidence, which was taken down by the reporter.

At 1.30 p.m. the Commission adjourned until 10.30 o'clock a.m. on Monday next.

MONDAY, 4TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Colonel Pitt having to proceed to Nelson, it was arranged that he should draft certain portions of the report, and transmit same to the other Commissioners at Wellington for perusal and approval.

The Commissioners were engaged during the whole of the day perusing documents and drafting the report.

At 5.30 p.m. the Commission adjourned until 10.30 a.m. to-morrow.

TUESDAY, 5TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present: Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

The Commission were engaged during the whole of the day perusing documents and drafting their report.

At 5 o'clock p.m. the Commission adjourned until 10.30 o'clock a.m. to-morrow.

WEDNESDAY, 6TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

The Commission were engaged during the whole of the day perusing documents and drafting their report. At 5 o'clock p.m. the Commission adjourned until to-morrow at 10.30 o'clock a.m.

THURSDAY, 7TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

Mr. Taylor, M.H.R., attended and delivered a letter, dated the 7th July, 1898, asking for subpoenas for the Right Hon. R. J. Seddon and the Hon. T. Thompson to attend for examination before the Commission, as follows :—

DEAR SIR,—

After full consideration of the matter, I beg to make application for subpoenas for the Right Hon. R. J. Seddon and the Hon. T. Thompson. I shall be glad if you will let me know what day will suit them for examination, so that I may arrange not to inconvenience them.

H. S. Wardell, Esq., Chairman Police Commission, Wellington.

7th July, 1898.

I am, &c.,

T. E. TAYLOR.

The Commission were engaged during the whole of the day perusing documents and drafting their report.

The Commission at 5 o'clock p.m. adjourned until 10.30 o'clock a.m. to-morrow.

FRIDAY, 8TH JULY, 1898.

The Commission sat at 10.30 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Mr. T. E. Taylor, M.H.R., wrote, under date 8th July, 1898, quoting authorities in support of his application for the issue of subpoenas for the attendance of the Right Hon. R. J. Seddon and the Hon. T. Thompson, as follows :—

DEAR SIR,—

With further reference to my application for subpoenas for the Hon. the Premier and the Defence Minister, and the conversation we had yesterday on the subject, I beg to ask your attention to May's "Parliamentary Practice," page 111. It is there stated as follows : "The claim to resist subpoenas upon the same principle as other personal privileges—viz., the paramount right of Parliament to the attendance and service of its members—was maintained in former times. Of late years, so far from withholding the attendance of members as witnesses in Courts of justice, the Commons grant leave of absence to their members on the ground that they have been summoned as witnesses, and have admitted the same excuse for defaulters at calls of the House." May then goes on to declare that "Although the claim of privilege is not now enforced as regards other Courts, one House will not permit its members to be summoned by another without a messenger desiring his attendance, &c. It seems clear that the privilege of exemption from subpoenas has ceased to exist by virtue of its non-assertion."

On the 4th May, 1894, the Hon. R. J. Seddon, A. J. Cadman, P. A. Buckley, John McKenzie, W. P. Reeves, J. G. Ward, and James Carroll were all examined on oath before the Fox Royal Commission. A full report of the proceedings is embodied in the Appendices of the House of Representatives for 1894—H.—5.

The control of the Force has been by Ministers and not by a Commissioner, and Ministers only can explain what principles were applied in the selection of recruits, or in transfers and certain promotions. Your order of reference empowers you to call all persons or papers calculated to elucidate the questions submitted to you for investigation. Whatever attitude Ministers may assume, I submit, is a matter that does not affect my right to call them as witnesses before you. They are possessed of information and facts without which I am unable to establish certain points in the charges lodged by myself; and, under these circumstances, I ask that you will supply me with subpoenas for Monday next at any hour which will suit the convenience of the Ministers named.

H. S. Wardell, Esq., Chairman, Police Commission, Wellington.

I am, &c.,

T. E. TAYLOR.

The Commission was engaged during the whole of the day perusing documents and drafting their report.

SATURDAY, 9TH JULY, 1898.

The Commission sat at 10.30 a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

Subpoenas were issued for the attendance of the Right Hon. R. J. Seddon and the Hon. T. Thompson for Monday next.

The Commission was engaged during the whole of the day perusing documents and drafting their report.

At 1 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 11TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

Colonel Hume, Mr. Tunbridge, and Mr. T. E. Taylor, M.H.R., were in attendance.

The Premier, the Right Hon. R. J. Seddon, and the Hon. T. Thompson, Minister of Justice, were in attendance.

Addressing Mr. Seddon and Mr. Thompson,

The Chairman stated : The Commission issued a subpoena for your attendance on the application of Mr. Taylor, as he alleged that he wished to examine you on matters connected with the control and general organization of the Police Force.

Mr. Seddon : Mr. Chairman, I came here this morning, as I did not wish to show any disrespect to the Commission. For State reasons, and believing as I do that it is unconstitutional for me to be here to tender evidence—in fact, you might just as well summon His Excellency the Governor—upon the points which have been submitted—as far as I am concerned, there is nothing that I can do or say to throw light on the question. To appreciate my position, take, for instance, a question that is mentioned here in this list supplied to me—of recruiting. It might be that I should say the system of recruiting from the Permanent Artillery was not in the best interests of the Police Force. If I were to express that opinion the Commission, in reporting or recommending to His Excellency the Governor—which is practically recommending to me or the Government—might adopt my view, and it would be then said that it was not the report of the Commission, or the opinion of the Commissioners, for they had simply indorsed the opinion of the Prime Minister. Under these circumstances I, as I have said, not wishing to show any disrespect to the Commission, have obeyed the subpoena, but for State reasons I think it is not expedient to tender evidence. I shall therefore decline to be examined, and hope the reasons I have given will be satisfactory to you in supporting the position I have taken up.

The Chairman : Mr. Taylor, have you anything to urge ?

Mr. T. E. Taylor : Yes ; I wish to draw your attention to this fact : that under the order of reference which authorises you to inquire into certain matters you are empowered to call any persons or papers to throw light upon the Police Force in connection with reforms in that department of the public service, and any person or paper which might throw light on the causes which have led to discontent in and disorganization and demoralisation of the Force. Now, if the Force had been entirely under the control of the Commissioner, the Commissioner would undoubtedly have been available for thorough examination of the methods and causes alleged to be injurious to the Force ; but, as a fact, the Police Force have not been under the control of the Commissioner, because the Commissioner has admitted to you that it has been Ministerially controlled, and the reasons given for certain actions and things which have been done are that they are only known to the Ministers who have instructed the department to do them. Now, before the Commission can ascertain the causes for discontent, disorganization, and demoralisation of the Force, facts which are only in the possession of the Minister must be elicited. The action is not the Commissioner's, it is the Minister's action. The authorities do not admit that a member of Parliament can claim any privilege against such a tribunal as you preside over. May's "Parliamentary Practice," page 111, says, "The claim to resist subpoenas upon the same principle as other personal privileges—viz., the paramount right of Parliament to the attendance and service of its members—was maintained in former times. Of late years, so far as withholding the attendance of members as witnesses in Courts of justice, the Commons grant leave of absence to their members on the ground that they have been summoned as witnesses, and have admitted the same excuse for defaulters at calls of the House. But, although this claim of privilege is not now enforced as regards other Courts, one House will not permit its members to be summoned by the other without a message desiring his attendance, nor without the consent of the member whose attendance is required ; and it may be doubtful whether the House would not protect a member served with a subpoena from the legal consequences of non-attendance in a Court of justice, if permission had not been previously granted by the House for his attendance." Now, it will be within your recollection that a Royal Commission was sitting in Wellington a few years ago in connection with some missing documents or reports of Colonel Fox, and the whole Cabinet—including all the Ministers without exception—were examined before that Commission upon oath. So that a precedent is established there ; and I submit that the occasion for that inquiry was nothing like so important as the matters connected with this inquiry. Take a case in point : The Commissioner says he has nothing to do with appointments, and that a number of appointments from the Permanent Artillery have been exceedingly bad. Then, we have it in evidence that a large number of appointments have been made in defiance of the law, and I say it is within the scope of this Commission to inquire why those appointments have been made. There are a large number of men who have been exceptionally treated, and we want to find out why they have been exceptionally treated ; and I submit that the key that will give you the explanation of many matters which have been before you during this inquiry is in the possession of Ministers—the present Defence Minister, and the Minister who was his predecessor. That is the position, and if the Commission is not to be balked in its main purpose, then, I submit, Minister must place before the Commission any facts required—not necessarily opinions—and if they, as the guardians of public documents, and trustees of certain matters for the time being, are to be permitted to refuse such information, then, I say, the purpose of the Commission is set at naught, and practically you are defied by persons who refuse to come under your interrogation.

Mr. Seddon : I claim no privilege. The reference in May has no reference to my case. That referred to claims to exemption by members of Parliament.

The Chairman : We quite understand that, and had taken the matter Mr. Taylor referred to into consideration prior to issuing the summons.

Mr. Seddon : I wish to put myself right. I claim no privilege whatever. On the constitutional phase of the question, which Mr. Taylor did not touch upon at all, I said you might just as well ask His Excellency the Governor to attend. Now, with regard to the appointments which it has been stated has been made by the Defence Minister, there is a complete answer, for His Excellency the Governor cannot ask me why I have appointed any person. Now, if His Excellency the Governor cannot ask me, he being the head of the colony, how can he ask me through the Commission? I am not answerable to any one except Parliament in that respect, therefore Mr. Taylor has cut the ground from under his own feet. Then we come to another point, that Ministers of the Crown have given evidence before a Royal Commission, but the circumstances were entirely different. In respect of a document lost in transmission and appearing in a public print, and where Ministers themselves under the circumstances were directly concerned and desirous, of course, of putting their information before the country, that was entirely another matter. I could volunteer evidence before you, and if I thought fit.

Mr. Taylor : And betray your trust.

Mr. Seddon : It would be entirely unconstitutional, on the ground that your investigation is of such a character as to make it so. In the Fox Commission there was no question of mal-administration whatever against the Government of the day or any of the Ministers. In another Commission it was purely a question of ascertaining the best means of dealing with confiscated land in which the Maoris had been wronged and which the Maoris had claimed, and which had been the subject of petition for years. In that case every Minister went before the Commission to help them in respect of that matter, and if there was nothing contrary to the position of a Minister I might do the same on another Commission to-morrow if the circumstances were the same. But as far as this Commission is concerned the circumstances are different, and I think Mr. Taylor fully recognises that. We had the matter laid down before this Commission sat that no Government could set up a Commission to try itself. A Government has to be tried by Parliament—Ministers can go before their peers and no one else. That is the well-known constitutional position. Under the circumstances, then, for State reasons and in accordance with parliamentary practice, I must, whilst submitting myself before the Commission to show my respect for it, at the same time say that nothing has been said which will change me from the determination which I have come to, and which I believe is a proper one.

Mr. Taylor : Can you quote any authority?

Mr. Seddon : Mr. Ritchie, president of the Board of Trade at Home, presented himself before a Commission and said that for State reasons he declined to give evidence.

The Chairman : He assigned the same reasons that you give?

Mr. Seddon : So I am given to understand. That is the only case I have heard of in connection with anything of the sort.

Mr. Taylor : What was the case?

Mr. Seddon : It was some inquiry, and he tendered himself. But, at all events, if there was no precedent I—

Mr. Taylor : You would make one.

Mr. Seddon : I would make one.

The Chairman : With regard to the question of privilege, as I intimated, we understood on reference to May that we had the power to issue the summons, and in the exercise of that power we did so. The Premier has appeared in answer to that summons, and has assigned certain reasons for declining to give evidence. It is for us to say whether, in our opinion, these reasons are sufficient. On a former occasion I intimated that I thought they were, and I still think so. I think that we cannot call a Minister of the Crown to account for his Ministerial actions. It is admitted that the department is under the control of a Minister. That being so, I take it that he, as a Minister, is responsible for his Ministerial actions to the Governor and to Parliament, and that we, as a Commission set up by the Governor, are not empowered or entitled to examine him upon those acts for which he must be exclusively responsible to the powers I have named—certainly to Parliament, if not personally to the Governor as the Premier says. With regard to the case referred to—the Fox Commission—I see a very broad distinction between that inquiry and this. That was an inquiry limited to a mere question of fact as to which no question of Ministerial action was involved; but here the list of matters which Mr. Taylor proposed to put before the Premier evidently touches Ministerial policy. The question of pensioning- and retiring-allowances are clearly matters of Ministerial policy, and the other matters enumerated in the list are matters of Ministerial action; and taking the view I have taken I am of opinion that we cannot compel the Premier to give evidence.

Mr. Taylor : If the Right Hon. the Premier is responsible to the Governor for his actions, is he not responsible to a Royal Commission appointed by the Governor? You have your authority from the Governor.

The Chairman : I accept the Premier's assurance. I take it he speaks as an expert on that matter, that the Governor, as Governor, cannot call him to account for his action, that his responsibility constitutionally is to Parliament. Having formed that opinion, I, for my part, consider the reasons assigned sufficient, and exonerate the Premier from answering any questions on the subject.

Mr. Poynton : The only thing we have to consider as Royal Commissioners is whether we ought in face of the refusal to give evidence to impose a penalty. In my opinion, no Judge would impose a penalty under the circumstances. The Premier is called here and alleges that he is called to account for Ministerial acts for which he is accountable only to Parliament. That is to say, no doubt, if his acts are Ministerial acts he is not responsible to this body but to Parliament. The list of items submitted by Mr. Taylor comes within the definition of Ministerial acts. Under section 2 of the Police Force Act the Governor has power to embody a Police Force. Under

section 3 he appoints the officers, and by section 11 he "may from time to time direct the employment and distribution of the said Force as to him shall seem meet." By that section the Governor, who, of course, is the Minister, or acts through his Ministers, has full control over the distribution of the Force. All these acts come directly within the meaning of Ministerial acts, and I am quite sure no person who has any knowledge of constitutional history would insist that the Premier is responsible to any other body but Parliament. If he does wrong he can be impeached in Parliament, but he cannot be compelled to disclose facts which might subsequently be made the ground of impeachment in Parliament. I am satisfied of that, and therefore concur with the Chairman that he cannot be called upon or compelled to give evidence.

Mr. Seddon : I do not wish to put myself in conflict with the Commission, but I desire to say, in regard to what has been said by the Commissioner who has just spoken, that the Commission has no power to impose a penalty. The question of penalties is the subject of inquiry before a Court of competent jurisdiction. If I were called upon to reply in respect to the question of a penalty, I should then have an opportunity of justifying my position before a tribunal of competent jurisdiction.

Mr. T. Thompson : For the same reasons I would like to say the same.

Mr. T. Taylor : I would like to know if the State reasons are the same in your case.

Mr. T. Thompson : I take up the same position as my right honourable colleague, as a Minister of the Crown, and for the same reasons.

The Chairman : Then you are relieved from further attendance.

The gentlemen in attendance then withdrew.

The Commission spent the remainder of the day in drafting their report.

The Commission at 5 o'clock adjourned until 10 o'clock to-morrow.

TUESDAY, 12TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

The Commission were engaged during the whole of the day drafting their report.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

WEDNESDAY, 13TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting read and confirmed.

The following letter was received from Mr. Roderick McKenzie, M.H.R. :—

SIR,—
 Parliament Buildings, Wellington, 4th July, 1898.
 I have the honour to herewith forward you copy of His Excellency's reply to my petition to him concerning matters now pending before the Police Commission reflecting on my private and public reputation, and to again respectfully request the Commission to expunge from its records all references made to me personally by the witness Checketts or T. E. Taylor. Otherwise, to inform me when the Commission will be prepared to receive rebutting evidence, and also evidence as to the antecedents of the witness Checketts. As a considerable number of the witnesses whom I would be compelled to call reside in the Buller County, I will feel obliged if you will at an early date notify me (in the event of the Commission deciding on taking rebutting evidence) whether you will take that evidence in Wellington or Westport.
 I remain, &c.,
 R. MCKENZIE, M.H.R.

H. S. Wardell, Esq., Chairman, Police Commission, Wellington.

[Enclosure.]

SIR,—
 Government House, Wellington, 8th July, 1898.
 I am directed by His Excellency to acknowledge receipt of your petition. His Excellency has consulted his Advisers on the subject, but they are not aware of all the circumstances. If the evidence complained of was incident to some charges affecting police administration generally or the conduct of any police officer, it seems that it may have been admissible but that it would have been fair to have allowed rebutting evidence to have been called. If, however, the evidence was given independently, then it was beyond the scope of inquiry and should not have been received. In this latter case the Commission may possibly see fit to expunge it from their records. But should it appear they have not done so His Excellency will be prepared to direct that your petition should accompany any report and evidence which may be laid before Parliament.
 I remain, &c.,
 R. McKenzie, Esq., M.H.R. DUDLEY ALEXANDER, Captain.

Resolved, That the evidence given by the witness Henry Checketts referring to Mr. Roderick McKenzie, M.H.R., being objected to by Mr. McKenzie, and after consideration it being ruled to be irrelevant to the inquiry, be struck out of the minutes of evidence, as also that relating to the Hon. Mr. Kelly, M.L.C.

The Chairman wrote communicating the above resolution to the Hon. William Kelly, M.L.C., and Messrs. R. McKenzie and T. E. Taylor, M.H.R.

The Commission were engaged during the day drafting their report.

At 5 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 14TH JULY; FRIDAY, 15TH JULY; SATURDAY, 16TH JULY; MONDAY, 18TH JULY;
 TUESDAY, 19TH JULY; WEDNESDAY, 20TH JULY; THURSDAY, 21ST JULY; and FRIDAY, 22ND
 JULY, 1898.

Present : Messrs. Wardell and Poynton.

The Commission were engaged during these days drafting their report.

SATURDAY, 23RD JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The Commission was engaged during the day and evening in the preparation of their report.

At 11 o'clock p.m. the Commission adjourned until 10 o'clock a.m. on Monday next.

MONDAY, 25TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

The minutes of the previous meeting were read and confirmed.

The Commission were engaged during the whole of the day and evening in connection with the preparation of the report, and the draft having been completed was sent to the Government Printer to be put in type.

At 1 o'clock a.m. on Tuesday morning the Commission adjourned until 10 o'clock a.m.

TUESDAY, 26TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell, Poynton, and Colonel Pitt.

Minutes of the previous meeting read and confirmed.

The draft report was received from the Government Printer, and, after perusal, was agreed to by the Commission.

Colonel Pitt, having to leave for Nelson, authorised the Chairman (Mr. Wardell) by writing under his hand to sign his (Colonel Pitt's) name and affix his seal to the report of the Commission before being sent to His Excellency the Governor.

Complaint of George Spencer Fleming :—The Commission resolved that the expenses of the witnesses called by Mr. George Spencer Fleming, of Christchurch, in respect of the charges made by him against certain members of the Police Force during the sittings of the Commission at Christchurch, be paid out of the moneys deposited by him as security for the payment of their expenses, the said charges being held to be frivolous and vexatious.

Acknowledgment :—*Resolved*, That the Commission desires to place on record its appreciation of the manner in which Mr. E. W. Kane, the Secretary to the Commission, has discharged his duties, and its recognition of the arduous duties performed by the reporting staff.

Colonel Pitt and Mr. J. W. Poynton, Commissioners, desire to place on the minutes a record of their thanks to Mr. Wardell, Chairman of the Commission, for the uniform courtesy, patience, and kindness shown to them by him throughout the sittings of the Commission.

At 4.30 p.m. the Commission adjourned until to-morrow at 10 o'clock a.m.

WEDNESDAY, 27TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

Minutes of the previous meeting read and confirmed.

The revise of the draft reports was received from Government Printer and corrected.

At 4 o'clock p.m. the Commission adjourned until 10 o'clock a.m. to-morrow.

THURSDAY, 28TH JULY, 1898.

The Commission sat at 10 o'clock a.m.

Present : Messrs. Wardell and Poynton.

The minutes of the previous meeting were read and confirmed.

A fair copy of the report was received from the Government Printer and duly signed by the Commissioners, and was forwarded to the Right Hon. the Premier for transmission to His Excellency the Governor.

This concluded the proceedings of the Commission.

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MINUTES OF EVIDENCE.

WELLINGTON.

MONDAY, 14TH FEBRUARY, 1898.

PETER PENDER, Inspector of Police, examined on oath.

1. *The Chairman.*] We want you, Mr. Pender, to give us, as far as you can, a general sketch of the formation of the present Police Force of the colony. When did you join the Force?—I have been fifty-two years in the Police Force.

2. *Colonel Pitt.*] Do you remember the year you joined?—In 1845, in Ireland—the Irish Constabulary.

3. But the New Zealand Force?—I came over from Victoria to Christchurch in 1862.

4. *The Chairman.*] In what position?—I came over here to assist in organizing the Police Force. I came as first-class sergeant, and was appointed sergeant-major almost immediately, and shortly afterwards I was appointed Inspector.

5. *Colonel Pitt.*] In 1862; was that the provincial police then, or the General Government?—Provincial.

6. Canterbury?—Yes; Canterbury.

7. *The Chairman.*] To what period was it a provincial Force?—I think it was in 1869 we became merged into the Armed Constabulary. It was a local provincial Force up to that time. St. John Branigan took charge of the police, and we were taken in with the Armed Constabulary, which was then a colonial Force.

8. In 1869 it ceased to be a local Force and was merged into the Armed Constabulary, and you then held the position of Inspector?—Yes; I have held the position of Inspector since May, 1864. Then I think it was in 1876 the General Government took charge, when the provinces were abolished.

9. Then, although merged into the Armed Constabulary, it was still a provincial Force?—Yes; I believe the provinces paid for the police, as far as I can remember.

10. *Colonel Pitt.*] And made the appointments?—And made the appointments.

11. *The Chairman.*] It was a colonial Force under local control?—Yes.

12. In 1876, when the provinces were abolished, what change took place?—The whole Force came under the General Government, and became a colonial Force.

13. And what was the organization; under whose immediate control was the Force placed?—Well, I think it was Colonel Moule, or Colonel Reader—I forget which. It was Colonel Reader, I believe.

14. *Colonel Pitt.*] There was a Commissioner of Police at Wellington?—Yes; I believe it was Colonel Moule previously.

15. Did you retain your position as Inspector?—Yes. I may say—I do not know whether it is material—as an Inspector, I was appointed to the third-class in Canterbury. The Commissioner there adopted a classification system. I rose to the first class, but I did not get the pay; and other Inspectors, who were in Hokitika, for instance, and other places, who were only appointed Inspectors, under no classification, took precedence, when the General Government took over the Force, over those who had been working up under the classification system.

16. And who had the control of the police at Hokitika, the General Government?—The Westland Province.

17. Westland was not a provincial district then, was it?—Oh yes, some time before that.

18. You say the Inspectors of Westland took precedence?—And other places as well. Men at other places who were simply appointed as Inspectors, without any regard to grade, took precedence over those who had been working up under the classification system.

19. In Westland and other places?—One or two other places—although those under the classification had been longer in the Force.

20. *The Chairman.*] Under this system, when the Force was taken over by the General Government and placed under the immediate control of a Commissioner at Wellington, what was the system of administration?—Well, there was very little change. Things went on in much the same way.

21. How was enrolment carried out?—Sworn men.

22. Selected by and from?—I was appointed by the Governor.

23. *Mr. Poynton.*] But with regard to the Force itself, how were the constables enrolled—from any particular body of men, or were they simply taken from the general population?—They were taken from the general population. After some time I think the men were sent down from Wellington. I am speaking from memory. Things went on in much the same way for some time. Then men were taken from the Permanent Artillery. I think some were taken from the permanent force at Lyttelton for Christchurch, the same with regard to Dunedin, and the same, I think, with regard to Wellington.

24. *Colonel Pitt.*] From the Permanent Force?—Yes.

25. When were they first established?—I am not certain at all about the date.

26. You mean by the Permanent Force the Armed Constabulary?—No, the Permanent Artillery.

27. *Mr. Poynton.*] You had nothing to do with the enrolment?—No, nothing at all.

28. *The Chairman.*] Where were you stationed at this time?—Christchurch and Timaru. I was first for some time at Christchurch, and then I was for some years at Timaru, and then came back again to Christchurch. A number of the Armed Constabulary men, I think, after the provinces were abolished, were transferred to the general Force.

29. How did those men who were transferred from the Permanent Artillery and from the Armed Constabulary shape in police duties?—Well, I think, fairly well. Of course, some of them turned out only middling; others were very good men, but I may say they were not equal to the men that we had in Canterbury.

30. That is, the southern portion of the Force?—Well, the Commissioner in the Canterbury force was then Mr. Shearman. A number of men came over from Australia, the same as they did to Otago. In fact, for a long time the force was pretty well supplied with men from the other colonies, and they were all superior men.

31. *Colonel Pitt.*] Were they not mounted men?—No. Some of them were. The Force was recruited pretty well from those colonies. The Irish Constabulary men were taken on then. They were all men of experience.

32. All good men?—Well, not all.

33. *The Chairman.*] They were experienced in police duties?—Yes. You could put them in uniforms and send them out, and they knew what to do.

34. You were in the service in Australia, Mr. Pender, and you say these men who came over were experienced men. You attribute that to their training in Australia?—They had a superior training altogether.

35. What was the training they received?—The training in Australia at that time did not differ very much from the training here, with the exception that they had a depot at Melbourne, where all the men were trained before they were allowed to go out. Every man had to undergo a training—had to pass an examination.

36. *Colonel Pitt.*] What do you mean by examination—physical, of course?—And intellectual as well.

37. *Mr. Poynton.*] A knowledge of his duties?—A knowledge of his duties generally. He had to undergo three months' training in the depot. It was four months in the Irish Constabulary.

38. Did the same system prevail in the Irish Constabulary?—The Victorian system at that time was a mixture of the English and Irish system.

39. What I especially want to get at is, whether the training was a strictly military training, or, whether it was a training in the duties of constables as civil officers?—They were trained by the non-commissioned officers, and instructed in their duties.

40. As constables?—As constables.

41. Were they drilled as well?—Drilled as well.

42. I am trying to distinguish the military and civil character of their duties?—They were trained, and carried arms—rifles and revolvers—and they were mounted.

43. And they were instructed in their duties as police?—Yes. They now have lecture-rooms, both in Ireland and England.

44. *The Chairman.*] And do you know for how long the training was?—I think for three months at that time.

45. *Mr. Poynton.*] Three months in Victoria, and four in Ireland?—Yes.

46. *Colonel Pitt.*] In Melbourne they had lectures too?—Not at that time. The sergeant lectured the men; but now they have public halls where they deliver lectures, and so they have at Home.

47. *The Chairman.*] You attribute the fact that these men were better than the Armed Constabulary to the fact that they had been specially trained as constables?—Well, perhaps they were superior men. Sir Charles McMahon was an old military officer—a captain in the army—and when he took charge of the Force, the improvement commenced at once—improvement in the Force generally. He was a man of great ability, and had been a captain in one of the hussar regiments, and he was appointed Chief Commissioner, and was in charge of the Force generally. He was then Captain McMahon, afterwards known as Sir Charles McMahon. Then, Captain Standish, another military officer, took charge.

48. And now, I think, we must bring you back to New Zealand. Having got a Force composed of members of the Armed Constabulary and Permanent Artillery, and partly of men who had been trained in Australia, how did the Force work? The Force worked fairly well, in my opinion. Of course, there were exceptions, as in other Forces I have known. There were "black sheep" every now and again.

49. What was the administration? What power had the local officers of police at Christchurch, for instance, Wellington being the centre?—There was an alteration made with regard to local Inspectors. Up to that time I think a local Inspector had power to remove the men in his own district.

50. To remove them from one station to another?—Yes, to transfer them; but every instance of removal was notified to the Commissioner.

51. *Colonel Pitt.*] Up till when did that obtain?—I could not really fix the date.

52. It was after the Government took control?—After the Government took control. He had power to transfer men to all stations within his own district, but all transfers had to be notified to the Commissioner, to be approved or otherwise.

53. *The Chairman.*] How long did this system of recruiting from the Armed Constabulary and the Permanent Artillery last?—Men were taken from the Permanent Artillery up to a short time ago.

54. Up to the last amended regulations?—I can hardly say.

55. To March, 1897?—I could not tell you the date.

56. *Colonel Pitt.*] Do I understand you to say that they were taken exclusively from the Permanent Artillery up to 1897?—I am not quite sure about that. No, I think not.

57. *The Chairman.*] Were not all vacancies filled from the Permanent Artillery?—Yes, I think so.

58. You are not aware of any exception to that rule?—I could not answer that with any degree of certainty. I cannot recollect.

59. Will you kindly tell us anything you may have to say about the working of the Force up to that period—up to the change in 1897. How did these men recruited from the Permanent Artillery do their work as constables?—Well, Sir—

Colonel Hume: May I be allowed to say that Mr. Pender has omitted to state what happened in 1886 when the Police Force Act was passed.

60. *The Chairman.*] What happened when that change took place?—I do not think there was any change really in the working generally of the Force by the passing of the Act of 1886. I was in charge in Canterbury, and I do not think there was any change.

61. You do not know of any change taking place?—Not in the general working of the Force. I do not recollect any. I think we went on just the same. There was some reduction. I forget whether it was at that time or previously.

62. It was under that statute the present regulations were made?—Yes.

63. Had you any regulations prior to that?—Yes. We had provincial regulations. Then when the Armed Constabulary came in there were regulations.

64. Did the regulations under this Act bring about any change that you are aware of?—They did differ in some respects, but really I cannot recollect them. I think they pretty well followed the Victorian regulations.

65. *Colonel Pitt.*] These present regulations?—In many things I know the regulations were similar. In New South Wales they were somewhat the same.

66. *The Chairman.*] With regard to the organization of the Force under this statute of 1886: how did it work with you? You were in full charge, were you?—Yes. I do not think the Artillery were up to the previous standard. The transferring of men from the Artillery did not work well, I think.

67. *Mr. Poynton.*] They were not up to the standard of previous recruits?—No.

68. *The Chairman.*] You consider recruiting from the Permanent Artillery not satisfactory?—That is my opinion.

69. *Mr. Poynton.*] You think they require some other training in addition to the artillery training?—I think it is essential that they should be trained other than in mere drill.

70. *The Chairman.*] After they are recruited from the Artillery are they put through any training as constables? Is there any depot training?—There is no depot training. The Inspectors and sergeants do all they can to instruct them. I myself, a couple of times a month—certainly once every month—instruct them.

71. Had they any regular system of training?—Of course, I cannot speak with regard to other districts, only my own. When a new man arrived, whether he came from the Permanent Artillery or otherwise, I always placed him with an old hand for a fortnight or so.

72. He picked up what he could, but there was no regular training?—No regular training.

73. Did men so treated make what you consider good and efficient constables?—Not as a rule. Some of them turned out very well, and made good men.

74. But that was the exception?—They were allowed liberties while in the Artillery that told very much against them after they came into the police. It did not suit police work at all.

75. What liberties?—Well, they were allowed to frequent publichouses and to go to any place they wished. The discipline in the Artillery was altogether different from that in the police, and the life too. As a rule, the discipline of soldiers is not suitable for the police, but of course there were many exceptions. Many of them made capital constables.

76. *Mr. Poynton.*] You do not attribute that to their training as artillery-men?—No.

77. *The Chairman.*] I wish to let you understand the sort of information we want from you: will you kindly, without asking any other questions just now, make any statement or offer any information you have as to the general working of the Force and its efficiency whilst under your control at Christchurch. We will come to Wellington afterwards. Or, say, since 1886?—The Force during the whole time I was there was thoroughly efficient, making allowances for men now and again who got into trouble.

78. Do you know anything of the mode of selection from the Permanent Artillery?—No, Sir.

79. Those selected for removal into the Police Force?—No, I do not.

80. You have really nothing to tell us with regard to the condition of the Force whilst in Christchurch beyond that you consider it was in a thoroughly efficient condition?—It was in a good condition.

81. Up to the time of your removal?—Yes.

82. Now we will come to Wellington. You came to Wellington in what year?—1892.

83. And what can you tell us of the condition of the Force when you came here?—The Force was a good Police Force.

84. It was in good order when you came here?—Yes; it was in good order.

85. Did you consider it efficient?—Yes, I did.

86. You considered it good and efficient when you came here?—Yes.

87. Is there anything at all in connection with the working of the Force which you would like to bring under our notice?—I think married men labour under a great disadvantage compared with the single men.

88. What is their disadvantage?—The single men have free quarters and a mess at the station, and they are provided with free fuel and light.

89. They have free quarters, and are provided with free fuel and light, and they mess at the station?—Yes. Of course, they pay for their mess. Married men have to pay house-rent, which is very high here; and they have in many instances to live long distances from the station, which, in my opinion, detracts from their efficiency. They have to travel a long way in the morning, for instance, and be at their work at 5 o'clock. I know one sergeant here who had to walk two miles, I think it was.

90. In order to get a suitable house at a moderate rental they have to live a long way from the station?—Yes; that is so.

91. That is, you think, a very great disadvantage?—Yes. I think also it is a disadvantage to the Force generally and the public that the members of the Force are not all together.

92. You think the efficiency of the Force is affected by their not being together?—No doubt of it.

93. What remedy do you suggest?—Well, if it were possible, they ought to be provided with house-accommodation at some convenient place. They should be provided with cottages.

94. Do you suggest cottages near the station?—Cottages near the station, given to the men at a reasonable rent.

95. You think, under the circumstances connected with this station, the men ought to be provided with cottages?—I think in a city like this the men ought to be all together. Of course, they would be charged a reasonable rent for their cottages.

96. Is there any other respect in which you consider married men are at a disadvantage?—No; I think not, Sir. I do not know anything else.

97. Then, I understand you to have expressed two opinions: first, that there ought to be a depot for training recruits; and, secondly, there ought to be cottage-accommodation for married men in the vicinity of the station?—It is so important a matter that I think it would be worth the while of the State to provide cottages, and make the men pay a reasonable rent.

98. *Colonel Pitt.*] You say the married men should be charged rent. Why should they be charged rent if the single men get their quarters for nothing?—Oh, well, all the better if they get their cottages free.

99. Do they get leave to marry?—There is a limit of time.

100. If you give men leave to marry you take the responsibility of that leave?—Mr. Tunbridge has made a rule that they are not to marry till they are twelve months in the Force. I think it is a very good rule.

101. You are not prepared to express the opinion that, when free cottages are provided, free quarters should be given to the married men as well as the single men?—Well, I should be very glad to see it, but I am afraid there is no chance of getting it.

102. If it could be done you would support it?—If it could be done.

103. You think it would be an advantage to the Force?—No doubt it would.

104. *The Chairman.*] Do you think married constables are as good and efficient as single constables?—They are.

105. Undoubtedly?—No doubt about it.

106. Do you go so far as to say that one class is better than the other?—Perhaps the married men are more settled and steadier.

108. You say the married men are quite as efficient, and probably steadier?—Probably steadier; yes.

109. Do you think one central depot for training in the colony would be sufficient?—Well, I think so, till the Force increases.

110. With present facilities they could easily be brought to the one depot, and it would be on the whole cheaper?—Yes; but the Commissioner would be able to give you better information on that head than I can. In my opinion you cannot expect an efficient Police Force in the absence of a depot—utterly impossible, in my opinion—that is, to have thoroughly efficient men, as they ought to be; and there should be pensions.

111. *Colonel Pitt.*] Pensions are provided for?—No, they are not.

112. Oh, yes; the Governor, according to the regulations, can grant pensions. [Regulation read by *Colonel Pitt.*]

113. *Mr. Poynton.*] That is dependent on the bounty of the Governor; but Mr. Pender thinks there should be some regular system of pensions—something for a man to look forward to. Is that not so?—Yes; something for a man to look forward to, so that a man can leave when his time is up with something to live upon.

114. You think there should be some regular system of pensions?—Yes. I think there are pensions in all the other colonies except Tasmania. I believe, too, wives get pensions after the husbands die.

115. *The Chairman.*] Is there any other suggestion you have to make to us?—I know of nothing in particular.

116. *Colonel Pitt.*] What is your age, Mr. Pender?—I am seventy years' old.

117. In any of the police systems you have spoken of in the other colonies is there any age-limit at which an officer must retire?—I think not for the officers.

118. Or the constables?—I do not know at present. I think there is for the constables and non-commissioned officers.

119. What is it?—I know a man a superintendent, who has been close on fifty years in the Force in Victoria.

120. Under the regulations is there any age-limit?—Not for the officers.

121. Do you think there is for the men?—Yes.

122. What is it?—Sixty years, I think.

123. What was the pay when you joined the Force, and has it varied up to the present time?—I could not say, Sir, what the pay was. I cannot bring to mind what the pay was. I think it is about the same now.

124. It has not varied?—I do not think so.

125. You think it remains about the same?—I think so. I forget now exactly.

126. As regards the proportion of the police to the population, how has that varied between the time of your joining in Canterbury up to the present time, or has it varied at all?—It is much less now. The Police Force is much less now than it was in Canterbury in proportion to the population.

127. *The Chairman.*] Population has increased, and the police have not been increased in the same ratio?—No.

128. *Colonel Pitt.*] In your opinion, is the proportion of police to the population sufficient at the present time?—I think not, Sir. I am speaking now of the Wellington district.

129. What about Christchurch? You know what that was when you left there?—That was five years ago.

130. Well?—There were not sufficient men then.

131. Now, you have been telling us of the system of training in other places: In New Zealand how long is a man instructed before being allowed to go on public police duty?—At the present time?

132. Yes?—Well, latterly, of course, there has been a number of men taken on from the public, and these men were instructed by us as much as we could.

133. But tell me this: During the time you have been in the Police Force what has been the average period a man has been instructed before he is allowed to go on public police duty?—Oh, he is sent out at once, but with another man.

134. *The Chairman.*] On beat with another man?—On beat with another man.

135. Two men on the same beat?—Yes; he travels the beat with an older constable.

136. That is, recruits are sent on the beat without training, but in company with another constable?—Yes, for a time. Of course, it would depend on circumstances. If there was a pressure of work he would have to go single-handed. We keep them as much as possible for the first month with another man.

137. *Colonel Pitt.*] Can you tell me during the time you were in Canterbury what was the average number of defaulters' reports against the police each year?—No, I could not, Sir; but I never had very many. I had very few.

138. What do you mean by "very few"—in the year, or altogether?—Well, in the year.

139. I want you to explain to me a little more clearly what you mean by the difference in the discipline of the Permanent Force and the Police Force?—Well, of course, the difference between the discipline of the Artillery and the police is quite distinct—very marked; it is different altogether.

140. Do you think military discipline is an advantage or a disadvantage?—Well, if police training were to be combined with the drill, and so on, I do not know that it would be any disadvantage.

141. But I wish to know if the discipline they are subjected to as members of the Artillery is an advantage or a disadvantage?—Well, I consider it a disadvantage as a policeman.

142. I notice you are an old soldier yourself. Do you consider your military experience was a disadvantage to you when you joined the Force?—I got my experience as a policeman before I went to the Crimea. I was all the time in the Irish Police, and I volunteered to the Crimea. I went out as a volunteer from the Irish Police. I was trained as a policeman, therefore, before I went out.

143. You told us Sir Charles McMahon was a military man. Was not his military knowledge an advantage to the Force?—I have no doubt it was.

144. I would like to get from you in what particular the military discipline of the Permanent Artillery is a disadvantage to those men as policemen?—I do not say the actual drill is a disadvantage.

145. I am not speaking of the drill at all, but the discipline?—I will explain that to you. The artillerymen are in the barracks, and when they get out on leave they knock about the streets—about hotels, or wherever they like to go—and they are free. I suppose they are free when they are out on leave, and they are allowed to associate with people and be as friendly with people just as if they were in no Force at all. When they go into the police that is a disadvantage. It would never do for a policeman to go knocking about publichouses, nor would it do for him to be talking to everyone he met in the streets. Other smaller things perhaps tell against him in the same way.

146. That is, of course, assuming that the policeman does not do that?—Oh yes, of course.

147. *The Chairman.*] What I understand you to mean is that a policeman off his duty is a policeman still, while a soldier off his duty is a civilian?—A policeman is always a policeman, whether off or on duty.

148. *Mr. Poynton.*] Would you make any suggestion as to enrolment, Mr. Pender—as to how men should be enrolled?—There would be no difficulty at all with regard to enrolment if they had a depot.

149. Yes, but somebody would have to be responsible. Would it not be better to have a Board, composed, say, of the Inspector of the district, the Minister of Justice, and the Commissioner of Police, to suggest or appoint recruits—would it not be better to have some system like that?—The Commissioner of Police in all places I have been in put men on. That duty is cast on the Commissioner.

150. You think he would be sufficient?—Yes.

151. It would not be better to have more than the Commissioner?—I do not think so. County Inspectors in Ireland take the men on, and send them up to Dublin to be drilled. The Commissioner in Melbourne takes the men on. The Inspector-General of Prisons in my time took the men on.

152. Do you think it would be better to select from the whole body of the population? Would you not be more likely to get better material in that way than if it were limited to the Artillery?—Well, I do. I think a better selection, at all events, could be made from the community. There are no better men for policemen than farmers' sons.

153. Are the Irish Constabulary recruited in a large measure from farmers' sons?—Yes, nearly the whole of them. I believe a number of the London police come from the country.

154. *Colonel Pitt.*] And do you think a farmer's son, with a fair education, with training at a depot—selected by the Commissioner owing to physical and mental powers—would turn out a first-class policeman?—I think so. In my experience, farmers' sons—men from the country—have been the best men.

155. *Mr. Poynton.*] Do you know anything about the failure of the police to enforce the laws? Can you state whether the police have failed to enforce the laws, or whether the laws require amendment—if so, in what particular direction—I allude, of course, to the licensing laws?—Well, the police are generally blamed—but I think unfairly, unjustly blamed—for not enforcing the licensing laws. It is a most difficult thing, most difficult. No doubt the members of the Commission know better than I can tell them how difficult it is to enforce the licensing laws. The difficulties are only known to those who have to do the work.

156. Do you think an amendment of the licensing laws would assist the police?—There is one particular point I think would help, and probably put an end to a great deal: that is, fine every man found in a public-house.

157. To make our law similar to the English law?—Yes.

158. That would assist the police to prevent illicit trading?—I think it would help to prevent illicit trading. I believe the respectable hotelkeepers would be only too glad to fall in with that.

159. I suppose you are aware a large amount of illicit trading is supposed to be going on, which the police are powerless to prevent, owing to the condition of the law?—There is no doubt there is some.

160. You think an amendment of the licensing law in the direction you have indicated would assist the police, and, as you say, put an end to it?—Yes, probably put an end to it. Keep a book with a list of the boarders and travellers.

161. That would also apply to sly-grog selling? You would apply that to cases where men purchased liquor?—I do not see why it should not.

162. *The Chairman.*] I do not quite understand you. How would you apply it in those cases?—Well, of course they would have to find grog on the premises.

163. Well, suppose a man is living at a country lodging-house, and the proprietor is prosecuted for sly-grog selling, is that lodger or anybody in the house to be liable to a penalty? Is that what you suggest?—No. If a number of strangers were found at a boarding-house I do not see why they should not be liable.

164. *Mr. Poynton.*] Do you mean to say any person purchasing liquor from a person without a license?—Yes.

165. Do you know of any other breach of the law in which the police have failed through a defect in the law or some other reason? What about gambling?—That is a very difficult thing to control and manage.

166. Do you think the law should be amended in any particular direction?—I know Mr. Tunbridge has been considering the matter ever since he came, and has been working at it.

167. *Colonel Hume.*] When you were appointed Inspector you were appointed third-class Inspector. Was that an advantage or a disadvantage to you?—Well, it was not an advantage.

168. Will you explain to the Commissioners how it was a disadvantage?—Other men who were in charge a long time after me got to the first class, and had a salary of £400 a year. I remained, I think, for four years at £350. I lost £50 a year for four years, I think it was. Then, when the General Government took over the Force those who were under no classification were taken on as first-class Inspectors.

169. In those days the recruits were taken from the general population?—Yes, Sir. A number of men came from the other colonies—from London and from Ireland.

170. Do you know who appointed them?—The Commissioner.

171. Did that system work well?—Yes; worked very well all the time I was there.

172. Then, you were at Home recently, were you not?—Yes, in England and Ireland.

173. Did you go into the subject of this lecturing there?—I did. I went through the depot in Dublin.

174. And I understand they place great importance on this lecturing?—Drill is only a secondary consideration compared with the lecturing and the instruction. Any one that understands police work, I think, will agree that instruction is the main thing—having a proper place to keep the men for instruction for some time.

175. Do you know whether they put more importance on this lecturing business than they do on the examination?—Well, as to examinations, no man is allowed to leave until he has passed the examination.

176. Examination on those matters on which they have been lectured?—Yes, on police matters.

177. Then, a local Inspector had power to transfer the men in his own district?—Yes.

178. How did that system work?—Well, I thought it worked very well. Of course, it was all subject to the approval of the Commissioner.

179. *The Chairman.*] Was the transfer carried out before you got the approval?—Yes.
180. Then you reported you had made the transfer?—Yes.
181. And that worked well?—Yes. The men had the right to appeal.
- 181A. *Colonel Hume.*] I suppose in your experience you have had some complaints from constables, from time to time, about the dates of your appointments, have you not?—Oh, yes.
182. Can you tell the Commissioners how the appointments were dated as regards joining the Armed Constabulary Force and joining the police?—I think some of the Armed Constabulary men got their service in the police. I am not sure they all got their service from the constabulary in the police.
183. Well, you state that these Permanent Artillery men did not always make good constables. I suppose you have found civilians do not always make good constables too, have you not?—Yes. That is the reason I say they ought to be trained, and then you find out whether they are suitable or not. They should, in my opinion, be taken on on probation.
184. You had a good many Permanent Artillery men doing duty as constables when they were Permanent Artillery men?—Yes.
185. Were you consulted as to their fitness and characters before they were taken on—whether they were likely to make good constables, and how they had done their duty? You had a good many at the Exhibition, I believe?—Yes, they did their work very well at the Exhibition. They were mixed with the general Force at the Exhibition, and they got on very well indeed; but they were picked men, I think.
186. What I wanted to get at was this: were you consulted before they were appointed to the Police Force as to whether they were likely to make good constables, or whether they had done their duty?—I was. I recollect I was consulted on two or three occasions as to how they had done their duty, and as to whether they would make good constables.
187. *The Chairman.*] Were they taken on permanently?—Some of them were. Some of them I recollect very well whose names were sent to me to know what I thought about them.
188. *Colonel Hume.*] Was any man taken on that you can remember you said you could not recommend?—I could not say, but I do not think so. Of course, some of them were taken on at other places, of whom I know nothing. I do not know who was taken on at the depot.
189. Was anybody appointed in Wellington that you did not recommend?—No. I do not think so.
190. You stated when you took over the Wellington Police Force it was a thoroughly good and efficient Force. Have you any reason to think it is not so now?—There is a very good and efficient Police Force here at present—a good, steady, respectable lot of young men.
191. Do you consider it has been so all the time you have been here?—Now and again we got “black sheep.”
192. But I am speaking of the Force?—Yes, generally.
193. Now, you say single men have a good many advantages over the married men?—Yes.
194. Can you tell us what the messing comes to per day?—No, I do not know.
195. They do not each have a separate room?—No.
196. The married men live all over the town?—Yes.
197. What happens when the firebell rings at night as regards these men?—Well, as a rule, they run to the fire.
198. And they are all supposed to go, whether off duty or on duty?—That is the rule.
199. And very often it is a false alarm?—Often a false alarm.
200. How long have you considered that the Police Force in Wellington was not up to the required strength?—Well, the population has been increasing very fast for some years. There has been a slight increase in the number of men, but, as far as I can judge, a further increase is required. I am told, from a rough calculation, the population of Wellington during the last eighteen months has increased by 7,000. The shipping is increasing—in fact, everything is increasing around here.
201. Taking the last five years, has there been much undetected crime in Wellington, do you think?—No, I do not think more than the average. There has been undetected crime, of course, but we have generally kept crime in check. The more serious crimes within the district during that time have been detected.
202. *The Chairman.*] Numerically, what is the difference in the strength of your Force now and when you came to Wellington?—Well, I could not exactly say. I may say there have been some promotions made recently which have had a very good effect.
203. *Colonel Hume.*] Do you approve of that supernumerary beat system for training recruits?—Yes, in the absence of a better.
204. *Mr. Poynton.*] Then, you do not think it is sufficient?—Oh, no, not at all. The men ought to be properly trained in a depot.
205. *Colonel Hume.*] I understood you to say that one of your objections to the Permanent Artillery being appointed constables was because they formed a good many acquaintances and associated with people. But is it not a fact, or is it a fact, that men who have been serving in the Permanent Artillery in Wellington were not posted here?—I believe latterly they have not been. Of course, that made a difference.
206. As regards the publican business, I understand your recommendation is that you want to throw the onus on the publican to prove what the people who are in his house are there for, as in the English system?—That is the opinion I have formed from experience.
207. *Mr. Poynton.*] Not throw the onus on the publican; you mean throw it on the persons who are there?—Yes.
208. *The Chairman.*] You referred to recent promotions. Can you tell us the system by which promotion is made. Is there any system—a recommendation, for instance, from the lower officers

upwards? How is a man selected for promotion?—By the Commissioner. Mr. Tunbridge has consulted me with regard to the men in my district. He has called on me to make recommendations.

209. Have these promotions in your district been made on your recommendation, or after reference to you?—Those of the rank of sergeant have all been referred to me.

210. You are prepared to show what the records of these men are?—Oh, yes.

211. Men who have recently been promoted to the rank of sergeant have been promoted on your recommendation in your district?—Yes.

212. *Mr. Poynton.*] In regard to those of inferior rank you are not consulted?—The Commissioner has generally spoken to me about them.

213. Can you make any suggestion with regard to the system of promotions?—No; I think the system at present in force might be followed.

214. You think that matter should be left to the Commissioner?—Left to the Commissioner.

215. *The Chairman.*] With regard to constables who have been promoted to different grades: they have been promoted on your report?—The Commissioner spoke to me about them. I am not sure about his speaking to me in regard to the whole of them.

216. Can you tell me by what system they are selected for promotion?—Seniority.

217. Alone?—The Commissioner has spoken to me about them, and if there is a bad man he is passed over.

218. Are we to understand, taking it as a general rule, men have been promoted from one rank of constable to another without any report or reference to you?—I do not think I sent in any report with regard to the constables. I did with regard to the sergeants.

219. Is that only recent promotions?—That is recent promotions, since Mr. Tunbridge came.

220. *Colonel Pitt.*] I understand you to say that these promotions were made by consultation between you and the Commissioner?—The Commissioner called on me to submit names of men I would recommend for the rank of sergeant in my district. I did so.

221. *The Chairman.*] With regard to the general system of promotions prior to that, has it been by any reference to yourself, so far as promotions in your local Force are concerned?—I do not think I was consulted before.

222. Never been consulted before?—I do not recollect being consulted.

223. Have you ever recommended men for promotion before?—I forget. I may have in one or two cases—some special thing.

224. Are we to take it that you have had very little to do with the promotion of men in the Force?—Very little to do with it. I have now. As I have said, the Commissioner has called on me to make recommendations.

225. *Colonel Pitt.*] Have you any knowledge of any outside influence being used to secure the promotion of constables—influence outside the department, with the Minister—or sergeants, or members of the Force?—I have very little to do with the people outside.

226. I want to know have you any knowledge of members of the Force being promoted through the influence of persons outside the Force?—No; I do not think I have. It would not come under my observation.

227. I am asking if you know of any such case?—I do not recollect any such case. There may have been, but I do not recollect.

228. You spoke of the Police Force in Victoria being armed. Was there any special reason for the Force there being armed—for bushranging, for instance?—No; I do not think there was any special reason.

229. What is your opinion as to the propriety of the police being armed?—In my opinion they ought to be all armed.

230. With what?—With a rifle.

231. A man could not carry a rifle about on his beat?—They were for a long time armed here—up to the time of Sir George Grey's Government. Then their rifles were taken from them. We had the Whitworth rifle.

232. You mean to say you were drilled?—Yes.

232A. But as to an ordinary policeman on his beat: of course, you would not think of giving a man a revolver on his beat—when he is on duty?—Oh, no. I disapprove entirely of their having arms on ordinary beat; but in cases of emergency you do not know what may turn up.

233. You disapprove of their being armed in the ordinary way of duty?—Oh, entirely. Such a thing would be ridiculous now.

234. Colonel Hume asked you if you had had many cases of undetected crime in Wellington during the last five years. You said, "No." What I want to ask you is, have you known of any cases during that period where a crime has been committed and the offender not apprehended?—Oh, yes, men have escaped; but there are not very many cases.

235. *The Chairman.*] Do you attribute the fact that a certain amount of crime is undetected to the fact that the Force is, as you consider, undermanned in the district?—Well, it is difficult to answer that question, but I have not the least doubt that, if there were more police, the prevention would be better. The great object is to prevent crime, and, if you increase the Force I think it would prevent crime. Prevention is, in my opinion, the principal thing. We have been fairly successful in detecting crime.

236. *Colonel Pitt.*] Known crimes?—Known crimes.

237. *The Chairman.*] Has anything come to your knowledge which you can communicate to us in connection with the promotion, degradation, or reduction of any officer or constable of the Police, as the result of political influence. No, I cannot say that I do know of any case. Of course, that is a thing I might not know anything at all about. I have no knowledge of such a thing.

238. Has anything come to your knowledge in respect to such a thing? You may not know it, but such and such a thing might be reported in the Force as being done. Statements come to your hearing; and if you have any to make, we can make inquiry into them, and whether there is any truth in them or not?—At present, I cannot bring to mind any case.

239. You have not heard anything to show that political influence has been used to secure the promotion or reduction of men in the Force?—No, I do not know that I could give any information. Of course, as I said before, I have no knowledge of these transfers and promotions, until they come to me, except since Mr. Tunbridge came.

240. What I want to know is, whether it has come to your knowledge that any political influence has been used to the disadvantage or advantage of particular men in the Force?—I could not say; I could not give you any particular instance. I hardly know what political influence you mean.

241. *Colonel Pitt.*] Supposing a publican, for instance, thinks that a constable is unduly zealous in the performance of his duties in watching his house. He thinks that constable would be better employed in another district. He goes to the member for the district, who goes to the Minister or the Commissioner?—I do not know of any such case. No such case has come under my knowledge in my district. Of course, the Commissioner manages the Force.

242. *The Chairman.*] Do you know of political influence being used to bring about the removal of a man from one district to another?—No, I cannot recollect any case.

243. *Mr. Tunbridge.*] As regards the question which has just been put to you, although you are not able to put your finger on any particular case, I would like to know whether you are aware that some of the men—I do not mean to say all the men—feel that there is a power behind the police-officers that they can go to, which is subversive of discipline?—I have heard that they go to members.

244. I do not expect you to be able to state any particular case; but is there not a feeling in the breasts of some of the men that it is better for them to seek outside influence—I am not saying any particular party, or anything of the kind, outside influence—than go to their officers; that they are more likely to get promotion from another source than by proper performance of their duties?—I think there was a feeling of that sort, but it has disappeared now.

245. *Mr. Poynton.*] You are aware there was such an impression?—By mere talk, and nothing more.

246. *Mr. Tunbridge.*] As regards the strength of the police at Wellington: you came here in 1892?—January, 1893, I think.

247. You do not happen to know what the population of the City of Wellington was at that time?—No.

248. At any rate, from a rough calculation, within the last year or so the population has increased by 7,000?—Yes; within the last eighteen months.

249. Would you say, from a rough calculation, that the population of Wellington within the last five years has increased 15,000?—I would not be a bit surprised. It is increasing daily.

250. In 1892, according to the annual reports, the strength of the police at Wellington was 46, and in 1897, 52—an increase of six men. Now, would you consider that increase of six men sufficient to keep pace with the increase of population?—Scarcely, I think.

251. You say your Police Force is fairly efficient. That, I take it, is their efficiency according to their numbers?—Yes.

252. But you think the Force would be much more efficient if it was more numerous?—I do. I think it requires more men to insure prevention.

253. You speak of the Police Force at Christchurch being efficient. Do you mean it was an efficient Force under the old provincial system, or right up to the time you left?—Well, it was more efficient under the old provincial system, but still it was efficient up to the time I left.

254. As a matter of fact, under the old provincial system the Force was more numerous?—More numerous and more efficient.

255. Although the population was less the numbers were greater, and consequently the efficiency of the Force was better?—Oh, yes. No doubt about it.

256. For instance, what was the number of officers under the old provincial system?—Well, at Christchurch there was a Commissioner and an Inspector, and an Inspector at Timaru. Then Oamaru was added, and there was an Inspector there. Then the two at Timaru and Oamaru were cut off, and the Commissioner left.

257. Under the old provincial system there were three Inspectors and a Commissioner?—It was after the provincial system ceased that the Oamaru district was added, but there was an Inspector at Christchurch and an Inspector at Timaru, and a Commissioner, under the old provincial system.

258. But for many years past there has been simply one Inspector for the whole district?—One Inspector; and he has Oamaru as well.

259. That is to say, there is one Inspector now where there were three before?—Yes.

260. As far as you know there has been a similar reduction throughout the whole of New Zealand?—Yes. I think it was in 1881 there was a reduction of the Force, and that told very much against its efficiency.

261. As regards the instruction of recruits: at present you have no recruit sent to your station unless you have a beat for him?—No.

262. Every man you have has a beat?—Yes.

263. Therefore, the little time that you can spare to put a man on a beat with a recruit causes another beat to suffer?—Yes.

264. The same in the case of a man being sick?—Yes.

265. The same in the case of a man taking annual leave: Therefore, you have not a spare man anywhere to take the place of a man who is sick, or a man who is on annual leave, or pending the time a man may be trained?—That is so.

266. What number do you consider you ought to have as a sort of reserve? I mean for vacancies that may arise through a man being sick, or on leave, or on escort duty?—I think we could get on very well with six men more.

267. To have these beats full, and to have reserves to take the place of men on escort duty, or men who are sick or on leave, how many more men do you consider you would require?—We would want at least four more men.

268. *The Chairman.*] You want six more men on beat and four on reserve?—I think we could get on very well with six or seven men more altogether.

269. That would be roughly an increase of 12 per cent.?—Yes.

270. I do not know whether you have any idea of the proportion of police to population in the other colonies?—No. The *Gazette* will show that, but it is less in New Zealand.

271. As regards pensions, you say there is a pension system in all the Australian colonies?—Yes, with the exception of Tasmania.

272. And you consider the Force would be much more efficient if there was a pension system here?—No doubt about that. The men would have something to look forward to.

273. They would be more zealous in their duties, and when the men came to an age which made them incapable of the proper performance of their duties they would be able to retire?—Yes.

274. As to the age-limit, I see there was an age-limit till 1885—officer 65, constable 60. You consider a police constable at 60 years is quite too old to perform ordinary police duties?—It is time, I think, that he went out at the age of 60. Very few of the men at Home go up to 60.

275. As to free quarters or providing lodgings for married men, do you know if in the Australian Colonies men receive lodging allowances?—They do in New South Wales. I am not sure about Victoria.

276. What is the amount?—One shilling a day.

277. Do you know of any other Police Force in which the men have to find their own uniform?—I know of no other Force.

278. Is it not a cause of very great discontent that they have to purchase their own uniform?—Yes.

279. You do not know of any similar system in any Police Force?—No.

280. Will you kindly tell the Commissioners how long it takes a man from the time he joins to get promoted one step?—Up to a short time ago men had been in the third class for twelve and fourteen years.

281. Not through any misconduct, but simply because there were no vacancies in the superior class, or, if there were, the vacancies were not filled up?—Yes.

282. Are not the men feeling this question of class very keenly?—Yes. No doubt, it is a very important thing.

283. You told the Commissioners you did not think you had been consulted with reference to the recent promotions in class?—I think you spoke to me about it.

284. You are quite right; you were not consulted. From your recollection, do you know any man in your district advanced in class—promoted you call it, but I call it advanced in class—that has not been almost invariably the senior man in the class to which he belonged?—No, I think they are all senior men.

285. The questions, then, in regard to which a great deal of dissatisfaction exists are lodgings for married men and the unsatisfactory condition of the classes?—Yes.

286. *Mr. Poynton.*] And the pensions?—Yes.

287. *Colonel Pitt.*] What are the relative rates of pay in New Zealand and the other colonies?—I could not say exactly.

288. With regard to the number of Inspectors in the Canterbury District at the time of the abolition of the provinces and now, is not the means of communication considerably better now than it was then?—No.

289. Since 1876?—No; we had the railway through then to Timaru, Oamaru, and Dunedin.

290. *The Chairman.*] You consider the Force under-manned and under-officered?—Here at present in Wellington?

291. Yes?—I do not know about the officers; I could manage myself for a while all right.

292. *Mr. Tunbridge.*] As to the question of officers, I do not know whether it has occurred to you, but when you are absent from Wellington on inspection duty in the country, or away on other business, or on leave, your district clerk acts for you?—Yes.

293. Your district clerk was until a very short time ago a constable, was he not?—Yes.

294. Your district clerk, holding the rank of constable, sends out orders to the sergeant or sergeant-major: do you consider that right?—No, I do not.

295. Have you any suggestion to make to obviate that which may be called an anomaly—a constable sending out orders to a sergeant?—I do not know really how it can be remedied.

296. Do you think there should be some officer holding a rank over the sergeants at each of the four police centres to act in your absence?—A Sub-Inspector; yes. At Palmerston, for instance, there would be a Sub-Inspector in Victoria, and he would be deputed to take charge during my absence.

297. You rather qualify your statement, therefore, that you do not think you are under-officered in Wellington?—Oh, at Wellington we can get on very well, I think.

298. Do you think there should be some officer immediately below you in rank to take charge during your absence?—Yes; but I happen to have a very superior man in my office,

299. *The Chairman.*] You must look apart from that. You must consider that you as Inspector must go round your district and visit stations up country; and during that time who is the man at the head in Wellington?—Well, really, my clerk is.

300. You do not hand over to the sergeant-major?—Well, he is responsible for the duties.

301. But he does not take the office?—He goes to the office about everything.

302. Are the orders prepared by the constable and issued to the sergeant-major?—Yes.

303. *Colonel Hume.*] You remember, I think, when there was a second officer at Wellington, Dunedin, Christchurch, and Auckland?—I was not here then.

304. Where were you then?—At Christchurch.

305. You had a second there?—No. Mr. Shearman was Commissioner, and I was Inspector.

306. *The Chairman.*] Subsequently, when you were Inspector and Mr. Shearman was up here?—I had no officer with me.

307. *Colonel Hume.*] Do you happen to know one out of the four places where these two officers got on together—whether there was not incessant fighting between the two?—I do not know about that.

308. You think they did get on together?—No, I am not saying that.

309. Supposing a crime is committed when you are away from Wellington, does Mr. Wright, your district clerk, or the sergeant-major, deal with it?—If there was anything serious he would telegraph to me.

310. Without saying anything to the sergeant at all?—It would be entered in the crime-book, and the sergeant-major would be informed.

311. Supposing a crime is reported in your office during your absence, who deals with it?—The clerk sends out generally to the chief detective, and it passes immediately to the sergeant-major.

312. But without any instructions?—He can give instructions if necessary. He can make any suggestion.

313. *The Chairman.*] Who is responsible for the detection of the crime in such circumstances?—The chief detective and the sergeant-major.

314. The clerk only hands over the report to the detective, and the detective will be responsible?—Oh, yes.

315. And he is second in command?—Well, as regards crime he is.

316. If you were in town, does the chief detective take his instructions from you?—Oh, yes.

317. When you are away he acts as your representative in directing constables as to what they are to do in dealing with crime?—Well, he has detectives under him.

318. He has nothing to do with the constables?—No.

319. Who instructs the constables?—The sergeant-major.

320. In your absence the chief detective is in charge of his department, and the sergeant-major is in charge of the ordinary police?—Yes.

321. And the district clerk is in charge of the office?—Yes.

322. *Colonel Hume.*] And he signs for you?—Yes. For instance, a telegram comes that a man is supposed to be or is coming to Wellington. If I am absent, the district clerk indorses on the back "For the immediate attention of the Chief Detective and the Sergeant-Major," and then it goes on to Mount Cook to the sergeant there. The whole of them are set in motion at once. The sergeant at Mount Cook is telephoned to.

323. *The Chairman.*] If you are absent from town and some one calls to see the Inspector to make some report, whom does he see?—If he wants to see the Inspector he goes into the office of the clerk, and if it is anything in the way of the detection of crime, the district clerk takes it down in writing and sends it on to the chief detective, or the sergeant-major if he is absent.

324. Does it occur to you to express to us any opinion as to whether that is a satisfactory condition of things or not, or whether in your absence there ought to be some officer second in command to take charge?—It would be much better if there were an officer, of course.

325. Do you think in a large centre like this there ought to be a Sub-Inspector?—There must shortly be a Sub-Inspector, I think.

326. You think it would be an improvement on the present system?—There is no doubt about it. As Inspector I ought to be out much more often than I am, inspecting the stations at Palmerston, and Feilding, and Pahiatua, and all round there. I am responsible for those places.

327. In your absence do you think it is essential and desirable there should be a second in command here?—In a large town like this I think so.

328. *Colonel Pitt.*] What about Christchurch, Dunedin, and Auckland?—Well, I believe Auckland is a very large place.

329. In your opinion there ought to be a Sub-Inspector there?—I would not like to express an opinion about that, because I do not know it.

330. What about Christchurch?—I always got on very well in Christchurch; but I do not know how the population has increased there since I left.

331. But, having regard to what you knew of it, do you think there should be a Sub-Inspector there?—I think it would be better.

332. And Dunedin?—Yes, I think so.

333. Having arrived at that, what do you think of the suggestion made by Colonel Hume that in the past there has been friction between these two officers?—There is friction in everything, but if there is proper discipline I do not see why there should be friction.

334. You do not think the service would be likely to suffer through there being two officers?—I do not think so at all. If there was a little sharpness between them it might be all the better.

335. Assuming they worked loyally together, you think there ought to be two rather than one?—Oh, yes. It would be a very great assistance in a large town like Wellington.

336. *The Chairman.*] I suppose there is more maritime business here than in any other port?—Yes; in fact, the sergeant-major at present here does Sub-Inspector's duties in many instances.

TUESDAY, 15TH FEBRUARY, 1898.

JOHN EVANS, examined on oath.

1. *The Chairman.*] What position do you hold in the service?—I am senior clerk in the Commissioner's Office, Police Department.
2. You are not a member of the Police Force?—No, Sir.
3. How long have you been in the office?—I joined the Police Department on the 15th September, 1881; I was transferred from the Field Force—the Armed Constabulary—at that time.
4. Are you in charge of the records of the department?—Yes.
5. Under whose control was the Police Force at the date you joined the department?—Under Colonel Reader.
6. As Commissioner?—Yes.
7. Who were in charge in the various centres? There was a certain number of Inspectors, I suppose?—Yes.
8. There were no higher officers than Inspectors between the Commissioner and Inspectors in 1881?—No.
9. How many Inspectors were there?—The total number for the whole colony was eleven.
10. Can you give us details of the districts and the number of Inspectors in each?—There was one Inspector in Auckland, one in Wellington, one in Wanganui, one in Hawke's Bay, one in Dunedin, one in Southland, one in Lake District (Central Otago), one in Christchurch, one in Timaru, one in Westland, and one in Nelson.
11. *Colonel Pitt.*] None in Taranaki?—Wanganui includes New Plymouth and Taranaki.
12. There were no Sub-Inspectors?—No.
13. *The Chairman.*] Who were the officers next in rank below the Inspectors?—The next officer in rank would be the sergeant-major.
14. How was the Force distributed? What was the total number of men in the Auckland police district, the Wellington district, and so forth?—On the 31st March, 1881, there were in Auckland 15 sergeants, 71 constables, 3 district constables, and 4 detectives; in Wellington, 6 sergeants, 32 constables, and 2 detectives; in Wanganui, 5 sergeants, 22 constables, and 1 detective; in Hawke's Bay, 5 sergeants, 20 constables, and 1 detective; in Dunedin, 12 sergeants, 61 constables, and 4 detectives; in Southland, 3 sergeants, 13 constables, 1 district constable, and 1 detective; in the Lake District, 4 sergeants and 13 constables; in Christchurch, 9 sergeants, 50 constables, and 2 detectives; in Timaru, 2 sergeants, 21 constables, and 1 detective; in Westland, 6 sergeants, 23 constables, and 1 detective; in Nelson, 6 sergeants, 11 constables, 4 district constables, and 1 detective.
15. Now, we have got from you the numerical strength of the Force, and its distribution on the 31st March, 1881?—Yes.
16. Can you tell us how the Force was recruited at that time?—To the best of my belief civilians were enrolled at the depot in Wellington.
17. Was the depot under the control of the Wellington Inspector, or under the control of your office?—There was an officer in charge.
18. Who was that officer, and what was his rank?—I believe he was an Inspector.
19. Is he included in the number you gave us as in the Force?—No.
20. Was the depot under the control of the civil Force, or under the control of the Armed Constabulary?—The Armed Constabulary.
21. Is the Armed Constabulary included in the numerical strength you have given to us?—No.
22. Well, this officer was an Inspector of what?—Of the Armed Constabulary.
23. Do you refer to the Armed Constabulary at Mount Cook?—Yes.
24. *The Chairman.*] Then, it was not the Police Force Depot; you see we want you to make a distinction between the Armed Constabulary and the ordinary civil constabulary, unless both were under the same control?—It was a distinct Force. The men were subsequently transferred from that to the Police Force.
25. *Colonel Pitt.*] The Armed Constabulary did police duty, did they not?—Occasionally.
26. They had to attend Court, and serve and execute warrants, and so forth?—Not as a rule before they were transferred.
27. They were a military body?—Yes.
28. *The Chairman.*] The Commissioner of Police at that time was in charge of the two Forces?—Certainly.
29. That is, the Armed Constabulary was a separate body, but under the control of the Commissioner of Police?—Yes.
30. Now, when these men were recruited at the depot what was done with them there?—They were drilled.
31. Were they enrolled as members of the Armed Constabulary, or as members of the ordinary Police Force; and were they included in the numbers you have given us?—None of the men who were at the depot were included in those numbers.
32. When you speak of men going to the depot, were they recruits for the Armed Constabulary only, or for the ordinary civil police?—They may have been for both. Those taken on for the police were subsequently transferred to the police.
33. Then, they did not belong to the Police Force until they were transferred?—No.

34. When they were enrolled in the Armed Constabulary were they trained as members of the Armed Constabulary?—Yes.

35. And were subsequently transferred to the police?—Yes.

36. Was the Police Force only recruited from men of the Armed Constabulary?—They joined the Armed Constabulary in the first instance.

37. Have you any knowledge of any men having been recruited for the civil Force in any other way than from the Armed Constabulary?—I am not aware of any other mode at that time.

38. What were your duties in the office?—I was only junior clerk in the office at that time.

39. Have you any knowledge at all of the Force other than what you have obtained through having access to the reports furnished to the department?—No; I have had no police experience.

40. You have been simply confined to the office?—Yes.

41. Are there any records kept in the office of promotions and transfers, or what has led up to these promotions, and transfers, or dismissals?—Of dismissals, yes. In some cases, no doubt, there are records of transfers and promotions too.

42. Can you tell us how promotions, dismissals, or removals were brought about: what was the system of promotion, if there was any?—I cannot say.

43. You can put in the annual reports of the Police Department?—From 1870 to 1897.

44. In what book did you say the records are kept of promotions and transfers, so far as you have them?—In the register.

45. Can you give no reason why these promotions were made?—No.

46. Can you tell us what led up to them?—Possibly there were vacancies.

47. But there is no record of the reasons?—No.

48. Can you produce a record of the promotions?—Yes, I produce a letter-book of the department containing certain promotions made in 1883.

49. Is there any system, so far as you are aware, of recording the conduct of individual members of the Police Force?—Yes.

50. Is that kept at the Head Office, or in the separate districts?—Defaulters' returns are furnished monthly to the department.

51. That is the "black list"?—Yes.

52. *Colonel Pitt.*] Can you say for the last ten years what has been the average number of the defaulters' returns?—No.

53. *Mr. Poynton.*] Can you, by taking time, tabulate a statement to show whether there were more defaulters during the last two or three years than in the years before?—It could be done in time.

54. *The Chairman.*] Can you supply us with an abstract, year by year, of the offences recorded against constables for the last ten years in each police district?—Yes. (Exhibit No. 1.)

55. *Mr. Tunbridge.*] You have just been examined on the question of records, showing the means by which men have been promoted from time to time. You state there is nothing beyond what appears in the register in the office, to show how the men were promoted, other than the mere record in the book that they were promoted?—It was so at the time I was alluding to.

57. First, you gave the Commissioners to understand that the records in the office here merely showed that the men were promoted without showing what led up to these promotions?—In some cases, no doubt, there were reasons given—for meritorious conduct, &c.

58. I mean in regard to promotions to fill vacancies: there is nothing in the book to show how these men were selected?—I cannot say how they were selected.

59. I am only asking you whether there is anything in the office to show how they were selected?—I have no knowledge of the grounds for selection.

60. *Colonel Pitt.*] I understand you produced that letter-book to show that was all there was?—At that time.

61. *Mr. Poynton.*] Subsequently, is there any file of papers to show how the men were selected for promotion?—No.

62. *Mr. Tunbridge.*] Will you kindly look at this record of promotions made by me?—Yes.

63. You see there how they are made?—Yes.

64. Will you kindly tell the Commissioners how the selections have been made?—The Inspectors have been called upon to recommend. The memorandum reads as follows:—

[Confidential.]

(Circular No. 23/97.)

Police Department, Wellington, 27th October, 1897.

Addressed to Officers in Charge of Police Districts.

PLEASE forward as early as possible the names, &c., of four constables whom you can recommend for promotion to the rank of sergeant.

The recommendations to state fully the grounds upon which they are recommended.

In making these recommendations, it should be borne in mind that the principal object is efficiency, and that seniority, although receiving the consideration it demands, must stand second to efficiency.

Also the names of constables whom you can recommend for plain clothes duty.

J. B. TUNBRIDGE, Commissioner of Police.

65. You know of your own knowledge that each Inspector did send in a report recommending officers for promotion to the rank of sergeant on that circular?—Yes.

66. And were there, subsequently, 17 constables promoted to the rank of sergeant?—Yes.

67. And were these constables promoted to sergeants upon the recommendations of their Inspectors?—Yes.

68. *Colonel Pitt.*] Why were not the 28 men recommended appointed?—Because there were only vacancies for 17 sergeants.

69. *Mr. Tunbridge.*] There is something in the records of the office, so far as that batch is concerned, to show why these men were promoted?—That is so.

70. *The Chairman.*] Now you have a record to show how promotions are made?—Yes.

71. Is that the first case in which you have a record of the grounds for promotion?—Yes, except in meritorious cases.

72. *Mr. Tunbridge.*] Now, there has recently been advancement in class, which is called “promotion” here?—Yes.

73. In making selections for these advancements, do you not know that the seniority-book was consulted, and that the senior men were advanced except in cases where the men had been reported within a recent period for misconduct?—Yes.

74. And you know what was the system on which these promotions were made?—Yes.

75. Do you remember the number of these recent promotions in class?—Something over 50; 25 were advanced from third to second class, and 27 from second to first class.

76. Now, as regards transfers: You stated, I think, there was nothing to show in the office, beyond the fact that the men had been transferred, why they had been transferred?—In many cases there is nothing; simply the fact that orders were sent out for transfers.

77. Has that system prevailed since I have been here?—I believe you have called upon Inspectors to recommend.

78. There has been no batch of transfers?—Not a large batch.

79. As a matter of fact, since I have been here, has not every transfer that has taken place been in consequence either of the man being a defaulter, or a transfer to fill a position which would be considered of benefit to the man, and for which he was more suitable?—Yes.

80. Unless the man has been a defaulter the transfer has been to the man’s benefit?—Yes.

81. *The Chairman.*] Within what period?—Since October, 1897.

82. *Mr. Tunbridge.*] Then, there is reason apparent in the office for these transfers since October, 1897?—Yes.

83. But there is no reason apparent in the documents in the office for the batches of transfers that occurred prior to that time?—In many instances.

84. Will you kindly refer to these annual reports, and give the strength of the Force for the year ending the 31st March, 1886?—It was 494.

85. Will you give the numbers in the report for the year ending the 31st March, 1896?—484; a reduction of ten in ten years.

86. Now, will you refer to the Year-book of the colony for 1897? Do you see there that the increase of population between 1886 and 1896, the years you have quoted, has been 18·9 per cent.?—Yes.

87. An increase of nearly one-fifth?—Yes.

88. Which shows that, although the population has increased during that period by 18·9 per cent., the Police Force has decreased by ten?—Yes.

89. *Colonel Hume.*] When I took over charge of the police in 1890, what were you in the office then?—Third clerk.

90. And who were over you?—There were two seniors—Messrs. Fox and Goldfinch.

91. What was the salary of the chief clerk, Mr. Fox?—£375 at that time.

92. He was dispensed with shortly after I took charge?—Yes.

93. Was his vacancy filled up?—No.

94. Do you recollect how the *Police Gazette* was issued in those days?—It was compiled and issued by Sergeant-Major Fair.

95. He had the rank of sergeant-major on a salary of what?—£228 2s. 6d., which included allowances.

96. And his sole duty was to compile the *Gazette*?—Yes.

97. Do you remember if he had anybody to help him in that arduous duty?—I believe he had assistance in compiling the index.

98. He was dispensed with soon after I took charge?—Yes; he was transferred to police duty.

99. How is the *Gazette* compiled now?—It was taken over by Mr. Tasker.

100. Who was Mr. Tasker?—A clerk in the Commissioner’s office.

101. Did he get any extra pay for this *Gazette*?—No.

102. Was anybody put in the office to help him in consequence of having to do the *Gazette*?—No.

103. Do you recollect who was Commissioner when I took charge of the department?—Major Gudgeon.

104. Do you recollect what the salary of Major Gudgeon was?—£400.

104A. Had he anything to do with defence when I took the police over from him?—I do not think so. He was Commissioner of Police only.

105. What salary did I get as Commissioner of Police?—I do not think you drew any salary as Commissioner of Police.

106. I got nothing?—I do not think so.

107. Had I ever any salary as Commissioner of Police?—Not to my knowledge.

108. I should like to go back to 1881 for a minute. You produced letter-books just now showing the manner in which promotions and transfers were made, or memoranda about them. Who made the promotions?—The Commissioner.

109. Without reference to the Minister at all?—To the best of my belief.

110. When was this?—In 1883.

111. And as regards transfers and appointments: who made them?—I believe the Commissioner made them.

112. I suppose in Major Gudgeon’s time Mr. Fox was away sometimes?—Yes.

113. Do you recollect being in charge of the office?—Not while Mr. Fox was here, or in Major Gudgeon's time.
114. Do you study that Year-book you were shown just now?—No.
115. Do you happen to know whether there has been an increase or decrease in crime within the last three or four years in the colony?—No; I have not studied the Year-book.
116. Were there many promotions during the whole of my time?—I cannot say whether there were many or not. A return of promotions could be prepared.
117. Who made any promotions there were in my time?—You issued the orders in the office.
118. Yes; but who made the promotions?—The Minister, I suppose.
119. Who made the appointments?—The Minister, I think.
120. Who made the transfers?—They were done on Ministerial authority.
121. *The Chairman.*] Then, you say that generally appointments, transfers, and promotions were made by Ministers during Colonel Hume's time?—Yes.
122. Do you know how they were made by the Minister: were they made on the recommendation of anybody in the office, or did the recommendations pass from the Minister through your office?—On the recommendation of the Commissioner in the case of transfers.
123. There is a distinction between appointments, and promotions, and transfers?—Transfers and promotions were made by the Minister on the recommendation of the Commissioner.
124. *Colonel Hume.*] Had I any power to make appointments, transfers, or promotions on my own responsibility?—I think not.
125. You stated just now that these promotions and transfers were made on the recommendation of the Commissioner to the Minister; how do you know that?—From the written memoranda.
126. Then, is there not some mistake in your statement that there are no documents to show anything about appointments, promotions, and transfers before Mr. Tunbridge took charge?—The documents are there, but no reasons are given.
127. *The Chairman.*] You can produce these ministerial records of the promotions?—Yes.
128. *Colonel Hume.*] Do you recollect a batch of third-class constables who had seven years' service and over, with clean defaulters' sheets, being promoted to the second class?—Yes.
129. Is there a record of that?—Yes.
130. When was this?—Three or four years ago.
131. Then, shortly after that there was a batch of third-class constables, with seven years' service and over, with only one trivial offence recorded against them, who were promoted?—Yes.
132. There is a record of that?—I think so.
133. Then, there was another batch of third-class constables, acting as Clerks of Court, who were made second-class constables?—I believe so.
134. You have records of this?—Yes.
135. Now, there was a constable at Southbridge, Canterbury, not very long ago, and the station was closed: Do you recollect that?—Yes.
136. Consequently, the constable there was transferred somewhere else?—Yes.
137. Was there a record of that, showing the reason for the transfer?—Yes.
138. Then, have there not been men transferred on the recommendation of the Inspector, because he thought they might do better in other districts?—I cannot recollect one instance. There may have been cases.
139. Do you recollect the system I adopted in recommending these transfers generally. For instance, if a man was Clerk of Court, for which he got £10 a year extra, did I transfer him to a place where he would be Clerk of Court also?—I believe you tried to do so.
140. And as regards giving men stations when they became vacant: Do you recollect the system I adopted then?—I think according to seniority, and so far as they were competent, and where they were married men.
141. How was their competency determined?—By a return furnished by the district officers.
142. Are there any records of this?—There is only one, I think.
143. *Colonel Pitt.*] You have mentioned that some time ago appointments, promotions, and transfers were made by the Commissioner without reference to Ministerial authority: When did the practice commence of the appointments being made on Ministerial authority?—I cannot give any date.
144. Was it before Colonel Hume took charge as Commissioner?—I dare say it was.
145. Was there any circular or minute on the subject from the Minister of Justice?—Not to my knowledge.
146. *Mr. T. E. Taylor.*] Did I understand you to say that this system of making transfers from returns furnished by the district officers only commenced in 1897?—Yes.
147. That was the first return made to ascertain the ability of members of the Force. Previous to that there were no returns from the district officers?—No.
148. Do you always prepare a written statement, under instructions from the Commissioner, of transfers and promotions and appointments, or transfers and promotions, for signature by the Minister, or approval by the Minister?—No; Colonel Hume generally prepared them himself, and wrote his own memoranda.
149. Did those lists go up for approval by the Minister?—The Commissioner would present them, I believe, to the Minister.
150. Do you know whether there was any difference between the lists supplied by the Commissioner and the lists approved by the Minister: as a matter of fact, were not lists altered between the time of leaving the Commissioner and coming back from the Minister?—I believe so.
151. That is to say, the Commissioner's recommendations were overridden by the Minister, and altered by the Minister?—I believe alterations were made. They would appear on the documents.
152. As a matter of fact, you know that such alterations were made?—Yes.

153. *Mr. Tunbridge.*] You have been asked a question about the reduction of your office staff: Do you consider that reduction has been conducive to the good working of the office or otherwise?—Otherwise.

154. Very much so?—I should think so.

155. So much so that you had to approach me with a view to getting an addition to your staff?—Yes; and I also approached Colonel Hume.

156. Has it become so acute that both yourself and Mr. Tasker have been compelled to work late here during holidays and to carry work home with you?—I have never taken work home, but Mr. Tasker has and does.

157. *The Chairman.*] You are speaking of the office at the present time?—Yes.

158. *Mr. Tunbridge.*] I have endeavoured to relieve that by bringing in a constable to assist you, as a temporary measure?—Yes.

159. Up till about a fortnight ago you had not accommodation here for an increased staff?—No; we were crowded up.

160. *Colonel Hume.*] Do you know of any other office where they do not work occasionally on holidays or after hours at night?—I suppose the majority of them do.

161. Do you think I used to work much at night?—I have no doubt you did.

162. Have you ever come down at night?—Yes.

163. Often?—Yes.

164. And Mr. Tasker too?—Yes.

165. Often?—Yes.

166. Has the third clerk ever come back at night?—I do not know that he has ever come back.

WEDNESDAY, 16TH FEBRUARY, 1898.

ARTHUR HUME, Inspector of Prisons, and late Commissioner of Police, examined on oath.

1. *The Chairman.*] When were you appointed Commissioner of Police, Colonel Hume?—On the 1st July, 1890.

2. We want to take you step by step through all the matters referred to this Commission. Firstly, we will take the general organization of the Force, then its distribution, control, and so on, taking item by item, so as to lay a foundation for our inquiry?—Perhaps you will let me make my own statement.

2A. Yes; if you will kindly make it in the order I have named, because otherwise our attention may be disturbed from the subject-matter of our inquiry. We would like you to confine yourself as much as possible in the first instance to the general organization of the Force while it was under your control, and then go on to the distribution, control, and so on?—I shall have to ask the Commission to let me go back first of all to the report of Colonel Moule, Commissioner of the Armed Constabulary Force, dated the 18th July, 1877.

3. Very well. Was he then Commissioner of Police?—He was Commissioner of the Armed Constabulary Force. They were not separated then. They were about to be separated, I think.

4. *Colonel Pitt.*] What was his office?—Commissioner of the Armed Constabulary Force. My object in doing this is to show that one of the grievances the police suffer under is the want of promotion—the slow promotion. Now, in that year, the Marlborough Force consisted of one first-class Inspector, two sergeants-major, one sergeant, and three constables.

5. In 1877?—Yes, Sir; when they were taken over by the General Government. In Nelson District at the same time there were 1 first-class Inspector, 1 first-class Sub-Inspector, 3 first-class sergeants, and 8 constables. The Westland District comprised 2 first-class Inspectors, 1 first-class Sub-Inspector, 1 sergeant-major, 7 sergeants, 21 constables, and one detective. The Napier police district consisted of 1 first-class Inspector, 3 sergeants, and 16 constables. In the other districts there was not quite so large a proportion of officers and non-commissioned officers.

6. *The Chairman.*] You say the other districts were not quite so much over-officered?—I do not know really; perhaps I had better give some of the others too. Take Canterbury: Canterbury consisted of 3 first-class Inspectors, 2 second-class Inspectors, 1 accountant, 9 sergeants-major, 13 sergeants, 67 constables, and 4 detectives. That is a fair proportion of them all, I think. Of course, I was not in New Zealand at that time, but I am informed that the reason of this was—of course this is only hearsay—the provincial people knew the General Government were going to take over their local Forces, and they made promotions accordingly, as they would be no longer responsible. That is what I am told. However, the reason I have quoted this is that it has caused ever since a stagnation of promotion. Now, in 1887, Major Gudgeon, who was then Commissioner of Police, says: "The present strength of the non-commissioned officers in New Zealand is as follows: four sergeants-major and sixty-six sergeants, or one to every six constables." He says the results of his inspection convince him that the Force would gain in efficiency by reduction of those numbers, and he goes on to say that in his opinion the Force should be reduced to four sergeants-major and fifty-two sergeants. In the next paragraph he says: "In the case of first-class constables the proportion is out of all reason as compared with second- and third-class"; and he gives the numbers as "140 first-class, 100 second, and 147 third." And he says here again: "A large saving will be effected by your decision"—that was, the decision of the then Defence Minister: "That in future the strength shall be 100 first-class, 100 second-class, and the excess shall be gradually reduced by the simple expedient of not filling up vacancies." Then, in his report dated the 3rd May, 1888, he says: "The retirement of four Inspectors in consequence of retrenchment in the Government service has enabled me to effect the amalgamation of several districts as follows:—." There was a reduction then of four Inspectors. Then, in consequence of the large amount of sly-grog selling that was going on at the Bay of Islands, he opened a district there

and sent Inspector McGovern, with very satisfactory results; he says: "and since Inspector McGovern assumed charge of the Bay of Islands there have been twenty-four convictions for sly-grog selling within its boundaries, and fines amounting to £412 have been inflicted." He goes on then to comment on the cancellation of section 10 of the police regulations, whereby it was provided that officers should retire at the age of sixty-five and men at the age of sixty. "It will in the interest of the public be necessary to name some age at which both officers and men should retire from the service; I would suggest that both officers and men should do so at the age of sixty-five, at which period of their lives they would not be likely to be of much value to the public service." Then he goes on to say that he regrets he has been unable to decide on any system which would provide a general pension scheme for the Force, unless assisted by a yearly grant-in-aid from the Government. Then he goes on to comment on section 59 of the regulations, "by which it is compulsory that all recruits for the Police Force should be drawn from the Permanent Militia of the colony. This rule limits the choice for police in a manner that cannot fail to be detrimental to the service now that the militia are reduced in number."

7. Armed Constabulary it was then?—No, it was the police then. They were separated under the Police Act of 1886. That Act separated the two Forces. "I would therefore suggest for your consideration that the rule should be altered to this extent: that, while the militia should have the first chance, yet, in the event of there being no suitable men available from that corps, I should be at liberty to take on men from outside." He says, in his report of 1889, that "the result of the late retrenchment and amalgamation of police districts has been that the department has gained in economy without having suffered appreciably in efficiency." Then he says he regrets to report our detective system is very unsatisfactory, and he goes on to show how he thinks detectives ought to be appointed. I do not think that matters much. Then he says: "Arrangements have been made by which a system of examination for the New Zealand police will be instituted and held for the first time in January, 1890, at the headquarters of each police district." This, I may say, is important. The question may come up that some one passed this examination and did not get what he ought to have got.

8. That was not an examination for recruits, but an examination for classification?—For promotion. He says: "The examination will be divided into two parts, junior and senior: a pass in the former will render a man eligible for promotion to first-class constable; in the latter to the rank of sergeant." Then, in the following year—that is, the 5th April, 1890—he says, "I have much pleasure in informing you that the Police Force of this colony retains its popularity, and that a large number of recruits of good class can be obtained from the Permanent Artillery." I am not, I may say, quoting fully from these reports, because I presume they will be before the Commission. Then here is an important thing: "For the last three years there has been but little promotion in the police. This state of things has arisen from the fact that the higher ranks have been blocked by an excessive number of sergeants and first-class constables, a heritage from provincial institutions."

9. I would like to know the position of a first-class constable, as against second- and third-class?—First-class constables get 6d. a day more than second-class.

10. A mere matter of pay?—Yes.

11. Nothing else?—Of course a first-class constable and a second-class constable get charge of stations before a third-class constable.

12. *Mr. Poynton.*] If the two are out together on duty and a difference arises how the work should be executed, the second-class constable would have to obey the first-class?—Yes.

13. *The Chairman.*] Do the regulations fix a period in your service when they are entitled to the higher rank?—By service?

14. Yes?—No. I shall be better able to explain that later on. I missed out a point in the 1887 report, and that is the goldfields allowance.

15. *Mr. Poynton.*] There was a goldfields allowance before that date of 1s. a day?—A shilling a day in the Westland and Otago Lakes districts. He says:—

There is another item of police expenditure in which a saving may shortly be made—viz., the goldfields allowance of 1s. a day to the men stationed in the Westland and Lakes districts. The amount paid last year under this head was in Westland about £648, and in the Lakes about £338. This allowance was originally granted to remedy an apparent injustice by equalising the pay of men who were by chance stationed in expensive and remote districts. So far as Westland is concerned, the necessaries of life are not now much more expensive than in other places; and if any inequality does exist in the inland towns, such as Reefton, the progress of the East and West Coast Railway will soon remedy the evil.

16. *Colonel Pitt.*] What is the object of referring to that—is that within our inquiry now?—I presume before you have done with the colony you will have some men coming up and saying that they have been deprived of this shilling a day.

17. There is no shilling a day now?—It is done away with, but they will probably bring it up as a grievance.

18. *The Chairman.*] When was it abolished?—It was abolished before I came into office. Then, Major Gudgeon, in his last report, 1890, refers again to this examination business. He says:—

The first sitting under these regulations was held last January. Forty-three competitors attended, of whom twenty-four passed most creditably, for the papers were difficult but exceedingly well considered, and were due to the kindness of H. A. Stratford, Esq., R.M., Oamaru, who volunteered his services as Police Examiner. I have promoted the four men who obtained the greatest number of marks in this examination, in order to encourage those who had the energy to read up the theory of their duty. It is not, however, intended that this promotion shall become a precedent.

Then he refers to the long-service pay having been done away with. He says:—

I would again bring before your notice the advisability of instituting some system of pension which shall apply to at least a portion of the Police Force. We have now 400 men drawing long-service pay, of whom 295 receive 1s. per diem after ten years' service, and 105 receive 6d. after five years' service. Concerning these men I have no recommendation to make at present, for it may be fairly assumed that the long-service pay was granted in lieu of pension.

There are, however, 67 constables who, having joined since the 10th February, 1887, are debarred by circular of that date from receiving long-service pay, and it is on their behalf that I suggest a method whereby they may receive pensions with the minimum of expense both to the Government and to themselves.

Then he goes on to show how a pension fund may be created.

19. What period of service entitled a man to long-service pay?—Five years' to 6d., and ten years' to 1s. a day. Then, in my first report, dated the 1st May, 1891—that was from July, 1890—I state: "Vacancies in the Force have been almost entirely filled by transfers from the Permanent Artillery or the Prisons Department, and this system works well, the recruits having acquired a good knowledge of discipline before being transferred to the Force." And that was the year of the labour troubles. With a total force then of 492 of all ranks—

20. That 492 is without counting district constables and Native constables?—No, Sir, everybody.

21. The report says it is not so. The report says there are ten district and ten Native, in addition to the 492?—Oh, yes. You are quite right. I thought it included all. It does not. With a force of 492, with the aid of the Permanent Militia and some special constables, I was able to successfully cope with the labour difficulty. Then I go on to say: "On assuming charge of the police I received instructions to move from the West Coast, Middle Island, and the Lake District, Otago, all those who were still drawing the extra shilling per diem as goldfields allowance."

22. That was an instruction to you?—Yes, Sir, from the Minister. I go on to say: "Previous to these transfers a considerable amount of discontent existed on the Coast, in consequence of the old hands receiving 1s. per diem goldfields allowance, in which the younger hands did not participate." It was done away with in this way: That as the men moved away they were no longer to get it. I state also that there were constant complaints that sly-grog selling was being carried on on the West Coast. I go on to show that during that year, in consequence of the changes, I presume it was, sixteen persons were convicted of sly-grog selling, and fines amounting to £292 10s. were inflicted on the West Coast. In the next paragraph I refer to a matter that was alluded to yesterday:—

On taking charge of the department I found that Inspectors in charge of districts had assumed the right of transferring constables from one station to another within the district without any reference to this office, and doubtless in this way unnecessary changes have been made; but that practice has now ceased, and all transfers must be sanctioned from headquarters.

23. You put a stop to that?—Yes. Then I drew the attention of all concerned to the necessity of special and more stringent supervision being exercised by the police in the matter of the Licensing Act, more especially as regards Sunday trading and the closing of houses nightly at the stipulated hours, and directing that transgressors, when discovered, should invariably be summoned to answer for their conduct. Then, I go on to comment on the no-promotion business:—

Though virtually no promotions have been made since I took charge, it is an open secret that much discontent prevailed in the Force owing to the system, or, rather, want of system, which hitherto had been adopted in selecting men for promotion and charge of stations, together with an entire absence of classification of stations and subdistricts. At the present time, in all parts of the colony, there are to be found third-class constables in charge of important stations, while first-class constables are kept on street duty and compelled to pay house-rent, while their juniors have the lighter duties to perform and get Government quarters provided. Rewards also appear to have been indiscriminately distributed, while cases really deserving of both remuneration and mention in merit-sheets appear to have been entirely overlooked. All these circumstances have tended considerably to bring about uneasiness and discontent. A better feeling has, I am glad to say, already been established, and, though promotion has been blocked, the disappointment is less acute than if juniors had been promoted over the heads of their seniors for no greater qualifications or recommendations than political or local influences.

Then, I did away with that examination business:—

The system of examination which was in force last year was found to be useless, expensive, and harassing. Many members of the Force who at small stations are also Clerks of Court had an unfair advantage over the hard-worked town constables, inasmuch as the former had access to the statutes, with spare time to study them, with the constant experience to be derived from attending Courts; so that, had the examination test continued, it would have been found at no distant date that the majority of those qualified for promotion had served most of their time as Clerks of Courts in small stations, and would probably, from want of experience, be quite unfit for the duties of a non-commissioned officer at the larger places.

Then, I got framed a superannuation scheme on the lines of the Government taking long-service pay, together with one year's pay allowed as compensation, and investing them in insurance to secure every man a lump sum of £400, or an allowance of a little more than £1 per week if not taken in a lump sum, on attaining the age of sixty-five years. A member of the House took a great deal of trouble about it, and the police were consulted. He endeavoured to work it up, but they would not give up the long-service pay, and they could not have both.

24. Was the scheme printed?—No. I may say it really was not my scheme.

25. *Colonel Pitt.*] Do you mean a member of the House agitated against it?—No; he was agitating for it. He made out the scheme and brought it to me, and he had permission from the Minister to visit stations, and ask the men about it.

26. Then, it originated with him?—I modified it again, in the hope that it might be carried into effect. Then I go on to say:—

Sly-grog selling is perhaps the most difficult matter we have to deal with, but during the year the number of convictions under this head have been very satisfactory, and the offenders cleverly detected; and all ranks deserve special commendation for their services during the labour troubles.

The present organization no doubt admits of changes in accordance with the altered state and conditions of the colony—that is, bearing in mind that the organization was borrowed in its entirety from one of the other colonies. On the breaking out of the goldfields in this colony in 1861 it was thought a large number of the criminal class would find their way over here, and to meet this a police system was introduced, and a posse of men were specially engaged to establish and carry out its workings and operations. Evil-doers were sternly met and put down, and that peaceful order of things resulted which has now been established for many years past. But, looking to the altered circumstances of the colony, it is obvious that a more simple system of administration will meet all our requirements, and will insure more efficiency and economy; in fact, to simplify matters, what is required in this colony is a thoroughly efficient and active municipal and rural constabulary, whose aim should be to preserve law and order rather than make prisoners and obtain convictions.

One step towards this end is to make larger districts and therefore fewer of them, and to give the officers in charge of districts a position and standing that will command confidence and respect. Then, follow the example of other

colonies in utilising the services of the police in manifold ways, such as acting as Clerks of Court, Bailiffs, Gaolers, Crown Lands Rangers, census enumerators, assisting County Councils and Corporations in carrying out their by-laws, besides making them useful in multifarious small offices, thus bringing them into touch with the people and affording them, at least, an opportunity or excuse to know what is going on round about them, instead of dawdling or idling about their barracks or stations. The working of small districts is fraught with much disadvantage—firstly, the cohesion or co-operation of the Force is somewhat marred; secondly, unnecessary administration and expense are caused; and, lastly, the disunion destroys not alone *esprit de corps*, but actually creates jealousy.

There are too many ranks, both of sergeants and constables, and a new classification is much required. Firstly, third-class sergeants should be rated as senior constables; secondly, the rank of sergeant-major, which is an anomaly in a police service, should be abolished; thirdly, the second- and third-class constables should be amalgamated; and, lastly, the office of chief detective should be done away with.

Then I go on to say that the Detective Force is in an unsatisfactory state, owing, in my idea, to the way in which selections have been made, and suggest how it could be remedied. Then, in my report of the 1st July, 1892—that is, for the year 1891, I state:—

Vacancies in the Force have been almost exclusively filled up by transfers from the Permanent Militia, and no fault can be found with the men so enrolled, who are—in addition to being well set up, drilled, and disciplined—intelligent, zealous, and reliable. . . . From my experience during the past year, I am more than ever convinced that to have a thoroughly efficient Police Force, it is imperative that the Inspectors, sergeants, detectives, and constables should be periodically moved from one station to another. In making these changes I have invariably endeavoured, as far as possible, to put an end to what has existed for some years past, and has rightly been looked upon as a just cause for complaint—namely, young third-class constables being put in charge of country sub-districts, while their seniors, the older hands, have been kept in towns doing street duty. It will, of course, take some time for this injustice to be entirely worked out; but as sub-districts become vacant, the next senior for a station, provided he is fully qualified, is selected, while his place in the town is taken by the last recruit.

Then, I go on to talk about the enforcement of the Licensing Act:—

. . . more especially as regards Sunday trading, and closing licensed houses at stipulated hours. In many cases convictions have been obtained, but not without considerable difficulty. That Sunday trading and selling during prohibited hours are carried on to a great extent throughout the colony cannot be denied, but the department is severely handicapped by the difficulty of obtaining convictions, as the law is so complicated and defective, that, in many cases taken into Court, though the police feel bound to prosecute, not the slightest hope of a conviction is entertained. When a case breaks down the result is two-fold: the police of a district are damaged in the eyes of the public, and the law-breaker is encouraged to continue his illegal trade. It may be stated in illustration of what is meant, that, though as many as fifty persons may be seen or known to enter a public-house on a Sunday or during prohibited hours, no prosecution can be instituted with any hope of success, as no sufficient evidence may be obtained to prove the actual sale of liquor. It is almost hopeless to endeavour to successfully enforce the provisions of the Act, unless the police are relieved of the necessity of proving an actual sale. This might be done by amendment of the Act to provide that admission of persons not being lodgers, or the fact that a bar is found open during prohibited hours, shall be *prima facie* evidence that the house is being kept open for the sale of liquor.

Then, I state that “there have been practically no promotions in the Force during the past year, owing to the ranks of sergeants and first-class constables being over-crowded.” I then go on to say that a classification has been prepared which shows that the colony, divided into seven districts as at present, would require seven Inspectors, twenty first-class sergeants, twenty-one second-class sergeants, thirty senior constables—I had recommended that third-class should be done away with—115 first-class constables, 282 second-class constables, four first-class detectives, four second-class detectives, seven third-class detectives, nine district constables, and nine Native constables.

27. *The Chairman.*] You recommended that the Force should consist of these numbers?—Yes, Sir. Then, I go on to explain:—

To carry out this scheme would entail an additional expenditure in salaries of about £2,500 per annum on the present estimates, but it would hold out fair hopes of advancement to the men in the Force in the future, would give promotion to many at once who have been disappointed in this respect for many years past, and, though last, not least, would give 6d. a day increase to all who are now holding the rank of third-class constable. Some of these third-class constables have held that rank since 1879, and, though qualified in all respects for promotion have, through no fault of their own but simply from stagnation by former overcrowding of the senior ranks, never obtained any advancement, either as regards pay or status.

Then, in my report of the 1st July, 1893, I state:—

Vacancies in the Force have been, as heretofore, filled up by transfers of gunners from the Permanent Artillery, and this system continues to work very satisfactorily. . . . During the past year all the Inspectors with one exception have been moved, and many of the non-commissioned officers and constables; and I have no hesitation in reporting that these moves have been beneficial to the efficiency of the Force.

Then, as regards the superannuation scheme:—

The matter of a superannuation scheme for the members of the Force has received considerable attention, and the absence of any provision for retirement through old age or physical incapacity is a serious embarrassment to the administration of the Force; but, owing to the advanced age of the majority of the present members of the police, any scheme that would commend itself must necessarily be established by so large a grant from Parliament as to place it absolutely beyond possibility of ever becoming a practical reality, especially as no superannuation scheme is general throughout the Civil Service of the colony, and therefore it is considered one branch could not be exceptionally treated in this respect. In order, however, to provide against members of the Force being turned adrift penniless when they become incapacitated from illness or old age for further service, all members of the Permanent Militia before being enrolled as constables, are now required to produce a certificate showing that their lives are insured for not less than £200, payable on attaining the age of sixty years, or at death, if prior. This to some extent meets the important question of superannuation, while it is not considered a very heavy tax on their pay, as it will be recollected that constables, not being members of the Civil Service, are not liable to the deduction of 5 per cent. from their pay, as provided for for Civil servants by clause 11 of “The Civil Service Reform Act, 1886.”

28. Do I understand that in that suggestion the cost of keeping up the policy should be taken from their salary?—It was actually done, Sir.

29. It was then the practice?—It was then the practice.

30. Does that practice continue?—Oh, yes.

31. At the present time every man is insured up to that amount?—Yes. Every recruit has to insure, before he is taken on now, for £200.

32. The premium is paid by themselves out of their pay?—Yes.

33. It is not paid through the department in any way?—If they are insured in the Government Insurance it is deducted out of their pay in our office.

34. The department has nothing to do with paying the premium?—Oh, no. It is deducted from the men’s pay monthly. My report goes on:—

Promotion, which has been virtually at a standstill for some years past, owing to the senior grades of sergeants and first-class constables being beyond their required strength, is now likely to flow steadily on; but, owing to the numerous grades of the different ranks in the Force, this question of promotion becomes one of great difficulty as to selection. This may be better understood when it is known that a first-class constable in charge of a station, who is probably Clerk of Court, and holds other appointments for which he is paid extra, is, as regards pay, responsibility, and hard work, infinitely better off than a first-class sergeant in a large town, who gets nothing but his police-pay proper, has to find a house, and oftentimes finds household commodities are far more expensive in towns than in the country districts. It is obviously necessary that many of the sergeants must be stationed in the towns, and I have no hesitation in recommending that in such cases, where they are married, the State should provide them with quarters, or an allowance in lieu thereof. At present, in many cases, the promotion of a third-class sergeant is a direct loss as regards pay.

I may state that, on that recommendation, sergeants in towns were granted an allowance of 10s. a week as lodging-allowance. Even then it is a big loss to a man to be promoted from first-class constable in charge of a station to a third-class sergeant. I think it could be proved that some of them lose £80 or £100 a year.

35. *Colonel Pitt.*] Yet want of promotion has been bewailed all through?—Yes. Then, I go on to deal with the cost of supervision:—

From the return attached, showing proportion of police to population, and cost of police per inhabitant in each of the Australian Colonies, it will be seen that New Zealand is far below any of her sisters in both these respects; but I am of opinion that the time has now arrived that the police, at the centres at least, should be augmented, especially as a considerable number of what appear to be the criminal class are flocking just now to New Zealand, no doubt on account of the depression elsewhere. Another matter I also desire to draw attention to is that at no police-station in the colony have we a matron. There are at many stations a female searcher; but when there are female prisoners the searcher's duty ends when she has carefully searched the prisoner, who is then handed over to the care of constables, usually married men; but I am strongly of opinion that, at the chief centres at least, there should be a matron on the strength of the police establishment, who, after searching the female prisoners, would have charge of them until such time as their cases are disposed of. It is extremely undesirable that constables, whether married or single, should at any time be in charge of female prisoners while they are under detention at a police-station.

I may state that on that I succeeded in getting four matrons for the principal centres at the pay of £100 a year each. Then I go on:—

I am also of opinion that at the larger centres two mounted constables should patrol the suburbs nightly. This has been done during the long winter nights, for three hours, at uncertain hours; but these recommendations, if carried out, mean extra expense, and, therefore, a corresponding increase in the cost of police per inhabitant in this colony.

Then, in my report dated the 1st July, 1894, I state:—

Vacancies in the Force have been, as heretofore, filled by transfers of gunners from the Permanent Militia, and this system continues to work satisfactorily.

Then,—

I was instructed to promote to second-class rank all third-class constables who had served seven years in the Force with clean defaulter-sheets; and shortly afterwards I was directed to promote to second-class rank all third-class constables who had seven years' service in the Force with only one trivial entry in their defaulter-sheets, and these promotions no doubt caused some dissatisfaction. In a Police Force, the fact of a constable having a clean defaulter-sheet should not be the only qualification for promotion, as there are so many different contingencies which should be taken into consideration. For example, two constables join at the same time; one is posted to a city, the other goes to the country. The city man is open to all sorts of temptations, which are wanting in the country station, while he is constantly under the eyes of his superiors, and consequently more liable to have an entry recorded against him in his sheet which would at once debar him from promotion; while his more fortunate comrade in the suburban or country station, though perhaps by no means so efficient a constable, would be far less likely to sufficiently commit himself to cause an entry to be made against him, and would thereby claim advancement before the one who had been less advantageously situated. Again, the public generally, especially in small communities, are apt to think that their local constable is *par excellence* as near perfection as possible, and ought at once to be promoted, quite forgetting that the police is a colonial and not a local Force.

In the next report, of 1895, I still report that the recruits from the Permanent Militia are satisfactory:—

I stated last year that the New Zealand Police Force labours sorely under two great disadvantages—the want of a superannuation scheme, and, as a consequence thereof, and a result therefrom, tardiness of promotion. It was thought that this might to some extent be overcome by promoting to second class all third-class constables on their completing seven years' service with clean defaulter-sheets; but if this were carried out the second class would be very soon in excess of the number provided for by the estimates, and a very serious injustice would be done to some forty now at the head of the list of the third class, who, perhaps, have two or three trivial offences recorded against them, but who, in consequence of these two or three offences, could never be advanced, and would be daily seeing their juniors promoted over their heads. After giving these matters a great deal of serious consideration, I framed a scheme by which increases of pay would be given by length of service, all other things being equal, and if this scheme is adopted I believe it will give general satisfaction throughout the Force, as a man on entering would know, if his conduct and ability gave satisfaction, what exact rate of pay he would be on ten or twelve years hence. If the proposed scheme for advancement is not adopted, I would suggest, in all fairness to the forty constables already referred to as at the top of the third-class list, and to many others, that a continuous service of, say, five years without an entry against them should wipe out any previous record of misconduct, and so place them in a position that will prevent the constant supersession by their juniors on account of irregularities committed many years ago. To carry out efficiently the proposed scheme it will be necessary to have only four classes of rank—viz., Inspectors, sergeants, constables, and detectives, and for these ranks only provision has been made in the proposals now before the Government. At the present time we have no less than thirteen different ranks in a Force of less than five hundred men.

I may state that that scheme, if it had been adopted, would have cost very little more. It might have cost £400 more than we are actually paying now, and every man would have got his increase annually.

36. The scheme would have cost £400 a year more?—Yes.

37. *The Chairman.*] An increasing charge every year?—No; decreasing, because the long-service men would be dying out. Then, I went on to show that there had been complaints about the removals of constables—all put down to different reasons. The brewers put it down to one reason, the prohibitionists to another, and the public to another, and so on. One was removed because he looked too well after the publichouses; and another was removed because he did not look sufficiently well after them, and so on. I went on, about the liquor question,—

In commenting on this liquor question a great deal is said about the Force being reorganized, but I boldly assert that, as long as the liquor laws remain as at present, no organization could possibly successfully grapple with the question.

And I say so still, without the slightest fear of being contradicted. Then, I go on to show what is in my opinion required—that clause 25 of “The (Imperial) Licensing Act, 1872,” *in toto* should be on the statute-book of the colony, instead of merely the last few lines of the clause, as at present.

38. *Colonel Pitt.*] Is that with regard to people being found on the premises during prohibited hours?—Yes. It is perfectly clear that whoever framed our Act had the English Act in his hand, because the last four or five lines are exactly word for word those of the English Act.

39. *Mr. Poynton.*] The other portion of the clause may have been struck out by the House?—I do not know how it came to be left out. I had the clause typed and sent to several members. I do not know whether I acted rightly in so doing or not, but I could never get it brought forward, though the police are always blamed for not doing their duty. Next year, in my report of the 15th June, 1896, I again report:—

Now, as regards the proposed control of licensed houses, it was stated last year, and is now reiterated, that what is required on our statute-book is clause 25 of “The (Imperial) Licensing Act, 1872,” *in toto*, and not as at present, merely the last few lines of that clause.

Then, I go on to say,—

One great disadvantage the Force labours under, and it becomes more apparent every year, and requires no inquiry to find it out, is that many of the sergeants and some of the constables have passed the age of activity required to fill the positions; but, owing to there being no superannuation scheme in force, it seems somewhat heartless to turn away an honest and willing servant, who has given the best part of his life to the service, and grant him merely twelve months' pay as a compassionate allowance, and from this cause the efficiency is doubtlessly impeded.

And I say now I had sergeants and I had constables who were too old for their billets, but I would not recommend their being turned adrift after their service, merely giving them a year's pay. I did not think I was justified in doing so.

40. *The Chairman.*] They were entitled to a year's pay, and that would amount to what, in the case of a sergeant?—£164 for a first-class constable, and £175 for third-class sergeants.

41. That was all they got on being discharged?—They were not entitled to that.

42. *Colonel Pitt.*] They were entitled to a month's pay for every year of service?—No; they were actually entitled to nothing, but usually got twelve months' pay.

43. *The Chairman.*] It has been the practice to give them that?—Only twelve months' pay. Take, for example, the department over which I have the honour to preside. Supposing a warder with thirty-three years' service leaves through ill-health he gets thirty-three months' pay; but a policeman, who is doing very much the same sort of work, with thirty-three years' service only gets twelve months' pay. One is a Civil servant and the other is not. It is optional with the Minister, I may say, to give him anything more, but he cannot claim it as a right.

44. *Colonel Pitt.*] Do you make any recommendation or reference to the Permanent Militia in that report?—Yes, Sir, I am coming to that now. I state that a force of policemen, with a strong detachment of the Permanent Militia had been sent to the Urewera Country, and were there some months. The report goes on to state:—

Owing to the continued absence of so many of the Permanent Force, as referred to in the foregoing paragraph, it was found that qualified men could not be provided to fill the existing vacancies in the police by the Permanent Militia, and consequently the department for some time was considerably hampered through vacancies remaining unfilled; and when the Force returned from the King-country, there were so many vacancies existing that there were not enough qualified gunners to fill them, and after all that fulfilled the requirements had been taken there still remained many vacancies to be filled in the Force, and recourse had to be had to men who had not previously served in the Permanent Force; and by a careful selection on your part of duly qualified men, those admitted have so far given entire satisfaction, and are proving a valuable addition to the Force. It will thus be seen that the system of recruiting for the police from the Permanent Force entirely broke down, and this is only a forerunner of what is certain to happen should war break out, and the Permanent Force be required for active service.

The reason that was put in was: the idea, of course, of getting the police from the Permanent Militia was that when war broke out you would have so many trained gunners all over the country; but it was found that when we came to distribute these men through the colony it would take—well, ten days in some cases to get them here, even supposing you could relieve them of the stations at which they were posted.

The fact of selection for the police being limited to the ranks of the Permanent Force, or about 180 men, renders the field of choice altogether too limited, and allows no scope for picking and choosing; whereas if a selection was made from the general community, a much better stamp of men for constables could be secured. The system of taking the best men from the Permanent Force for the police no doubt seriously affects the efficiency of that Force, and though I see no reason why a man who shows aptitude for the police should be debarred from joining it because he is a member of the Permanent Force, still the regulations making it compulsory to recruit the police from that body should be at once cancelled.

45. Now, I would like to ask here, what was it that changed your opinion on that point? Up to the year 1895, and in that year, you still report that the system of taking recruits from the Permanent Militia for the police was satisfactory?—That is so.

46. And now, in 1896, you say the system has entirely broken down?—Because I could not get the men to start with; and the Commander of the Forces said it was detrimental to his Force taking his best men away for police. They were up at Te Whaiti, in the Urewera Country, instead of coming to us.

47. What happened, in this instance of being called into active service up there, was a defect in the system?—Yes; and also I consider the recruits from the Permanent Force had fallen off. Further, as Mr. Pender stated, I think, to the Commission, and as I say in my report, “another advantage in recruiting outside the Permanent Force is that those selected are strangers to each other, and have not a large circle of friends in the various towns.”

48. For a number of years you report in favour of that system, and then in 1896 there is a complete change of front?—Yes. First of all, we could not get the men, and then the men we were getting were not so good a stamp of men that we had been getting previously, and the Commander of the Forces was objecting.

49. *The Chairman.*] The fact is, Colonel Hume, your mind was mature in 1896 in regard to the opinions you arrived at?—Yes. I state another reason here: “It has been found that men who have gone through their service in the Permanent Force with exemplary characters are often

unable to resist the temptations which naturally beset the path of constables." Well, you can only learn such a thing as that by experience.

50. *Mr. Poynton.*] You are still convinced that the thing has broken down entirely?—Yes. The police could not be got into the centres to be of assistance as trained gunners; they would be too scattered.

51. Your opinion is, that it is a mistake to recruit from the Permanent Artillery?—Alone, yes. It is too narrow a field.

52. *Colonel Pitt.*] Are members of the Permanent Artillery desirable as recruits for the Police Force at all?—Oh, yes. I see no objection to a Permanent Artillery-man being made a policeman. He need not be debarred just because he happens to be a Permanent Artillery-man.

53. And yet you are stating reasons why such a practice is objectionable?—In some cases.

54. *Mr. Poynton.*] You agree that in some cases they make good men?—Yes. I quite agree with Mr. Pender in that. Then, in my report of 1897—my last report—I again hammer at them about the English Licensing Act. I then go on,—

The system of recruiting from the public as well as from the Permanent Militia is working satisfactorily, and there is, of course, a much larger number to select from. I alluded in my last report to the fact that some of the older members of the Force had passed the age of activity required for policemen, and to the hardship that would be entailed if these men were turned adrift, as no superannuation scheme exists; and, as men are being taken on without previous training, it has occurred to me that a scheme somewhat as follows would prove practicable, and would furnish the necessary training for recruits, and at the same time provide for the older men alluded to—viz., that the station at Wellington should be a depot. Recruits, on joining, should be taken on probation for a period of three months, during which time they should be instructed not only in the necessary drill and their outdoor work, but by means of lectures on various matters which it is necessary, to be efficient, they should know. At the end of their probation period, if their conduct and qualifications were satisfactory, they would be taken on permanently, and then could be drafted where required. The older men who have passed their prime should be stationed in Wellington, and the recruits would join them in their daily work, so that whilst the elder men taught the younger and supplied experience, the younger would, while learning their duties, be able to render their elder comrades the necessary assistance in strength and activity required to efficiently perform police duty. The fact that there is a police-station at Mount Cook would facilitate the training of probationers, for towards the end of the probation term the recruits might, by being sent to that station, where they would, whilst still under depot control, have at times to act more on their own responsibility, prove their fitness to enter the Force. The Crown owns ground adjoining that station, and it would, I think, be money well spent if married quarters were erected there, where the older constables could reside.

Reference is made to athletic training; and I also notice here,—

From time to time statements have been published that candidates are enrolled in the Force without proper inquiries being made as to their character and previous history. Now, during the past year sixty-six recruits have joined the Force—viz., Permanent Militiamen sixteen, and civilians fifty. In the case of the former, their conduct and bearing during their service in the Permanent Force, and while (as in most cases) they had been doing temporary police duty, were taken into consideration, while the civilians were specially selected by yourself from a long list of applicants, on the recommendations of reliable persons, and their histories for the last two or three years were carefully investigated.

In support of that I would like to show the Commission the form of application. In that form a man has got to state his last situation, name and address of employer, business, &c., of employer, position held by him, salary or wages, length of stay (giving date), cause of leaving, occupation in the interval. He has also got to state his last situation but one, his last situation but two, his last situation but three, his last situation but four.

55. *The Chairman.*] And what is done with these applications when they come in?—They are filed, and the man is informed his name is put on the roll. They have also to be recommended by two persons. They have to produce two references as to character—responsible persons, well acquainted with the applicant in private life. Then, the mode of selection outside the Permanent Artillery when I was in charge was as follows: I used to tell the Minister how many vacancies there were, how many of those I wanted as married men, how many of the different religious sects, and then I handed him over the roll, and he selected them. He would decide how many of the Permanent Artillery he would take, and tell me the names.

56. *Mr. Poynton.*] Then he had the appointment, not you?—He had the appointment. The Act or regulations do not say the Commissioner is to select recruits.

57. *Colonel Pitt.*] Did you make any recommendation?—No. I may now and then have said, "So-and-so has been in the cavalry, I think he would make a good man," if a mounted man was wanted; but as a rule I did not recommend.

58. *The Chairman.*] You have just touched the question of appointments. Will you now give us some information about the removals, and so on, in order. How were these removals managed?—I would like to say with regard to these appointments, that many of these Permanent Artillery-men had been acting as constables during the time they were in the Permanent Artillery. While in the Artillery they were taken on very often as acting-constables. For instance, while the Exhibition was on at Wellington we had some twenty of them on Exhibition duty, and assisting the police generally.

59. Did they get any special pay?—Yes, their pay was made up to that of a third-class constable, and always is when they do police duty.

60. I think, perhaps, having mentioned the matter of pay, give us at this stage the pay of the several classes?—Unfortunately, I have not got the estimates here. I could not say straight off. I was going to say, in regard to these men who were acting as constables, the Inspectors under whom they had served were asked, before any of them were appointed to the Police Force, to report whether they would make good constables or not.

61. These men who were on that occasion employed as constables?—Who had been employed on any occasion.

62. They have been employed in other cases?—Oh, yes; they have been employed in Auckland too, and elsewhere.

63. Only such men who had been employed and were recommended were received into the Force?—Oh, no; but we asked for a report from the Inspectors as to those particular men whom they had had the chance of seeing on police duty.

64. In those cases the opinion of the Inspector was taken?—Yes. Well, the next thing I would like to say is: I think a very great mistake was made in giving the police an electoral vote. The position is intensified at every election.

65. *Mr. Poynton.*] Will you state the reasons why you think so?—At every general election it is absolutely necessary that men should be sent to different places on that particular occasion, and therefore they are disfranchised. Another thing is: It is all very well for a candidate to go and ask a policeman for his vote, but naturally it must give that policeman a political leaning one way or the other.

66. *The Chairman.*] They are all canvassed for their votes, and it must give them a political leaning?—Quite so. In fact, I go further than that and say that, in my opinion, anybody in the employ of the Government ought not to have a vote. Well, the next thing we get on to is the subject of transfers. The mode I adopted was: I submitted to the Minister a list of transfers that I considered necessary, for his approval. I forgot to state that when I first took over the office it was under the Minister of Defence. Since then it was transferred to the Minister of Justice. The Minister of Justice now administers the police.

67. *Mr. Poynton.*] How long since?—I could not give you the exact date straight off. I should think it was about eighteen months or two years ago.

68. *The Chairman.*] You submitted, then, a list of proposed transfers?—Yes, for the approval of the Minister, and he either approved or disapproved, as he thought fit.

69. You give reasons for your recommendations?—If he asks. I do not put them in writing usually. Sometimes the Minister says, "Oh, well; I happen to know that man: he has got a sick wife; I do not think that climate would suit him. This had perhaps better stand over"; and he would alter that. Another time he will say, "That man has got a very large family: I do not think there is any necessity for moving him." And then, of course, if one alteration is made it entails probably the alteration of two or three others; and, as I have pointed out in my reports, there is this tremendous difficulty about these transfers: If a constable wants to be transferred, we hear nothing about it; it is all right. If he does not want to be transferred, there is a petition almost invariably got up to keep him there. I believe, myself, the best way to get over the difficulty would be to let it be clearly understood a man should be removed, say, every five years. That is quite long enough for him to be in one place.

70. *Mr. Poynton.*] Would that not entail a large cost?—It does not follow. It all depends how far you arrange it. In any case, it is a big cost every year.

71. Can you give an idea what would be the average number of years they stay in one place at the present time?—I suppose there are men who have been at a station for sixteen years.

72. But can you give a rough average?—No, I do not think I could.

73. If the average were five years, then it would be no extra cost to periodically shift them as you suggest?—The average at present is a great deal more than five years.

74. *The Chairman.*] You have cases where men have been at the one station for how long?—I think there was one case of a man being stationed at one place for nineteen years.

75. *Colonel Pitt.*] You mentioned yourself some had remained at the one station for some time?—Fourteen or fifteen years.

76. *The Chairman.*] In speaking of these removals, do you refer specially to those who are in charge of small districts?—Those in charge of different stations.

77. What class of men is placed in charge of these stations—are they men of a particular class?—No, Sir. Do you mean class, or rank?

78. Are they second- or third-class constables, or what?—As I read out this morning, I found in some places junior third-class constables in charge of stations, and first-class constables doing duty in town. I obviated that to a great extent.

79. What is your opinion in respect to that?—Seniors ought to be at the different stations first if they are qualified. In order that I might know exactly how the seniority business stood in this matter, soon after I was appointed I had a distribution return sent in to me half-yearly.

80. *Colonel Pitt.*] Was that continued?—Yes, Sir. It showed, first of all, the name of the station, and the rank and name of the man, whether mounted or foot, whether married or single, number of children, date when he went to the station, religion, residence of parents or relatives if in the colony. Then there is a note at the bottom of that return: "Officers in charge of stations are to be filled in first, above; all others on the strength of the district, but not in charge of stations, will be entered according to seniority," so that I could see directly who was the man in charge, the order of seniority, his religion, number of children, and so on; and so see whether he would be a suitable man to be transferred to a particular district or not.

81. Why do you ask their religion?—I will answer that, but I would rather that it should not be taken down. Well, there is no use mincing matters: if there are two out on a station, I do not think there ought to be two Roman Catholics or two Protestants. I think there ought to be one of each.

82. *The Chairman.*] You desired a diversity of religions amongst the men on a station?—Quite so; and on the big stations I liked a fair sprinkling of each.

83. The number of country stations where there are more than one is not large, is it?—Oh, yes, there are a great many places. Just to give you an idea: Coromandel, 2; Devonport, 2; Eden Terrace, 2; Newton, 3; Gisborne, 5; Hastings, 2; Waipawa, 2; Wairoa, 2; Patea, 2; Stratford, 2; Feilding, 2; Manners Street, 2; Masterton, 3; Palmerston North, 5; Blenheim, 4, and so on. While on this return I just wish further to explain that this return placed me in a position to know as to whether the first man was the senior man, and was fit for a station that was vacant as regards number of children, where his relatives were—for that is an important consideration—and so forth. Of course, I knew nearly all the men in the Force, or something about them. I knew pretty well their qualifications right through the Force. Then I got in that return which

you saw yesterday. I found very often I was not sure whether a man was fit to be mounted or not, if it happened to be a mounted constable's station that was vacant. Further, I did not know whether a man was fit to be Clerk of the Court or not, whether Stipendiary Magistrate's or Warden's, and so I got that return; and with those returns before me I was in a position that I could tell pretty well how a man would do on a station without referring to the Inspector at all, and in many cases I did not refer to the Inspector, asking him whether he thought the transfer was a desirable one or not. I think it was stated yesterday, when I transferred a man who was Clerk of the Court, for which he received £10, I invariably transferred him to a station where he would also be Clerk of the Court. I do not think there was any exception to that at all, so that the man would lose nothing by it. I did not, however, go further than Clerk of the Court. For instance, there were men who were agents for the Public Trustee. Well, I could not consider that. It would be an endless thing if I went in for consideration of everything. Another man, for instance, is Postmaster at a place, for which he gets as much as £15 a year.

84. Well, in transferring constables who were Clerks of Court you put them in posts where they would act in the same capacity?—Yes, but I did not go beyond Clerks of the Court; and also when I knew that a man had a grown-up family or just growing up I endeavoured to get a suburban station for him where there would be a chance of his children getting some employment. I do not know that there is anything else about transfers. There was something said yesterday about men paying for their uniforms. That is a matter I never considered one way or the other. I never had any complaint about the men having to pay for them, and I never considered it one way or the other.

85. Do you know whether that was taken into account in fixing the rate of pay?—I could not say at all. While on the subject of pay, I may mention that when I submitted my scheme that they should be paid by increments—by length of service—I was careful in framing the scheme that no man should lose anything—that is, that no man should be reduced by its coming into effect; and in order to do that I had to start at a lower scale than they were getting: that is to say, that a third-class constable at this time was getting £127 10s. a year to start with, and in order to carry out my scheme he was reduced to £120 a year, £7 10s. being taken off for the first year.

86. You had to suggest a reduction of pay to the new men?—Yes, I was obliged to do that, because I had to work up to such a high scale to prevent anybody being reduced. The scheme was submitted to the Premier, who was then Defence Minister, I think about January or February of the particular year, and he gave me to understand that he approved of it and would submit it to Cabinet.

87. What year was that?—I think it was 1895—1894 or 1895. When the 1st of April of that year came round I put the men joining after that date on the £120, because the scheme was to start from the 1st of April. The Premier was extremely angry with me, and said I should not have reduced the pay without his sanction. I explained to him it was a misunderstanding—that I thought the scheme was to be adopted, and that I knew if it was not adopted the men could get the balance afterwards; whereas if they had been paid the higher scale they could not have been made to refund. He told me to let the matter remain as it was, and the men have received the £120 ever since.

88. That has been going on ever since?—Been going on ever since.

89. And has the other part of the proposal been adopted?—No; the scheme has never been adopted.

90. The progressive rise has never been adopted?—No.

91. So that they have got the reduced pay without the progressive rise?—Yes; the scheme was never adopted. I may say that I consulted several of the officers and men, and they all seemed to approve of the payment by long service. They did not know the exact scale, but they knew they would be paid by annual increments, or whatever it was, and they knew—or they would know from my proposal—that if they came into the service, and behaved themselves for, say, ten years, they would know what pay they would be getting at the end of that period.

92. Your scheme was to give a rise every two years?—I will not say it was every two years, but it was something of that sort. I think it was something like two years right through, but it was taken by service instead of classes. I may say it is the same system that was in force in the Royal Irish Constabulary and in the London police.

93. Can you state the changes that have been made in the rate of pay during, say, the last ten years?—There has been no change during the last ten years. I think I can speak pretty well since 1880, and I do not think there has been any change in the rate of pay since that time.

94. I would like to know the class of men from whom the police are recruited—the social class, as compared with the wage-earning community—who do they rank with?—They are farmers' sons as a rule.

95. Then you do not place them in the same category as skilled mechanics?—We very seldom get skilled mechanics.

96. You put them as a sort of superior labourer?—Yes.

97. Do they come from the labouring class, or the skilled mechanic class?—They are farmers' sons as a rule.

98. Who have no trade or occupation of their own?—Quite so.

99. *Colonel Pitt.*] Do you mean agricultural settlers?—Yes; principally agricultural men—men who have worked on farms, ploughmen, and so on. Of course, when I said there was no material change of pay I told you this morning the long-service pay was done away with.

100. *Mr. Poynton.*] And the goldfields allowance?—And the goldfields allowance. The long-service pay was done away with in February, 1886.

101. *The Chairman.*] You say the Force is primarily composed of men who have worked on farms—agricultural labourers, farmers' sons, and others, who have not been trained to any particular pursuit?—Yes.

102. In fixing their pay, what class of men do you consider they should run side by side with as regards pay?—Well, I should think, very much on the same lines as the present warders.
103. *Colonel Pitt.*] I think the Chairman means in ordinary life?—I should say they should all earn from 6s. to 7s. a day.
104. *The Chairman.*] What I want to get at this this: whether you consider the rate of pay of the police should be the same as that of an ordinary labourer, or whether it should be equal to that of skilled labour, or how would you rate it?—Oh, I should say ordinary labour. Of course, they have many advantages. For instance, in a place like Wellington their mess was, when I had charge, about 1s. 3d. a day—1s. 3½d. to 1s. 4d. They get three good meals a day for that, and they get light and fuel and lodging for nothing—that is, those who are single men.
105. You say it should be at the rate of an ordinary labourer with the advantages of free quarters, light, lodging, cheap mess, and so on?—Yes. There was a question raised about the strength of the Force. The strength was shown in 1886 as 494, and in 1896 as 484, showing a decrease of 10, with a large increase of population. Now, if we come to the next year, 1897, we find an increase there of 32 during that year. Now, that is accounted for because of the boom in Auckland. We had to open stations on the goldfields on account of the big boom; and also on account of the influx of people there were increases elsewhere. I am trying to show this: that the police were not unnecessarily decreased. The comparison of ten years is no criterion at all. They had not got bicycles ten years ago.
106. *Colonel Pitt.*] Who had not?—Nobody; the general public. The police in Christchurch, for instance, have now to my certain knowledge over 20 bicycles of their own private property. They carry out portion of their duties on them.
107. *The Chairman.*] Well, I suppose they are taking the place of the troop horses, because one year we had 119 troop horses?—You cannot do that, because we have to get troop horses in places where they cannot get bicycles.
108. *Mr. Poynton.*] But then the thief gets a bicycle too?—Oh, I do not think it has come to that.
109. *The Chairman.*] Please explain what facility there is for the use of the bicycle?—A man can go three miles in ten minutes instead of its taking him three-quarters of an hour.
110. When going to serve summonses?—Yes, or anything in connection with his duty. What I want to show is that the whole state of living has altered altogether. The telephone system was not in vogue ten years ago in the way it is now.
111. You wish to show that the police are more efficient owing to mechanical appliances?—Quite so.
112. A given number of men can do more at the present time than they could ten years ago?—Quite so. The telephone alone is an immense help, and so is the bicycle.
113. *Colonel Pitt.*] But it does not do beat duty?—Oh no. And then, in addition to that, I would point out—and I think the Year-book bears me out—that there has been a steady decrease of crime.
114. *Mr. Poynton.*] Say, for the last ten years?—Say, for the last ten years.
115. *The Chairman.*] When you say “reduction of crime” do you mean any particular class of crime, or do you mean generally?—The general criminal returns; but it is not to be wondered at because we all know when the goldfields broke out the riff-raff of society came here. You have not your Sullivans and your Burgesses and those people now. Those people have died out, or have gone somewhere else, and the criminals that come to New Zealand now are few and far between.
116. You say there has been a falling-off in the returns of crime during the last ten years?—The Year-book will show that.
117. In face of the increase of population?—Yes. There will be an increase this year; but what is it? A hundred and five Maoris shut up in gaol because they ploughed someone’s land. That will make a big increase in my prison returns this year.
118. *Colonel Pitt.*] Do you think that burglaries have decreased during the last ten years?—I think, perhaps, they have increased this year, because they ran rampant in Auckland for a short time.
119. During the last two or three years they have not increased?—No; I do not think so. New Zealand is the least of all, except South Australia, in regard to apprehensions on summonses and commitments, according to the Year-book for 1897, page 336.
120. *The Chairman.*] I understand you to be expressing the opinion, although not in direct words, that in this colony we do not require the same numerical strength of police in proportion to population as is required in other colonies?—That is my decided opinion.
121. *Colonel Pitt.*] Is there any reason why the police in New Zealand should be paid less than in the other colonies?—No; I do not think so. Perhaps I am hardly competent to give an opinion. I have not been to any of the other colonies, and I do not know what the rate of living is there. It may be more expensive living for all I know.
122. *The Chairman.*] Is there anything further you can tell us at this stage?—I may mention that when I took charge I found when reports against constables were brought to and heard by Inspectors, the constables were not always told what was in those reports; and if they were punished or admonished, or whatever it might be, they were not told whether it would be in their defaulter’s sheet or not. The matter came up when these promotions for seven years’ service without an entry in their defaulter’s sheet came on. Men stated they thought they had clean defaulters’ sheets; and when this matter came up it was found they had two or three entries against them, and they said they were never told of these entries. I gave strict orders that a man was to see a report against him, and given a chance of making his defence; and then he was to be told whether the entry was to stand against him or not. Then, in the matter of rewards, there is a Police Reward Fund, standing, I think, with a credit of £2,000, made up from fines.

123. *Colonel Pitt.*] Solely from fines?—Largely made up from fines; but when the two forces were separated in 1886 it was halved—the police got their half, and the Armed Constabulary their half.

124. *The Chairman.*] Made up of fines inflicted on the men themselves?—Inflicted on the members of the old Armed Constabulary Force. It is at the discretion of the Commissioner to give these rewards for meritorious conduct, showing any special aptitude in any special case—detection or anything of that sort. I generally asked the Minister to approve it; but I believe there is no reason why the Commissioner should not do it. I think I have given it myself in some cases. There is also an item on the estimates for rewards for sly-grog selling. The Minister has to approve of that. I may say rewards are always given in the cases of detection of sly-grog-selling.

125. *The Chairman.*] That reward is at the disposal of the Minister?—Yes; a separate fund. Anything over £5 in connection with the Police Reward Fund has to get the sanction of the Governor. Then, there is £8 given for every deserter from the Navy.

126. *Colonel Pitt.*] That is paid by the Admiralty?—£3 is paid by the Admiralty, and £5 by the Colonial Government.

127. Who gets the £8?—The constable that makes the arrest. Then, £3 is given for stragglers by the ship.

128. That is for over-staying leave?—Yes. Of course, the ship deducts it from the men's pay. Merchantmen also give a reward for the apprehension of their men.

129. *The Chairman.*] In those cases the reward is a personal one to the constable apprehending?—Yes, and it is entered in the man's merit-sheet.

130. *Colonel Pitt.*] One matter we have to inquire into, Colonel Hume, upon which you might give us your experience, is as to the morality of the Force during the time you were Commissioner?—It seems to me that in regard to that it would be well to produce the defaulters' sheets. They will show you for the last ten years how many men have been punished. Of course, I cannot say whether men have been immoral and not been detected, or whether they have been drunkards and not been detected. If any particular case is brought up the papers can be produced. I may say I am entirely satisfied with the morality of the Force, and its sobriety, and I consider that in this colony we have a thoroughly reliable and efficient Police Force, and that there is no disorganization.

131. *The Chairman.*] Can you suggest an improvement in the system of rewards for the detection of crime?—No; I think the rewards are ample.

132. Ample with respect to the arresting of deserters, and so on. Do you suggest any system of rewards for the detection of crime, or do you think it unnecessary?—You can go up to any amount you like, only the Governor's sanction has to be obtained after £5, but I have never known it to be refused.

133. Have you anything further you would like to state at the present moment?—No, I think not.

134. *Mr. Poynton.*] How do the rates of pay of the warders compare with the police?—A warder on entering the service gets £125 a year and quarters, or £20 a year in lieu of quarters—that is to say, if we have not got a house to give him, and he is a married man, he gets an allowance of £20.

135. He also gets his uniform?—Yes; uniform free, but not food.

136. *Colonel Pitt.*] How long is his uniform supposed to last him?—He gets a serge suit and two pair of boots and an extra pair of winter trousers once a year, and a dress suit, which he has to wear on Sundays and at the Supreme Court, every three years, and a great-coat every three years, and a cap every year. Of course, he gets nothing else—no rewards, or anything of that sort.

137. *Mr. Poynton.*] Are they recruited from the Police Force or the Artillery?—Principally from the Artillery, and some outsiders, too. If a policeman asks to be transferred he generally is if he is a good man.

138. What is the system of granting leave in both branches?—The police get twelve days' leave a year on full pay, and the warders fifteen days—fourteen days, and an extra day for Queen's birthday.

139. A man cannot forego his leave one year and take double the period of leave next year?—No, it is not cumulative.

140. You were getting no pay as Commissioner of Police?—None whatever. I never had a penny; and part of the time I was Under-Secretary for Defence, for which also I got nothing.

141. *The Chairman.*] You ceased to be Commissioner of Police when?—On the 25th October, 1897. When I handed the department over to Mr. Tunbridge I received the thanks of the Minister for having satisfactorily performed the work.

142. *Mr. Taylor.*] I propose, first of all, to ask Colonel Hume some questions about the police regulations. The regulations that are in force now were gazetted on the 12th January, 1887, I think, with some slight alterations which took place in March of last year?—That is so.

143. Section 7, or regulation 7, and regulation 59, were repealed on the 18th March, 1897?—Yes.

144. Regulation 7 reads: "Applications for enrolment in the Police Force (hereinafter termed 'the Force') are to be made from the Permanent Militia exclusively (see section No. 59)". That was supposed to be in full operation from the 18th October, 1887, up to the 18th March, 1897. Was the rule fully enforced?—No. Of course you cannot get blood out of a stone. There were no men, and the police could not wait.

145. In your report of 1891 you say "the recruiting from the Permanent Force continues to work very satisfactorily"?—Yes, that is right.

146. And the same in 1892, 1893, 1894, and 1895?—That is right.
147. Then, up to 1895 was this exclusively enforced?—I expect so.
148. What I want to get at is this: From 1887, or from the time you took charge, up to the 18th March, 1897, or up to the time when the recruiting from the Permanent Artillery broke down, were all the appointments made from the Permanent Force?—That is easily found out, but I cannot answer you straight off. I do not think they were.
149. Would you say whether there were any appointments made from outsiders?—I cannot say without having access to the documents. I think it is answered in one of my reports. In the report for 1891 I state: "This, however, does not debar special enrolments for the police of desirable men who, from previous service in the London or county police in England, the Royal Irish Constabulary, or (for mounted men) in the Imperial cavalry, are likely to prove efficient recruits though they may not have served in the Permanent Militia."
150. Do you remember whether a man named G. H. Nixon was appointed direct to the Force, without having served in the Permanent Artillery?—Yes; I think he is acting-detective now. I think I can tell you without reference to the papers about him. We had very reliable information that the Government Buildings were going to be burned down, and we put Nixon on. He was given to me as a very reliable man. We put him on as night watchman, and I told him when I put him on I would try and do something for him if he carried out his duties satisfactorily. He was there, I think, three months, and then I got the Minister to appoint him to the Force.
151. That was in contravention of the regulations?—Oh, yes.
152. Do you know whether he was secretary to Mr. Lawry's election committee in Parnell in 1893?—I do not know. I know he is a very good acting-detective. As far as I remember that is the exact circumstance. I think he is the man.
153. *The Chairman.*] In what year was he appointed to the Force?—I cannot tell that. He has got about three years' service.
154. *Mr. Taylor.*] In the Police Force?—Yes.
155. I would like to ask whether Nixon, before he was appointed acting-detective, had any experience of constable's work?—I should think not.
156. He went straight on as acting-detective?—Oh, no; he did constable's duty for some time and plain-clothes duty, but that does not affect me. The Inspector runs his own district. I do not tell him, excepting, of course, occasionally; when I know a man has done something very good in another district, I may tell the Inspector. I may say they are not acting-detectives, they are plain-clothes constables.
157. You do not know he was a member of Mr. Lawry's election committee?—No; that is the first I have heard of it.
- 157A. You do not remember Mr. Lawry recommending him?—No; but that can be ascertained from the form of application.
158. Are there never any other recommendations, excepting those that accompany the application or are attached to the application form?—The man has to be recommended by two respectable people, and he has to show his last five situations.
159. Are there not other persons recommending in addition to the two that fill in this form?—Yes.
160. Are they not kept?—No; returned to the man, unless they are copies.
161. You are quite clear Nixon was appointed on the recommendation of the Minister?—I did not say so. This man was taken on in a peculiar sort of way. If my memory serves me right, we put on two men. I do not remember the name of the other man. He was taken for this night-watchman business, and told if he carried out his duties something would be done for him, because it was a very ticklish business. We had reliable information that arson was going to be tried.
162. You think an inexperienced man was a good man to employ for the purpose of preventing the buildings being burned down?—You do not want a detective to walk round a building to see that it is not burned down.
163. The point I want to get at is that he was appointed in defiance of the regulations?—I would not say so straight off, but I believe so.
164. Did you make any appointments at all during your term of office without consulting the Minister?—I do not think so. I will not be certain. I may have at first, but I do not think so.
165. If that is so, this man must have been discussed with the Minister before he was appointed?—No doubt. When this Government Buildings scare was over I took this man's name to the Minister.
166. *The Chairman.*] You took a special outside man to do this duty?—Yes. I took two men.
167. *Mr. Taylor.*] Why did you not go into your own Force?—I had not got the men to spare.
168. *The Chairman.*] He was an outsider, who came recommended to you to do this duty?—Yes.
169. *Mr. Taylor.*] I would like to know whether the practice could not have been followed of taking some of the artillerymen to do this special duty?—I do not think it could. If my memory serves me right it was about seven o'clock at night when we heard it.
170. And would not the Permanent Militia be available?—No; I do not think it would, as far as I remember.
171. What becomes of them at night?—I am speaking from memory. They may have been up in the Urewera Country.
172. Was it necessary to put a man on in an instant, and was this man the only one on the spot?—I do not say so. It is impossible to tell at this stage what were the exact circumstances.
173. In your evidence you said that you gave in the list of applications for employment the number of men of each religion required. Is the ratio of religion fixed so far as the police is concerned?—No.

174. How do you determine the number of religions required for each particular body?—Only my own idea.

175. No fixed rule?—No fixed rule.

176. In making the appointments, is there a fair proportion allotted to each province according to the population, or are they selected haphazard from the different provinces?—The Minister could answer that; I could not.

177. The whole of the appointments really are Ministerial appointments?—Quite so; and I cannot see anywhere that the Commissioner has to appoint them. I do not see it anywhere in the regulations.

178. What was the practice when you took charge—the same practice?—I think so.

179. Did you never make an appointment during the first six months of your office?—I may have, but I can let you know later.

180. *Colonel Pitt.*] Do you know when the system of referring to Ministers commenced?—I could not tell you, but it can be ascertained.

181. *Mr. Taylor.*] Colonel Hume mentioned a return that he had prepared when he took charge of the department, having special reference to transfers, that would enable him to know the merit of the men who were entitled to transfers, and so on?—Excuse me, I did not say anything about that. I said I knew the men, as a rule. There was nothing about merit.

182. To give you their standing, then?—Their seniority, their religion, where their relatives resided, and so on.

183. That would enable you to know whether it would be wise to make a transfer?—That is right.

184. *Colonel Pitt.*] You said transfers were practically made by the Minister?—So they are.

185. Did he consult these returns before he made any alterations of your suggested transfers, or did he just make the alterations?—He had that return before him, and also the other one.

186. Did he study it carefully?—I do not know whether he studied it carefully; but what I pointed out was this: He has said to me, "I know that man, he has got a sick wife, and I do not think he ought to go there."

187. *Mr. Taylor.*] Has any Defence Minister under whom you have served visited all the police-stations throughout the colony and become personally acquainted with the men?—I cannot tell, Mr. Taylor. I do not know what the Defence Minister does when he is away.

188. Did he make himself personally acquainted with the members of the Force?—I do not know. I should think it likely, for instance, that Mr. Seddon knows every policeman on the West Coast.

189. A good many appointments have been made from the West Coast?—Yes.

190. More in proportion than the population warrants?—No; I cannot say that.

191. Did you make any official visit with the Minister through the whole district?—No.

192. And you do not know that any Minister ever made a deliberate visit of inspection all over the colony: he may have done, but you do not know of it?—Quite so. I have gone round with the Minister of Justice two or three times; but I have not gone with the Defence Minister, I hardly think, anywhere.

193. As a matter of fact, have not some of the men been in the same place twenty years?—I would not like to say that straight off, but I can produce a return in connection with that. I think a man outside Nelson is about the longest, but I could not say how long that is. I wanted to be on the safe side when I said sixteen years.

194. Colonel Hume stated that in making the transfers he always transferred an officer who had been Clerk of the Court to another place where he would be Clerk of the Court, so that he would not lose his £10 a year?—As near as I possibly could.

195. Have you never had any complaints from constables who are qualified for country stations, and who have clean defaulters' sheets, in regard to taking men who have been Clerk of Court for years and years down to town duty, and letting other men take their places?—Undoubtedly; they have a right to have a turn when there is a vacancy.

196. Both for the experience and the emolument?—Yes.

197. In the scheme of classification you said you submitted to the Minister, the Premier, and which you thought he approved, did the reduced pay only apply to third-class constables?—That is all.

198. No other rank was reduced?—No.

199. The lowest paid body of men were the men who were affected by this reduction?—Yes.

200. Your idea was that that reduced pay should be put to a special fund to provide for retiring allowances?—No. What I meant to say was this: when I started this thing I did not want anybody to be reduced at all that was in the Force. Those men who lost the £7 10s. were not in the Force at all: they were coming in, and in order to work up to first-class constables who were on big pay—to work a sliding scale up to that—I had to start at the lower pay.

201. The reduced pay was approved of, but the scheme itself was not adopted?—No, the reduced pay was not approved of. I got "wiggled" for introducing it without authority.

202. But it was adopted?—The Minister said, "Let it stand."

203. There is one regulation, part of Rule 202, that provides for eight hours' duty at night: do you not think that is largely responsible for some of the offences that constables are reported for?—I may explain in the day-time they are four-hour shifts, but the night shift is from 9 at night to 5 in the morning.

204. And he is never to sit down?—No, never to sit down. That is the practice in all Police Forces. I do not know how you can relieve it. It is universal, I think.

205. Is there no means of allowing a man to go to the barracks for an hour?—No. I tried to work that, but I found I could not. I believe it is the rule in every Police Force in the world, as far as I know, to have an eight-hours' shift at night.

206. As to the question of uniform, you are strongly of opinion they should get their uniforms free?—I have never given the matter much consideration.

207. And the house-rent for constables?—That is a very big item.

208. Sergeants get an allowance of 10s. a week towards their house-rent, whilst a constable on a smaller rate of pay has to pay his house-rent without any assistance at all?—Yes.

209. Constables are under the necessity of answering all fire alarms?—I reduced it down to one-half of those off duty.

210. Is that a fresh regulation?—It was in February, 1896.

210A. In regard to the reporting of offences of constables, I think Colonel Hume said the report was prepared, and then the constable was allowed to see the charge that was made against him now?—Yes.

211. And then he makes a reply?—Yes.

212. Is there any official report by his Inspector that he does not see?—I believe a case has happened lately in which it was not shown. I think it ought to have been shown. I may say it was against the regulations. It ought to have been shown. I refer, of course, to Chief Detective Henderson's case. It ought to be shown in every case.

213. The Inspector's comment on the charge to the Commissioner should be shown?—No, I do not think so.

214. Seeing the man's rate of pay is involved, and his status in the Force, why should not the Inspector's comment on the report be shown to the constable affected by it?—If that were done it would destroy discipline altogether. If you did that you might as well show the Commissioner's minute to the Minister, and the Minister's direction to the Commissioner. I do not think the constable should see that; but I will add this: that all the time I was Commissioner, if a man asked to see it it was never refused.

215. *Mr. Poynton.*] He had no right to see it?—That is my idea. He should not be able to claim the right. There might be things in it that the constable should not see.

216. *The Chairman.*] I suppose Inspectors' remarks are taken almost as conclusive? You do not hold any other inquiry?—It all depends what the punishment is. If it is only punishment, not attended with dismissal, there is generally an end of it. Chief Detective Henderson's case is a case in point.

217. But that was an appeal by petition to Parliament?—Yes. However, I would say this, in answer to that question: I think the Commissioners will be able to judge when they see the offences, and the punishments that have been awarded, by the records.

218. *Mr. Taylor.*] I know of cases in the Canterbury District where the Inspector has been at loggerheads with men, and for a considerable time there has been great feeling between the Inspector and certain men. A man has been reported for an offence by the sergeant; the man has been shown the sergeant's complaint and made his reply. Then the Inspector has also made a report on the case, and sent it on to the Commissioner, but the man has never seen the Inspector's report?—If it is not on the defaulter's sheet it is not worth talking about.

219. But when it is on the defaulter's sheet it has gone too far then?—It may seem a matter of opinion, but I believe it would be detrimental to discipline. In just the same way there is an agitation about disclosing probation officers' reports, in regard to which I believe a Bill was introduced into Parliament. I believe it would be detrimental to publish them.

220. *The Chairman.*] What does the Commissioner decide upon? How does he get the facts to decide upon?—I was not entirely guided by any Inspectors' reports. I generally knew something about the case. Of course I cannot say exactly. Mr. Taylor will not name any particular case. All I say is this: that a man has ample opportunity of coming to this Commission and stating his grievance. There will be no black mark against the man for doing so.

221. *Mr. Taylor.*] I would like to know whether Colonel Hume, in cases just referred to, attaches much importance to the Inspectors' comment?—It all depends who the Inspector is.

222. Did I correctly understand you to say that there were some men retained in the Force, who were incapable from old age, simply because there was no superannuation scheme or retiring-allowance?—Yes, I think I can say that.

223. There are men in the Force who are incompetent?—Well, no; they are not incompetent, because they are given billets which they can fill. I have one in my mind's eye at present. I found him at the Bay of Islands struggling to get on a horse, and he was given the billet of Inspector of Weights and Measures at Auckland, which he can carry out, so that he is not altogether a "drag."

224. Are there not a number of men whom you would like to retire if you could make superannuation provision for them?—Undoubtedly.

224A. They are retained because there is no superannuation fund?—That is it.

225. Colonel Hume said he thought it was a mistake to give the Force a Parliamentary vote, because of the influence at elections. There are only 500 of them altogether, spread all over the colony. Do you not think they would be as much a political power if disfranchised, as they are now, probably more?—No. A candidate goes to a man, and says, "Are you going to vote for me?" That man has a certain lien on the politician if he gets in.

226. You have said: "I consider the Force thoroughly efficient; no disorganization exists"?—Yes.

227. In your report for 1891, there is this paragraph:—

The Detective Force is in an unsatisfactory state, owing perhaps to the fact that men have been selected for this branch more from the number of arrests made by them when constables, or the number and verbosity of reports furnished, or, worse than all perhaps, from political influence or favouritism, instead of from special intelligence, or natural gifts and extraordinary powers.

That is deliberately stated in your report of 1891. Does that not mean disorganization? How do you reconcile the two statements?—I flatter myself that I have wiped all that out.

228. Have there been many retirements from the Detective Force?—Not many, but the men in it have been very much improved.

229. Take the clause preceding :—

There are too many ranks, both of sergeants and constables, and a new classification is much required. Firstly, third-class sergeants should be rated as senior constables; secondly, the rank of sergeant-major, which is an anomaly in a police service, should be abolished; thirdly, the second- and third-class constables should be amalgamated; and lastly, the office of chief detective should be done away with. The rank of sergeant-major has virtually become obsolete. In former times the holder of this position was selected for his knowledge of drills, which he imparted to the men, but now the office is administrative, and to a great extent absorbs or monopolizes the duties which ought to devolve upon the Inspector; besides, a sergeant-major is an unnecessary go-between the ordinary rank and file and the superior officer.

That existed in 1891?—Yes.

230. Have you altered that?—No.

231. And yet you say you consider the Force thoroughly efficient and not disorganized?—Yes. It is not disorganized because that remains so. It is not disorganized because all my recommendations are not being carried out. All I say is, it would be better if that were done.

232. There is a general muddle in ranks?—There is no general muddle at all. There are too many ranks, that is all. That is what is the matter.

233. Have you not said the number of ranks bars promotion?—No, I have not said the number of ranks bars promotion.

234. Have you not said that too many sergeants bars promotion?—Yes.

235. Does that not mean disorganization?—Yes; but that is all wiped out now. Sergeants were made the other day.

236. Has the Chief Detective been abolished?—No, but the fact of retaining the name does not disorganize the thing. I never supposed when I wrote those reports that every recommendation was going to be carried out. If I got half of them carried out, I think I would be lucky.

237. At the present time it is not over-officered at any point?—I have nothing to do with the present time.

238. At the time you left off control?—At the time I left off control they were an efficient body.

239. When Colonel Hume said it was thoroughly efficient and not disorganized, did he refer to to-day, and not to October last?—No; I say it was not disorganized in October last. The fact of there being too many sergeants does not disorganize it. The only thing is the unfortunate rate-payer has to pay if there are too many sergeants. It ought to make it much more efficient.

240. Does not dissatisfaction mean disorganization?—I have not said there was dissatisfaction amongst the men.

240A. In your report of 1891 you say: "A better feeling has, I am glad to say, already been established, and though promotion has been blocked, the disappointment is less acute than if juniors had been promoted over the heads of their seniors for no greater qualifications or recommendations than political or local influences"—That is what I call disorganization—putting juniors over seniors.

241. Had that stopped in 1891?—I think quite stopped.

241A. And local or political influences do not affect transfers and promotions in 1897 at all?—Local and political influences; when did I say that?

242. Here; the term is here in your report?—That must have come on after that, because I have told you straight about that; that they do exist. The promotion was blocked at that time, there is no doubt about that.

243. It is not so now?—No; they are promoting them now.

244. And those injustices have absolutely ceased now?—Of promoting juniors over the heads of seniors, I think absolutely. There may be some exceptions.

245. What would the reason for the exception be?—Well, for instance, the constable that caught the convict Allandale; he would be promoted for meritorious conduct.

246. Were not some promotions made by the Minister during your term of office without any reason being given you at all for the promotion?—No; I do not think so.

247. You do not remember a single case?—No; I do not think so.

248. Were all the promotions recommended by you adopted by the Minister?—Yes, I think so.

249. In every case?—I think so.

250. Was it only in regard to transfers that he interfered with your recommendation?—Yes; I do not think he interfered with any promotions I recommended. In the detective branch he made more promotions than I had recommended, but in the way only of seniority.

251. In the other branch were no promotions made without your recommendation?—I do not think so.

THURSDAY, 17TH FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

Colonel Hume: I wish, Sir, to correct a mistake, which I find I made yesterday. When I spoke of Constable Nixon being one of those two men who were employed as night-watchmen at the Government Buildings when an attempt at incendiarism was suspected, I was entirely wrong. Constable Nixon was a different man from either of these two. The Commissioners can easily understand how the mistake arose, because at that time I was also Under-Secretary for Defence, and it was impossible for me to remember details of each particular branch. Both of the two men employed as night-watchmen were appointed to the Militia after they had completed their work at the Government Buildings.

252. *Mr. Taylor.*] And were subsequently taken into the Police Force?—One is in the police now. The other is still in the militia.

253. *The Chairman.*] Where did Constable Nixon come from?—He was not in the Permanent Artillery, he was taken on direct from the outside.

254. *Mr. Poynton.*] What date was that?—The 14th April, 1896. He was recommended by Mr. Lawry, M.H.R. for Parnell, by Mr. Seymour Thorne George, and by Mr. Duthie, manager of the National Bank of New Zealand, all at Auckland; and on his application he showed his trade as that of "casual canvasser." He is still in the Force as plain-clothes constable at Wellington.

Colonel Hume: Yesterday, Sir, I was asked to produce some papers. I have here Circular No. 4 of the 14th April, 1887, in reference to the goldfields' allowance being abolished, and doing away with long-service pay. The approval is dated the 12th February, 1887.

255. *Mr. Poynton.*] Who was the Minister?—Hon. John Ballance. This circular is in the handwriting of Major Gudgeon, who afterwards signed it when sending it round the Force. It is as follows:—

(Draft Circular for approval.)

FROM and after the 10th February, 1887, men joining the Police Force will not be entitled to receive long-service pay whether by virtue of previous service in the Armed Constabulary Force and Permanent Militia or of subsequent service in the Police Force; but this regulation shall not affect the rights of any member of the Force who joined before the 10th February, 1887.

Members of the Force transferred to the Lake and goldfields districts from and after the 10th February, 1887, will not be entitled to receive the goldfields allowance heretofore granted; but the rights of those already stationed in those districts will not be affected by this regulation.

Approved.—J.B. 12/2/87.

The next paper I was asked to produce was in reference to the examinations being done away with. I take the whole responsibility of that order, and I think I gave the Commissioners to understand why I did away with the examinations. I did not ask the Minister to do it, but did it on my own responsibility altogether. However, I showed to the Minister the report of the examiner, who was very anxious that it should be published in the papers. I was not, however; and I took the report to the Minister, and we decided it was not to be published. I will read it to the Commission, as it has a good deal to do with my decision to do away with the examinations. It is as follows:—

SIR,—

Oamaru, 5th July, 1890.

I have the honour to forward herewith attached a list of successful candidates at the junior police examination on the 17th day of June, 1890, and to add a general report, with a few criticisms on the papers, in the hope that they will encourage the members of the Force to persevere in this undoubtedly most useful work, which compels them to acquaint themselves with all the details of their duties, responsibilities, powers, and privileges, besides better educating them to approach the high standard raised by the code, which requires the constabulary to consist of well-educated, intelligent, truthful, honest men, as guardians of our peace and our laws; to be wise as serpents and harmless as doves; to protect the weak, unfortunate, and destitute; to encourage those trying to reform, who should be physically and mentally strong to do right, and terrors to evildoers who persist in crime. I am confident that the police regulations and Acts relating to crime, and duties devolving on the police, have been more studied during the last twelve months than for many years past; but I would strongly recommend—and I speak from experience—that side by side with the theoretical the practical knowledge of discipline be maintained by parades and drill, so easily to be acquired, as there are drill-instructors residing in nearly every town in New Zealand, whose services could be obtained at a very little cost compared with the advantages to be gained. There are other essentials to maintain the high character of this splendid and most useful body of men—viz., to be deprived of the franchise and disconnected altogether from political influence; to be well-paid, from 8s. per day and upwards, and, as promotion is slow, let time count for increase in pay, so that first-class constables may not weary for the retirement of sergeants; and, above all, have a pension-fund, to be contributed to by the men, and largely subsidised by the Government; and with forced retirement at fifty-five years of age from active service to the pension list. With these advantages and inducements to aspirants stricter discipline might be introduced, and breaches of Rule No. 54, *et ejusdem generis*, be severely punished. Nearly one hundred candidates passed before me in review this year, and I am of opinion that at least one-fourth of them are eligible for the rank of Inspectors and to be on the Commission of the Peace, and half to be non-commissioned officers. During the present examination there are thirty-two good writers and spellers, and of these six very good penmen, but some of the ordinary writers are, nevertheless, well-educated men.

On saluting: Very few have obtained more than half marks for this question, and one candidate suggests there is no information in the books about the rank and uniform of officers of the navy and army; but he forgets when making this excuse that the Commissioner of Police, having made the rules, requires the constables to acquaint themselves with the necessary particulars; and for the edification of the candidates I may mention that the lowest ranked executive commissioned officer in the Royal navy entitled to a salute from a constable, and, *a fortiori*, from his own men, is a sub-lieutenant, who wears $\frac{3}{4}$ in. gold stripe, with a loop round the cuff of his sleeve, and those officers who have stripes without loops belong to the civil branches of the navy; and that as the rank of ensign has disappeared from the army, the lowest ranked executive commissioned officer entitled to a salute is a second lieutenant, who is known by a star on the shoulder-knot of his full dress and on the lappel of his undress.

Question No. 8 on the first paper, which carried the highest marks of any, has been creditably answered by a majority; but about No. 11, which is an equally important question, there have been varied opinions. One candidate, while admitting a telegram to be insufficient, stated, if in Bradshaw's place, he would engage a friend to assault the alleged offender, and then arrest both for committing a breach of the peace; but he does not explain how he would extricate his friend from the consequences afterwards. All the candidates appear familiar with the duties in Question No. 13 of the first paper. In the second paper some of the questions have been slightly misapprehended, especially No. 13, and one or two candidates have inferentially hinted I have travelled outside the books with my question, but they may disabuse their minds of any such suspicion by reading page 168 of Johnston's "Justice of the Peace," for I have used the words given by the author in such a manner as to try to catch the candidates' memory if he had read paragraph No. 528. Question No. 9, second paper, is the most difficult one presented, and has been really splendidly answered by twenty-three, and fairly well by seven candidates.

Trifling errors: Under this head I would remind one candidate that conciseness with sense is a good quality, but when without sense, and descending to flippancy, it is objectionable. The spelling of the word "separately" has sorely puzzled not a few, for twelve candidates have spelt it "seperately," one "separatly," one "sepratly," and another "sipperratly." To their credit, be it said, nine candidates cited the case of *Galliard v. Laxton* correctly, and two partly so. One is indebted to his knowledge of the case for his escape from failure. Alexander Cruickshank, H. P. Rasmussen, E. P. Bird, and Daniel O'Rourke have answered the questions very evenly and creditably; but Rasmussen, of these, is the only one who knew *Galliard v. Laxton*.

Notwithstanding the hard labours, mentally and physically, in the duties of examiner, there is much pleasure in assisting such a really good set of fellows in their efforts to improve themselves, mingled with regret in being obliged to reject others, some of whom appeared to have struggled bravely to grasp the subject. Those who have passed will have the satisfaction of knowing that they have succeeded by merit only—the result of study. I conclude by resigning my position as examiner, and with regret; but the work interferes with my other duties, hence my decision. But before subscribing my name, I beg to recommend for your most favourable consideration that Alexander

Cruickshank (who is entitled to a certificate of honour), H. P. Rasmussen, and E. P. Bird be promoted, and that you will put a good mark against the name of Daniel O'Rourke.

I have, &c.,

H. A. STRATFORD, Examiner.

It was pretty well that report which decided me. I could not think of any competent man to examine, and I thought it better to do away with the examinations. I did away with them on my own responsibility. I was asked yesterday whether or not I made appointments on my own responsibility. I do not think I did, so far as I can see on the papers. So far as I can ascertain by the papers I was told to take men on from the Permanent Artillery, and they were taken. Of course, I did not go and ask the Minister each time if So-and-so was to be taken into the Force. I would show him a list, and he said, "All right; take them on as the vacancies occur." I find one man—Wilson—was taken on, and I cannot tell whether I asked the Minister or not. There is nothing on the papers to show that I asked the Minister. He was an Otago-bred boy, who went Home and served six years in the Lifeguards, and I wanted a mounted man at the time.

256. *Mr. Taylor.*] That case will be the only exception?—So far as I know at present.

257. *The Chairman.*] You were told to take men from a list of Permanent Artillerymen supplied to you?—Yes.

258. By whom was the list supplied?—By the Defence Office, as the men applied for the police.

259. They were taken in the order of their application?—Yes, I think I can say that; and provided they were qualified.

260. There was no selection in that case?—Excepting that sometimes a man did not finish his gun-drill, and then I had to take a man below him who had finished his drill.

261. *Mr. Taylor.*] Wilson was appointed during Captain Russell's term of office?—Yes.

262. And after Mr. Seddon came in you made no appointments at all?—No.

263. In making appointments from the Permanent Artillery I suppose the fact of belonging to the Artillery was the only qualification necessary. You did not inquire into the men's character or records before they were appointed to the police?—Of course I did; and the men were recommended by the commanders of batteries.

264. I mean, as to the men's moral conduct?—I was given their defaulters' sheets.

265. *The Chairman.*] Would a testimony of good character coming from their immediate officer in the Artillery satisfy you?—Yes, as a rule. Of course, their defaulters' sheets came with them.

266. *Mr. Taylor.*] Inspector Pender made a statement to the effect, I think, that it was the exception for Permanent Artillery-men to make good constables?—I did not understand him to say that.

267. It was the exception, I think he said?—He said they did not make as good constables as civilians.

268. Do you confirm Inspector Pender on that point, Colonel Hume?—I should not like to give an opinion one way or the other, because I have not the means to judge. The District Inspector has the means of judging; the Commissioner of Police has not.

269. Coming back to Constable Nixon: had he done ordinary police duty before being appointed to plain-clothes duty. Was he ever in uniform?—I cannot tell you that straight off.

270. Are men who are taken into the Force given any instruction at all as to their legal powers and special duties as constables before being turned loose on the streets?—They are instructed by their non-commissioned officers and Inspectors.

271. How long would a man remain in the barracks before commencing street duty?—He would commence immediately.

272. So that a man coming off a farm would go straight into the street to do duty?—Yes, but with another man, as Inspector Pender told you.

273. They do not walk together?—Yes.

274. Some time ago an order was issued that classes of instruction were to be held by the Inspector?—That is right. I am going to produce that circular.

275. How do you reconcile that order with the fact that you abolished the examination classes instituted by Major Gudgeon?—That is right.

276. What was the date of the circular ordering that classes should be held?—It was in regard to lecturing the men, and it was the system Mr. Pender said he found in vogue at Home. It was issued about two years ago.

277. What is the nature of the instruction given to the men by the Inspectors?—On the Acts and regulations, and their duties generally.

278. Is any regular course of instruction prescribed for the Inspectors?—They are allowed to use their own discretion.

279. Do you know whether the order has been obeyed in all the large centres since it has been issued: as a matter of fact, are you aware that in some centres it has not been carried out?—I am not.

280. It has not been reported to you?—It has not.

281. And you think the classes have been held since you relinquished control?—The Inspectors all told me so.

282. As a general principle, do not you think that men who have to discharge such delicate duties as policemen should receive a special course of instruction before being put on duty?—It would be better if you could do it.

283. Are not special classes held in connection with the Royal Irish Constabulary, where the men are instructed in all matters of importance?—You cannot compare the Royal Irish Constabulary with the Force here. In the former case they go to a depot, where they are thoroughly instructed before they are allowed out.

284. They go to a depot where they are kept for six months before they are allowed out at all?—Yes; a system which I have recommended should be adopted here.

285. Would you be surprised to learn that constables have told me that, through want of knowledge of their duty and legal powers, they have abstained from interfering at many points where they thought they should have interfered?—I am not surprised at anything the constables have told you. I think constables have no right to say such a thing as that.

286. That is not the point. Are you surprised?—Not in the least surprised. It is their own fault: that is all I can say. They are paid to know the law, and I do not see why they should not know it.

287. Has Police Regulation No. 61—"Members of the Force seeking by influence to obtain promotion or other advantage in the service are warned that such interference on their behalf will militate against the end they have in view, and render them liable to severe punishment"—been enforced?—Yes; I think so, where you could find out. It is impossible to find out. The men do not do it themselves, but get their wives to do it for them.

288. As a matter of fact, have not interferences on behalf of men's promotions and transfers been made by public men, politicians, and tradesmen in numerous cases?—Yes; no doubt they have.

289. Notwithstanding the fact that examination classes, as instituted under Mr. Stratford's control, were abolished, probably for good reasons, you admit, Colonel Hume, that there is a necessity for special training of the police for street duty, by having instituted classes of instruction under the Inspectors?—That is right.

290. And did you recommend a central depot being established?—I have done so in my report.

291. Yesterday Colonel Hume stated he considered the Force thoroughly efficient, and that no disorganization existed. In your report of 1892, on page 3, you say, "As regards the detective branch of the Force, a thorough reorganization is required, and it should be placed under the control of a man experienced in criminal investigation." Has that been done?—Yes.

292. Under whose control?—Mr. Tunbridge.

293. I want to establish this point: that Colonel Hume tried to secure these reforms, and failed to do so; and I wish to find out why the Minister in charge failed to give effect to it?—Yes.

294. I suppose you spoke to the Minister privately on matters concerning the Force when you presented your reports?—Yes.

295. And practically nothing was done to make the Force as you wished?—I would not say that.

296. Nothing was done to place the detective branch of the Force under the control of a man experienced in criminal investigation, although you made the recommendation in 1892, and right on until October, 1897, when Mr. Tunbridge was appointed?—That is so.

297. Did the disorganization which existed in 1892 continue to 1897?—I do not think so. The very fact of my writing a report like that helped to pull the detectives together; and there is no doubt that they improved very much.

298. In your report of 1894 to the Defence Minister, in paragraph 5, there is an expression which I should like you to explain. Speaking of promotion, you say, "In making changes it has been my object to alleviate, as far as possible, such injustices as have existed for some years in the Force—viz., married constables being stationed in towns, and thus having house-rent to pay, while single constables had charge of stations, and got house-rent, light, and fuel free; and junior constables having charge of stations, while their less fortunate senior comrades were doing street duty"; and now, when a station becomes vacant, the senior constable not having charge of one is, when duly qualified, as a rule, promoted to the vacant station. Were there any exceptions to that rule?—I cannot specify them; there were bound to be.

299. Yesterday I asked you to see if there were any exceptions, and whether no undue promotions were made?—I know of two cases. I asked the Minister to promote the men, and he did so.

300. That is, for meritorious conduct?—No, for good general service.

301. And beyond these two there were no other undue promotions?—No.

302. *Colonel Pitt.*] What do you call "undue promotions"?—They were promoted out of their turn.

303. *Mr. Taylor.*] In February, 1897, there was a batch of promotions of constables to the rank and pay of first-class constables, and two included in the list were Frederick Charles Smith and Timothy O'Rorke: Were they promoted by virtue of seniority? Those are the two men I have just alluded to.

304. They were promoted for special reasons?—Yes. The man Smith was formerly an officer in the Force, and I am not sure whether he resigned or was retrenched, and he got back as a constable. I recommended him for promotion, as he was a good officer. Constable O'Rorke did some clever identification work at Otaki.

305. Is it not a rule, where there are special reasons for promotion out of order, that they are gazetted?—Yes.

306. Were any special reasons gazetted in these cases?—No. It was my mistake only; it was an oversight.

307. As a matter of fact, did not these two promotions form the subject of Ministerial consultation?—No; they were purely from myself. I always had an eye on the man Smith up the Wairarapa. O'Rorke was stationed at Otaki, where a great many people passed through by the trains, and he had led to the capture of two or three thieves. The promotions were purely on my own responsibility. I remember the Minister asked me if I was quite sure they were all right. There was no political influence whatever in either of these promotions.

308. The Minister did ask you whether it was all right?—Yes, whether I was justified in making the recommendations to him, "because," he said, "I know nothing about the men"

309. Eleven other men were promoted to be first-class constables in the same batch. Were they all promoted according to their seniority?—Yes.
310. When was a man named William J. Rist made a second-class constable?—On the 8th February, 1892.
311. When was he made a first-class constable?—On the 1st February, 1897.
312. Were there other second-class constables who had been second-class constables before Rist was promoted in 1897?—No; he was top of the list.
313. Had he been in the Permanent Artillery?—I do not know.
314. As a matter of fact, was not Constable Flewellen entitled to promotion?—Yes.
315. When was he promoted to be a first-class constable?—Last September.
316. As a matter of fact, was not Flewellen senior to Rist?—No; Rist was reduced.
317. Why did he have preference over a man who had a clean record?—Because he goes to the top of the next list, unless he is reduced so many steps down that particular list. If it is thought that to reduce a man from first to second is not sufficient punishment, he is reduced, say, ten steps down the list; but it would be a terrible punishment to put a man at the bottom of the next list.
318. Do you not think that the rank-and-file of the Force should know why Rist is promoted, when a number of men know they are his seniors in the class?—They know they are not his seniors.
319. There was Constable Michael Hastings: When was he promoted to be a first-class constable?—In February, 1897.
320. When was he promoted to second class?—On the 1st April, 1882.
321. When was Dennis Brosnahan promoted to second class?—On the 1st April, 1882.
322. And Robert McLellan?—On the 1st April, 1882.
323. And Michael Leahy?—On the 1st July, 1882.
324. And John Hazlett?—On the 1st July, 1883.
325. And Eugene Egan?—On the 1st July, 1883.
326. And James Gleeson?—On the 1st July, 1883.
327. And William Folley?—On the 1st July, 1883.
328. And James Franklin?—On the 1st July, 1883.
329. And when were they made first-class constables?—On the 1st February, 1897.
330. I think on the 7th March, 1898, it was publicly notified that Sergeant O'Grady was to be removed from Oamaru to Invercargill. Was there any special reason for the order, other than the efficiency of the Force?—No. I think he had been a long time at Oamaru.
331. It was just to secure the efficiency of the Force?—I think so.
332. Was he removed?—No; he is still at Oamaru.
333. Can you tell me why he was not removed?—The Minister told me not to remove him.
334. Can you tell the Commission what Minister gave that order?—Hon. Mr. Thompson.
335. Did he tell you whether any members of the House had interfered on that man's behalf?—No.
336. He did not mention any names?—No.
337. Did you not have a communication from any member of the House, or from any one else?—No; I do not think so.
338. The Minister interfered with the transfer?—The Minister told me not to carry it out, personally.
339. I suppose that kind of interference happened on more than one occasion?—Oh, yes. It is perfectly impossible for any Minister to resist the pressure brought to bear in regard to these transfers. That is why I say it should be left entirely to the Commissioner of Police. I may state that Justices of the Peace, members, and everybody else, put every opposition in the way of transfers.
340. Do you not think that the result of that is that the men, recognising the Commissioner has practically no power, there is a loss of discipline and character in the Force?—Undoubtedly. If there is any disorganization in the Force, that is where it comes in, and only there.
341. You think that one is justified in supposing that sort of thing must produce disorganization?—Certainly.
342. About the same time Sergeant Macdonell was ordered for transfer from Invercargill to Oamaru?—Yes; that was consequent on the other order.
343. Was there any special consultation about this particular man?—No; the very fact of the Minister telling me to stop O'Grady naturally meant the stoppage of the man at the other end.
344. It was O'Grady who was stopped?—So far as I remember.
345. You were not told by the Minister to interfere in connection with the transfers of both these men?—No.
346. Do you remember about, some time ago, Constable Weathered, police gaoler at Timaru, being ordered to Methven?—Yes.
347. Do you remember the date?—I cannot give the date.
348. Was that order cancelled also?—Yes.
349. Do you know why?—Yes; because the Minister said it was an "Irishman's rise," and also because the constable could not manage horses. It was a mounted man's station. He would have lost about £4 per year, because he was a police gaoler, and he got a different class of pay.
350. Constable Drury, of Ashburton, some time ago was ordered to Timaru?—Yes, but because Weathered was not removed he could not be removed.
351. Which constable interfered?—Weathered.
352. Has Constable Drury since been transferred?—Yes. The reason I wanted him to go to Timaru as gaoler was because he was not qualified, according to his Inspector, for the charge of a station; and he was an old second-class constable, and I thought it rather hard lines that he should

have to do street duty. Then the next return I got in showed that he was fit for a station, and I gave him one.

353. In regard to the question of leave: I think twelve days is the annual allowance which each member can claim?—Yes.

354. What are the regulations in regard to sick-leave?—We treat each case on its merits. I think if a man is laid up through his own fault he loses his pay. Rule 39 says, "When any member of the Force is in hospital the charge for accommodation and treatment will be deducted from his pay. If suffering from the effects of his own misconduct no pay will be allowed. In ordinary cases of sickness, in the country, members of the Force will have to provide themselves with medical attendance and medicines; but in cases where illness has been occasioned by injuries or otherwise in the execution of duty a special report of the circumstances is to be made to the Commissioner. When any member of the Force has been on the sick-list for more than twenty-eight consecutive days, or more than four times during twelve months, a report must be made to the Commissioner."

355. Supposing a man were sick for, say, a month or two, you would have a report from his Inspector?—Every month.

356. Recommending further leave of absence?—It does not follow. The Inspector might report "So-and-so still sick;" and the chances are the papers would go back noted, "Please get medical report when man likely to return to duty."

357. Can you tell us from memory the circumstances connected with the promotion of Constable Mullaney from third-class to second-class? When was he appointed?—He was appointed to the Force about the end of 1884, or the beginning of 1885. He was promoted on the 1st November, 1892.

358. Was he senior in his rank at the time of his promotion?—Oh no. He was either one of those men who had seven years' service with clean defaulter's sheet, or else he was a Clerk of Court. I got an order that all third-class constables who were acting as Clerks of Court were to be promoted to second-class. If he joined in 1885, and was promoted in 1892, I take it he was one of those men with seven years' service and clean sheets.

359. Were all constables who had seven years' service with clean sheets promoted?—I think so. If I remember right I looked through the sheets myself.

360. When was Constable Thomas Mayne, now a detective, appointed to the Force?—He had been dismissed, and he was reappointed to the Force on the 28th June, 1890.

361. I should like to ask who recommended him?—I think he came from the Permanent Artillery. It appears from the papers that Constable Mayne was discharged at Napier on reduction; in consequence of reducing the Force, on the 31st July, 1880.

362. *The Chairman.*] There was no black mark against him?—Apparently not.

363. *Mr. Taylor.*] Defaulter's sheet clean?—No. He rejoined the Police Force on the 17th August, 1880. He was discharged at Dunedin on the 16th November, 1881; and rejoined the Armed Constabulary Force on the 2nd August, 1883. He was discharged on the reduction of the Force at Kawhia on the 13th November, 1884. He joined the Permanent Artillery on the 1st April, 1885, and was transferred to the police on the 28th June, 1890.

364. I want to get at the history of that man right through: he has been one of the most exceptionally treated men in the Force. Perhaps, Colonel Hume, you will tell us what this man's special history has been?—I will give you the man's own history as written by himself. He was at a place called Waikaia when he wrote it. I may preface these remarks by stating that he was a bachelor in charge of a station, which was contrary to rules. There was only one room at Waikaia; and he was there pending a new station being built, when he was brought into town, and a married man put in charge. He was one of that batch of constables acting as Clerks of Court who were promoted. This is the man's own history:—

Application of Third-class Constable Thomas Mayne, No. 579, for Compensation for Wrongful Discharge from the Force, Restoration of Past Services, &c.

THE INSPECTOR OF POLICE, DUNEDIN.

Police Station, Waikaia, 19th December, 1892.

I beg respectfully to bring under your notice that I first joined the Police Force on the 1st December, 1877, and was transferred to Hawke's Bay District in February, 1878, and appointed to the charge of Havelock station in September of that year. Shortly afterwards I returned to Napier, and was transferred to Kopua station in 1879, and promoted to the rank of second-class constable. In July, 1880, owing to retrenchment on the part of the Government, there was a reduction in the numbers of the Force, and I was discharged without reason and without compensation. I was appointed again on the 16th August, 1880, and assured by the then Commissioner (Colonel Reader) that I would soon be promoted to my former rank and get as good a station as the one I had lost, so soon as the disturbances with the Maoris were at an end. I was then engaged with the troubles with the Maoris, and sent with a party in charge of the Maori prisoners to Ripa Island, Lyttelton. After that I was transferred to Dunedin and Port Chalmers, and was again discharged on the 18th November, 1881, through no fault of my own, but simply through a misunderstanding between two sergeants—viz., John Bevin and Mr. J. Geerin, under the following circumstances: On the night of the 1st November, 1881, I was on duty in Princess Street, Dunedin. When passing the Queen's Theatre about 10.30 p.m., I observed a crowd of people rushing from the street into the vestibule. I followed them in, and found Sergeant Bevin holding a man, who he handed over to me, telling me to take him to the station and charge him with conduct calculated to provoke a breach of the peace. This I did, and when returning to my beat I met Sergeant Bevin, who told me it would be necessary to obtain the evidence of a boy named Ouiss, and when proceeding to carry out this order I met Sergeant Geerin and informed him of the occurrence, and also my instructions from Sergeant Bevin, as he (Geerin) was in charge of the night-duty relief. Sergeant Geerin then told me that I was on no account to leave my beat, but to keep a sharp look-out for fire, and that he (Geerin) would see to getting the boy Ouiss to give evidence in the case next day. With this understanding I obeyed Sergeant Geerin's order. I was then reported by Sergeant Bevin for neglecting to obtain the evidence of the witness Ouiss. When the matter came before the Inspector (Mr. Weldon), he informed me that he would recommend that I be discharged from the Force, with the result that three weeks later I was discharged. I then applied for an inquiry, which was granted, the Commissioner stating that there was really no charge preferred against me. At the inquiry which followed, before Mr. E. H. Carew, R.M., it was held that I should have obeyed Sergeant Bevin, he being senior to Sergeant Geerin. However, between them I was discharged through no fault of my own. I got no redress. I knew not what I was discharged for, nor did any person else know; yet I was discharged. I was again appointed in 1883, and sent with a detachment to Kawhia, to keep down disturbances with the Maoris. In November, 1884, there was another reduction

and I was again discharged. I was again appointed in 1885 and sent with a detachment to Lyttelton, which was afterwards turned into an Artillery corps; and I was not again appointed to the Police Force until June, 1890. My grievance is: (1) That I joined the New Zealand Police Force before I was twenty-one years of age; that my conduct and ability was sufficiently good to insure my advancement ere this time to a reasonable position and standing in the Force had I not been discharged both wrongfully and on reduction, through no fault of my own; (2) that even admitting I were guilty of an error of judgment or other slight irregularity, ought that to have been sufficient to discharge a man who during the four previous years had borne a good character? (3) that I now find myself, after a lapse of over fifteen years, in receipt of the same salary as I received when I first joined the Force in 1877; and (4) that I never left the Force to suit my own convenience, but that I was compelled to leave on each and every occasion. In consideration of the treatment which I have been subjected to, extending over a period of several years, I would respectfully ask that I be promoted to the rank of first-class constable, and that my service count from the 1st December, 1877, and that such other compensation and redress be granted me as may be considered just and reasonable. My reason for not forwarding this application previous to this was because I was desirous of giving you an opportunity of judging sufficiently as to my conduct and qualification as a constable.

Trusting that you will be so kind as to forward this for the favourable consideration of the Commissioner, accompanied by such recommendation as you may consider me worthy of while serving in your district.

THOMAS MAYNE, Third-class Constable, No. 579.

I should like now to read the report of Mr. Carew, who held the inquiry referred to. It is as follows:—

SIR,—

Resident Magistrate's Office, Dunedin, 12th December, 1881.

I have the honour to inform you that, in accordance with your memorandum of the 23rd ultimo, I have held an inquiry into the complaint of ex-Constable Mayne, and forward herewith the notes of statements made by him, his witnesses, and those called by the Police Department. There is considerable conflict in the evidence as to whether Constable Mayne was present outside the Queen's Theatre when a disturbance commenced there. Sergeant Bevin is the only person who says that he was there. Constable Mayne denies it, and his three witnesses bear out his statement to some extent. There certainly was a disturbance which extended from a passage to outside the theatre, and Constable Mayne makes an untrue statement on page 2 of his letter where he denies that there was any disturbance outside the theatre. As to the charge of neglect in omitting to secure the attendance of a boy named Ouiss as a witness at the Police Court, Sergeant Bevin says he instructed Mayne to secure Ouiss as a witness, and to ascertain his whereabouts from Goldsmith. Mayne only admits that he was told to inquire for Goldsmith, and says that Sergeant Geerin subsequently told him to proceed no further with his inquiries. Sergeant Geerin states he only told Mayne not to leave his beat to look for Goldsmith; but subsequently, after Mayne came off from his beat, he told Mayne he had looked for but could not find Goldsmith, and that he (Mayne) must get up his case as well as he could. Mayne appears to have taken no further action in the matter. I cannot find any evidence of Mayne having been wanting in courage; but in my opinion he was negligent in not carrying out his instructions to obtain evidence for the Police Court, and he is either very untruthful, or deficient of sufficient intelligence to interpret and understand instructions that are given to him.

I have, &c.,

E. H. CAREW, R.M.

On the 24th February, 1893, I wrote to Inspector Pardy, "Please inform Constable Thomas Mayne that his statement of the 2nd instant has been laid before the Hon. the Defence Minister as requested, who has directed me to state that he (Mr. Seddon) declines to reopen the matter of which the constable complains, after the lapse of time that has taken place since it was investigated.—A. HUME, Commissioner." From these papers it will be seen that Mayne, instead of being exceptionally treated, appears to have a grievance.

365. *The Chairman.*] He was subsequently taken on to the Police Force from the Armed Constabulary?—Yes, and he is still in the Force as a third-class constable.

366. *Colonel Pitt.*] He applied to be made a first-class constable; what was done about that?—He was not promoted. Here is the minute I wrote: "Inspector Pardy,—I regret I cannot re-open this case. Inspector Weldon has long since left the service, and Sergeant-major Bevin is dead. The constable in March, 1890, did not ask for a re-opening of the case, but asked to be re-appointed to the police, which the then Commissioner complied with. The case cannot therefore now be reopened.—A. HUME. 28/1/93."

367. *Mr. Taylor.*] I wish to know whether it is not generally recognised that a man who has been told off to do plain-clothes duty—that is practically detective duty—is being rewarded for intelligence and smartness, and whether men do not look forward to it?—I should think they did, though some of them have a grievance that it is very expensive, and so on.

368. It follows a good record very often?—Yes.

369. I should like to ask now whether this man Mayne does not, as a matter of fact, rank as a fourth-class detective?—No, he simply ranks as a plain-clothes constable without any allowance, pay, or standing as a detective.

370. He is not in the detective branch?—No.

371. Do you not classify him with the detective branch of the service?—No.

372. I would like to ask what special circumstances there were in connection with his being made a plain-clothes constable, because Stipendiary Magistrate Carew said he was lacking in intelligence?—He applied for employment in the detective branch of the Police Force at Dunedin on the 14th March, 1895, and the Inspector sent it up to me on the next day with this minute: "The Commissioner.—I forward you this application of Constable Mayne for transfer to Invercargill as detective, but in justice to the service I cannot recommend it. It is possible after some training he may develop into a detective, but to place him at an important station like Invercargill would be very detrimental to the service and unfair to the public who look to the police for protection.—WILLIAM S. PARDY, Inspector. 15/3/95." He was not sent there, but was put on plain-clothes duty to work up, as Mr. Pardy suggests he might possibly work up to a detective.

373. Had you no other man among the 494 members of the Force who was more qualified than Constable Mayne for that particular duty?—I would not say I had not.

374. Was he not, in fact, subject of special ministerial recommendation?—Yes; in fact, I am sure it was a member of the House who recommended him specially.

375. *Colonel Pitt.*] Was it a Minister who interfered for his promotion?—The Minister told me to order him to do plain-clothes duty.

376. *Mr. Taylor.*] Might I ask whether the Minister saw Inspector Pardy's report?—Yes.

377. *Colonel Pitt.*] Colonel Hume also said that a member of the House urged the Minister to do this?—Quite so.

378. *Mr. Taylor.*] I would like to ask what member of the House interfered?—Mr. Millar. member for Dunedin.

379. I think within the last two years a special order was issued that all constables who were fitted to take charge of country stations should be employed as Court orderlies in rotation: do you remember that order?—Yes. I find it is as follows: "Court Orderlies.—The appointment of Court Orderlies will in future be held for three months only, and Inspectors, in selecting men for the post, will choose those who are likely to be appointed to charge of a station where they may be required to perform the duties of Clerk of Court, as it is considered their service as Court orderlies will give them a certain insight into the duties required of a Clerk of Court, and so be beneficial to the service.—A. HUME, Commissioner of Police.—Wellington, 18th May, 1896." I found that men were fixed permanently as Court orderlies, and I said they should be relieved occasionally.

380. Was Constable Mayne Court orderly at that time?—I do not know; he was at Dunedin at that time.

381. Do you know whether any special correspondence took place about Constable Mayne being a Court orderly?—I do not think so. I may have said, "Make him a Court orderly at Dunedin," for some reason or other.

382. As a matter of fact, was he not ordered to do street duty, and declined, and appealed to headquarters, and a telegram was sent down saying the order was not to apply to Constable Mayne?—I do not remember. I will look up the papers.

383. Is there no record of Constable Mayne having protested against that order and having been exempt?—I do not think so. I cannot find anything. He would protest to his Inspector, and it would not go any further. You can inquire from Inspector Pardy when the Commission is in Dunedin.

384. I should like to ask you, Colonel Hume, whether you know of any cases of officers of any rank who have been retired upon compassionate allowances and subsequently reinstated in the Force?—I do know of a case, but the man is not living now. Inspector Moore was retired as an officer on compensation, and about five months after was appointed as sergeant-major.

385. Did he refund his compensation?—No.

386. Do you remember what he got as compensation?—About £700.

387. *Colonel Pitt.*] When was this?—On the 1st December, 1891.

388. *The Chairman.*] I should like to know how he came to be reappointed sergeant-major: Did he apply?—I did not recommend him; I was simply told to take him on, and send him to Gisborne.

389. *Mr. Taylor.*] I would like particulars in connection with the appointment of Constable Fane Strange Cox?—He was one of those night-watchmen I described yesterday. He was taken on by me for special duty, and I promised them both—there were two appointed—that if they did this duty of looking after the Government Buildings satisfactorily I would do my best to get them appointed to the police through the Permanent Artillery. They were both appointed to the Permanent Artillery, and Cox, after serving one year and three months there, was transferred to the police. He is now acting as detective in Wellington.

390. Did he ever do street duty?—I cannot tell.

391. Were there not some exceptional circumstances in connection with getting him into the Permanent Artillery: Was he not too short?—Yes, I think by a quarter of an inch.

392. That obstacle was overcome?—Yes; because he had done good service as night-watchman.

393. Did you interfere specially for him?—I could not say. I think I said I would recommend, if he did this special duty well, as I was very nervous myself at the time.

394. Do you know if he had any previous training as a policeman before he did this night-watchman's duty?—I am not sure he had not.

395. And yet he was made a plain-clothes constable?—I do not know whether he was appointed plain-clothes constable right away.

396. That is a position usually filled up by men having experience?—No; that matter is entirely and solely in the hands of the Inspector of the district. If an Inspector likes to put his youngest man on detective duty I am not going to interfere. He is responsible, and not I.

397. Was he made a plain-clothes constable on the recommendation of the Inspector?—He was made so by the Inspector.

398. What detectives were sent over to Blenheim in connection with the Satherley case?—Detectives Broberg and Cox.

399. That was an important case was it not?—Very.

400. Involving a question of murder?—It is a matter of opinion; I do not think it was murder myself.

401. That was supposed to be the issue?—Yes.

402. Was Detective Broberg an experienced detective?—He is a very good man.

403. Do you remember how long he has been in the Force?—He was appointed on the 7th January, 1895. However, I think another man went over first. Here, again, you see these are questions which should be put to Mr. Pender. He runs his own district.

404. *The Chairman.*] It is a matter of detail in which you do not interfere?—Yes; the only thing I happen to know of the case is that I saw the report afterwards. I saw Inspector Pender's report, and I saw that Cox was over.

405. *Mr. Taylor.*] Was he not very soon made a plain-clothes constable also?—I think so; very soon afterwards. I think he came from the South first.

406. It will be a matter for the Inspector entirely to choose the men sent over to investigate the Satherley case?—Yes.

407. On general lines, do you think it is a wise thing to select two practically inexperienced men to investigate such a case as the Satherley case?—I would say it is not. Mr. Pender may have thought it was the best material he had to send.

408. Do you know whether Cox has been within the last few months (July of last year) mulcted in damages to the tune of £25 for wrongful exercise of power as a detective?—I think so; but I may also add there were two men in it. He was junior, and he simply did what the other told him.

409. The inference is that he was fined because he had never been trained in his duty. Do you know whether he was the detective officer or plain-clothes constable of whom the Defence Minister said in the House he would like to have fifty more like him?—I do not know to whom the Minister referred.

410. I would like to ask whether Broberg or Cox were appointed on your own motion, without any consultation with the Minister?—Cox came from the Permanent Artillery. I told him I would do my best to put him in; and Broberg, I think, came from the Permanent Artillery too.

411. Have you the papers in connection with the retirement of Constable Black on compensation?—Yes; I will read the papers of the case. The first is: "Police Station, Rakaia, 8th May, 1890.—I beg to report that, whilst out on mounted duty yesterday making inquiries as to further evidence in the case *Regina v. George White, alias Clifford, alias Ross*, at Charles Angus's, where the horse was stolen from, and when returning to the station along the Pound Road, which is unformed, the horse stumbled and fell on his head, and I was thrown with considerable force, and in endeavouring to save myself I wrenched my back severely. I beg to append the doctor's certificate, and would respectfully ask that a constable be sent here for a few days, or until I am able to resume duty, as there is a considerable amount of work on hand here at present.—J. BLACK, Constable 264." This is minuted: "Forwarded to the Inspector. I have sent Constable McGill to Rakaia to take charge during the time Constable Black is laid up.—HENRY W. FELTON, Sergeant." He was in charge of Ashburton. The medical certificate reads: "I certify that Constable Black, who has severely strained the muscles of his back, is unfit for duty, and it will be some days before he is able to resume it.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 7th May, 1890." The next letter is from Constable Black, as follows: "Police Station, Rakaia, 5th June, 1890.—In consequence of the non-recovery from the injuries I received to my back and loins from a fall from the troop horse on the 7th ultimo, whilst on mounted duty making inquiries at Somerton in the case *Regina v. White* charged with horse-stealing, Dr. Cordner who has been attending informed me that I will probably be laid up for an indefinite period, and from the nature of the injuries I received will probably suffer from chronic weakness in the back. Dr. Cordner's certificate is herewith attached. I would beg to suggest that in consequence of the foregoing, if permitted, and that my officer deems me entitled to compensation for my past service, I will herewith tender my resignation as a member of the Police Force, and as Clerk of the Resident Magistrate's Court here.—JOHN BLACK, Second-class Constable, No. 264." It is minuted, "Forwarded to the Inspector, and I respectfully request the application may be favourably recommended for the Commissioner's consideration.—HENRY W. FELTON, Sergeant.—7th June, 1890." The doctor's certificate reads: "I certify that Constable J. Black, of Rakaia, is still unfit for duty, owing to the severe strain of back suffered by him some time ago, and I consider it will be a considerable time before he will be fit to resume duty.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 5th June, 1890." It appears that the Defence Minister was unwilling to grant compensation, because he minuted the papers, "Inquire from Dr. Cordner whether he considers Constable Black has sustained a permanent injury, and, if not, when he will be fit for duty.—W.R.R., 13/6/90." This certificate reads: "At the request of the sergeant of police at Ashburton I have this day specially examined Constable Black of Rakaia, who has been suffering from an injury to his back. I find that probably there will be no permanent disablement, but care will be required for complete recovery, and, as rest is essential in all strains, and more particularly where back or spine is involved, I should recommend four to six months freedom from all duty. It is important to bear in mind that in injuries of back or spine symptoms are frequently latent, so that after weeks of apparent health grave complications may arise.—LOUIS M. CORDNER, L.R.C.P.—Rakaia, 18th June, 1890." The Inspector at Christchurch writes on the 21st June, 1890, to the Commissioner of Police: "In compliance with the instructions contained in your memorandum dated the 13th instant, *re* Constable Black's case, I beg to forward a certificate from Dr. Cordner dated the 18th instant, from which you will observe that the doctor, after a further examination of the constable, is of opinion that possibly there will be no permanent disablement, but that care will be required for complete recovery, and he recommends from four to six months' freedom from all duty. From the concluding paragraph of the doctor's certificate, even with care and rest, grave complications may arise. I may state that I was at Rakaia and saw Constable Black about a fortnight after the accident occurred, and he certainly appeared as if he had received a very severe shaking.—P. PENDER, Inspector." It appears this last letter was submitted to the Defence Minister with the following minute: "It seems to me that under the most favourable circumstances this is a case in which it would be better to pay the man off and let him go.—W. E. GUDGEON, 23/6/90." This is further minuted, "Approved.—W.R.R., 24/6/90." And Inspector Pender is advised on the following day, "Discharge Constable Black on 30th. Voucher for compensation prepared here.—W. E. GUDGEON."

412. Now, when was he reappointed?—He never has been reappointed.

413. Is he not in the service now?—No.

414. Do you remember the case of Constable Cullinane: Was he discharged from the Force on compensation?—Yes.

415. Was he reinstated?—Yes; he was discharged before my time, but was taken on after my time.

416. Can you tell the Commissioners the circumstances of his being retired?—Yes. Cullinane, who was then stationed at Martinborough, reports on the 17th April, 1890: "I respectfully beg to state that, on the 31st March, I proceeded to Te Awaite inquiring for Thomas Lamb, required as a witness in Hawke's Bay, and Edward Beach, charged on warrant with wife desertion. The back country lying towards the East Coast in the Martinborough police district is extremely rough, and in places very hilly, and the roads at all times of the year rugged and rough. When proceeding on the date above mentioned to Te Awaite I experienced a great shaking when riding on a narrow and steep track over a gully crossing the Stoney Creek between Waipawa and Te Awaite. My troop-horse cleverly avoided falling with me, but while struggling to recover himself I was thrown forward on to the saddle, and one of my testicles was very much bruised. On my return to the station the following day I suffered great pain and was otherwise in bad health. Since my return, 1st instant, I have been employed on mounted duty, and on each occasion have suffered exceedingly, so much so that I was compelled to request permission to proceed to Masterton on the 16th instant, and then consulted a medical man as to my state of health; and the result of the examination I now respectfully lay before the department. The attached is Doctor Hoskings's certificate. In laying this matter (a very serious circumstance to me) before the authorities I must acknowledge the very kind consideration I have always received at the hands of my superiors, but having suffered so much lately, and having done my best to avoid reporting the matter, I feel I must now in consequence of my ill-health ask the kind consideration of the Commissioner with the view of obtaining sick-leave, as I am unable to discharge the duties of my district.—JOHN CULLINANE, Constable." The doctor's certificate reads: "I certify that Constable John Cullinane has been examined by me this day, and that I find him suffering from fever (nature of which, from short acquaintance with the case, I am unable positively to define, but, judging from previous symptoms, might be mild typhoid), and that from further examination I find him suffering from injury of testicle (varicocele), and have strongly advised him to abstain from horse exercise under all circumstances, but that by use of a proper suspensory bandage he would be perfectly fit for foot duty.—WILLIAM H. HOSKING, M.R.C.S., England.—Masterton, 16/4/90." Well, on that he got fourteen days' leave, and I suppose he came to Wellington, because there is a certificate then from Dr. Fell, for Dr. Collins, as follows: "I have examined Constable John Cullinane this day and find him suffering from a large varicocele, or enlargement of the veins of the testicle. This condition causes him pain, and unfits him for any severe strain or long hours of duty.—W. FELL, M.B.—1st May, 1890." Then, on the 1st May, 1890, the constable reports he is unfit to carry out police duties at all, and asks for compensation on retirement. This is minuted, "I would suggest that he be allowed to retire on compensation.—W. E. GUDGEON, 2/5/90," and "Approved.—W.R.R., 2/5/90."

417. *Colonel Pitt.* What was the amount of compensation?—£139 19s.

418. *Mr. Taylor.*] He has been reinstated?—Yes. He applied for reinstatement on the 12th June, 1891. The Hon. the Defence Minister, Mr. Seddon, says, in regard to Cullinane, on the 28th September, 1891, "Take on when vacancy occurs as third-class constable."

419. Have you any record there of who recommended him for reappointment?—He wrote himself. I minuted that application, on the 18th June, 1891, "Place name on the list of applicants." I wrote and told him that his name had been placed on the list, but that, as there were so few vacancies and such a large number of names registered of men now serving in the Permanent Artillery, that I could not hold out much hope of his request being granted.

420. Then, immediately following that, he must have made some other application?—The next letter on his file is a letter to A. W. Hogg, Esq., M.H.R., from the Minister, as follows: "15th September, 1891.—Sir,—I have the honour to acknowledge the receipt of your letter of the 1st and 9th instant, recommending ex-constable John Cullinane to be again employed in the Police Force, and to inform you, in reply, that this man's name has been placed on the list of applicants, but, as there are very few vacancies, and many of the Permanent Militia now waiting have very strong claims for transfer to the police, I do not think there is much chance of this man being appointed." On the 28th September I got orders to take him on when a vacancy occurred.

421. From the Minister who signed the letter on the 15th September, saying that there was no vacancy or likely to be a chance of a vacancy?—Yes.

422. Which meant he was to be appointed out of his turn?—I did not say so.

423. Does it not mean that?—It means when a vacancy occurs.

424. *Colonel Pitt.*] When was he taken on?—On the 17th October, 1891.

425. Did he refund his compensation?—I am quite sure he did not refund. A long time had elapsed between his retirement and reappointment.

426. He made that a condition of his reinstatement, but did not carry it out?—They all say that.

427. Have there been many cases of men being reported for charging wrong amounts for forage? Have any officers been punished for that offence? Do you remember the case of Sergeant Wilson, of Akaroa, being reported by Constable Whitty for obtaining money under false pretences?—I do not remember the case; but no doubt the papers are in the office, and we can produce them. There have not been many cases.

428. Do you remember any at all?—Yes, one.

429. In addition to the one I suggest?—Yes, a case at Raglan, through which Constable John Ryan was brought into the station at Auckland.

430. Can you produce the papers?—Yes.

431. I would like to take the case of Constable Patrick McGill: Do you remember the occasion of McGill being dismissed from the Force?—This is another case which, in order to understand it thoroughly, I shall have to start from the commencement.

432. When did McGill join the Force?—On the 28th February, 1865.

433. When was he dismissed?—He was not dismissed at all; apparently he resigned on the 17th November, 1890.

434. Do you remember the special circumstances connected with his resignation—immediately preceding it?—I think, so far as my memory serves me, he was drunk on the racecourse.

435. Did you see him drunk on the racecourse?—I certainly did not see him.

436. Would you read the report in connection with the case?—This is from Sergeant McDonald, who, I think, was in charge next to Inspector Pender at Christchurch: "Police Station, Christchurch, 5th November, 1890.—I beg to report that at 4.20 p.m. on this date Constable Cullen informed me that he had been sent from the racecourse in charge of the constable named marginally (Patrick McGill, first-class constable No. 22) by Sergeant Briggs, who was in charge on the course. I saw the constable, who was under the influence of drink, and unfit for duty. I informed the constable that he was to consider himself suspended, and remain at the station until further orders. Later on I told the constable he could go to his station, and that he was to report himself at this office at 9 a.m., 6th November, 1890.—ALEX. McDONALD, Sergeant-major." This is minuted, "The Sergeant-major.—Please instruct Constable McGill to give any explanation he wishes. The Commissioner will investigate the case at 9 o'clock a.m. to-morrow, when the constable and witnesses must be present here.—P. PENDER, Inspector, 6/11/90." The next paper reads: "Police Station, Christchurch, 5th November, 1890.—*Re* Constable McGill.—I beg to report that on this date, about 3 p.m., I saw the constable above-named under the influence of drink while doing duty at the Riccarton races. He was attending to the outside totalisator on the course, but owing to him being in such a state I deemed it advisable to send him home to Christchurch in charge of Constable Cullen. When I spoke to Constable McGill about the matter, he said that he was suffering from a severe headache, and had only taken a little liquor to relieve his pain. See Police Regulations, section 62.—JOHN BRIGGS, Sergeant, 175." The next reads: "Police Station, Christchurch, 7th November, 1890.—I beg to report that in accordance with the Inspector's instructions last night I sent a mounted constable with an order to Constable McGill to either deny or admit the offence with which he is charged. The constable (Allman) returned after 11 p.m., and informed me that he went to Phillipstown station, and was informed by Mrs. McGill that the constable was not at home. The constable has not as yet complied with the order (8.40 a.m.).—ALEX. McDONALD, Sergeant-Major." Then my minute follows: "Inspector Pender.—As Constable McGill has failed to appear at your office at 9 this morning, and as he was absent from his station last evening when under suspension, he has only aggravated the first offence, which is of itself the most serious; but as he has very long service I will not dismiss him, but his services are dispensed with from date of suspension.—A. HUME, 7th November, 1890." On the same paper there is the second minute as follows: "The constable appeared a few minutes later, and cross-examined the sergeant-major and Sergeant Briggs, but did not shake their evidence.—A. HUME, 7/11/90."

437. *The Chairman.*] Is that man in the service now?—Yes.

438. *Mr. Taylor.*] You dispensed with his services, but you did not dismiss him: you allowed him to resign?—Yes. That appears clearly to indicate that at that time I had power to dismiss. That was the 7th November, 1890.

439. Was that under Captain Russell's administration?—Yes. Captain Russell was in office until the 24th January, 1891. The next paper on the file is a telegram dated the 13th November, 1890, as follows: "Colonel Hume, Wellington.—Regret Constable McGill been discharged through breach of regulations. Have known him several years. Always thought most efficient officer. Pleased if could reinstate.—S. MANNING, Mayor of Christchurch." To which I replied on the 14th November, as follows: "His Worship the Mayor, Christchurch.—Am sorry to say that Constable McGill's offence is so serious that the punishment, which is in accordance with clause 62 of the regulations, cannot be altered. As the offence was so public, his reinstatement would be disastrous to the discipline of the Force.—A. HUME."

440. Do you remember, Colonel Hume, whether you had any conversation with Captain Russell about this case, or whether he was approached in the matter?—I do not think I had.

441. Were there any other requests for his reinstatement?—There is a petition here, dated "Christchurch, 17th November, 1890.—To the Hon. the Minister of Defence, Wellington.—The undersigned ratepayers and householders of the police district lately under the supervision of Constable P. McGill beg respectfully to draw your attention to the following facts: Constable McGill has been a member of the New Zealand Police Force for more than twenty-four years. For the past twelve years he has been in charge of the Phillipstown district. During the whole of the above time (twelve years) Constable McGill has by his courteous manner and polite but strict attention to his duties earned the respect of all who came into contact with him. We have lately been pained and surprised to hear that Constable McGill has misbehaved himself in such a manner as to deservedly earn the displeasure of the Commissioner of Police, who has dismissed the constable from the Force. We acknowledge that breaches of duty on the part of constables require prompt punishment, but taking into consideration the constable's long service (over twenty-four years), we think we are justified in asking you to be kind enough to review his long career in the service and his previous good conduct, and to reconsider the case, if not with a view of re-admission into the Force, at any rate to consider whether a long-service bonus may not be granted to him." The first signature is J. Ollivier, formerly Resident Magistrate for the district, and there follow eighty-four other signatures.

442. What was the result of that?—There is a letter dated the 5th December, 1890, as follows: "*Re* petition dated Christchurch, 17th November, 1890, to the Hon. the Minister of Defence. The same has been submitted to the Hon. the Defence Minister, who has directed me to inform you that Police Regulation No. 62 states that drunkenness on duty will invariably be punished by dismissal or enforced resignation, and in Constable McGill's case it was a bad case of drunkenness on account of its being in a public place—namely, the racecourse—and in the sight of a large concourse of people. The constable was in consequence of his long service allowed to resign instead of being dismissed, but the Hon. the Defence Minister is unable to grant him compensation, and

declines to reinstate him.—I have, &c., A. HUME, Commissioner.—To J. Ollivier, Esq., J.P., and those who signed the petition." When this petition came in, I wrote to the Defence Minister as follows: "This matter has been already before you, and you were pleased to approve my decision. The constable was allowed to resign on account of his long service and was not dismissed. I know of no Act that admits of a man being granted compensation on resignation." This was minuted, "Approved.—H.A.A."

443. Was there further correspondence in regard to his reinstatement?—Yes. The next is a petition as follows: "Christchurch, 30th April, 1891.—To the Hon. R. J. Seddon, Minister of Defence, New Zealand.—The petition of Patrick McGill, late a constable of the Police Force of New Zealand, humbly sheweth as follows: (1.) That your petitioner was discharged from the Police Force on the 5th November, 1890, on account of a charge of his having been intoxicated whilst on duty at Christchurch races. (2.) Your petitioner respectfully begs to state that it was purely an accident his getting under the influence of drink, and the same was caused by meeting some old West Coast friends on the racecourse and having a glass or two with them, very few indeed; but not being in the habit of drinking intoxicating liquor for a considerable time previously to the unfortunate occurrence now referred to, caused a small quantity of liquor to affect his head and to excite him. The petitioner deeply regrets the circumstance, and if the Hon. the Minister pardon him, such an occurrence will never happen again. (3.) Your petitioner has had a long service in the New Zealand Police, having joined in 1865, and served thirteen years on the west coast of Middle Island in the flash times of the diggings and saw there a great deal of rough service, and your petitioner can confidently say that he always did his duty honestly, fearlessly, and to the best of his ability. (4.) In conclusion, your petitioner respectfully urges that you will favourably consider his case, and take into consideration that having been six months out of the Force, that his offence is sufficiently punished, and be pleased to order the petitioner to be reinstated in the service, and for which your petitioner will ever pray.—PATRICK MCGILL."

444. That was from McGill to the new Minister of Defence?—Yes.

445. What was the result?—Mr. Seddon minuted the petition as follows: "I think Inspector Broham knows Constable McGill. Ask his opinion. Also ask Inspector Pender to report—(1) On the charge for which McGill was called upon to resign; (2) generally upon McGill's conduct as a police-officer; (3) whether the offence has been, by the constable being out of the Force now some twelve months, sufficiently punished."

446. What was the date of that minute?—12th May, 1891.

447. When was he dispensed with?—On the 7th November, 1890. The next paper on the file is a copy of a letter from Mr. Broham to the Commissioner, dated 1882, which was sent up *re* Mr. McGill at this time. Mr. Broham says, "With reference to your memorandum of the 25th instant accepting the resignation of Detective John Neill, and approving the appointment of Sergeant Hughes of this station as fourth-class detective in his stead, I have the honour to recommend that Constable Patrick McGill, now in charge of St. Albans Station, be appointed third-class sergeant to replace Sergeant Hughes. Constable McGill has been in the Force about seventeen years, is a well-conducted constable, and has been in charge of various stations in the Westland District as well as this for many years." The next paper is a memorandum from myself to Inspector Pender, carrying out the request of the Minister, and the Inspector replies as follows:—

SIR,—
New Zealand Police Department, Inspector's Office, Christchurch, 20th May, 1891.
In compliance with the instructions contained in your confidential memorandum, attached, dated 18th instant, relative to the application of the late Constable Patrick McGill to be permitted to re-enter the Force, I have the honour to inform you that in the absence of the papers in the case, which were forwarded to your office on the 10th November last, the particulars of the charge are given from my recollection of the circumstances, as follows: (1.) McGill was on duty with several other members of the Force at the Riccarton Racecourse on the 5th November last. Some time after lunch on that date Sergeant Briggs, who was in charge of the men, reported to me that the constable was under the influence of liquor and unfit for duty. I instructed the sergeant to suspend him, and he was sent to Christchurch in a cab. The constable was not disorderly in any way, but was so far under the influence of liquor as to render him unfit for his work in a police point of view. On the 7th November the constable was brought before the Commissioner of Police, who was here at the time, on the charge of being under the influence of drink while on duty at the racecourse; and, having pleaded guilty to the charge, was dealt with by the Commissioner in the manner shown by the defaulter's sheet attached to the papers. (2.) McGill joined the Force on the 28th February, 1865, and was appointed first-class constable 30th April, 1877. He has also received the New Zealand medal for long service and good conduct. He was once fined £1 for being drunk when not on duty, 13th April, 1882, over eight years previous to the time of his discharge. He was for several years in charge of stations in the Westland District and up to the time of his leaving the Force in this district, where he has served under my command for upwards of eight years, and performed his duties with zeal and efficiency. I formed a very high opinion of his character, and was very much surprised when informed of his condition on the racecourse. The district clerk here informs me that Mr. Inspector Broham, my predecessor, also entertained a very high opinion of McGill. I attach a copy of a letter from Mr. Broham to the Commissioner, dated 27th July, 1882, in which he strongly recommended Constable McGill for promotion to the rank of third-class sergeant. (3.) McGill brought up and educated a very large family of children in a highly creditable manner, and he could not possibly have saved anything. I believe at the time he left the Force he was in poor circumstances. This, together with the loss of his position and service, must have caused him great pain of mind and suffering. Taking into consideration McGill's long and faithful service, over twenty-six years, and his general good conduct in the Force, I think I am justified in respectfully recommending his case for favourable consideration.—I have, &c.,

P. PENDER, Inspector in Charge, Canterbury and North Otago Districts.

448. *The Chairman.*] What was the result of this reply from Inspector Pender?—There is a telegram, sent on the 28th May, 1891, to Mr. Patrick McGill, as follows: "Referring to your petition dated the 30th ultimo and addressed to the Hon. the Defence Minister, I am directed to inform you that if you report yourself at the Police Station, Wellington, you will be appointed to the Police Force as a first-class constable from the 5th June next.—JOHN EVANS (for Commissioner)."

449. *Mr. Taylor.*] Was he a first-class constable when he was dismissed?—Yes.

449A. And he was reinstated in his old rank?—Yes.

450. Do not you consider that a very great discouragement to other men in the Force?—I must decline to answer that question. It was not for me to think at all. I did as I was told.

451. I think it is a fair question. Is it not likely to cause well-grounded dissatisfaction, and lead to disorganization?—No, not under the circumstances in which the report was made.

452. I want to ask whether that telegram ordering his reappointment was sent directly under the instructions of the Defence Minister, Mr. Seddon?—Yes. When the report from Inspector Pender came in I wrote as follows: "The Hon. the Defence Minister.—Mr. Broham informed me verbally that McGill was a very good constable when he served under him on the West Coast some years ago; and Inspector Pender now gives him a very high character, and recommends his case for favourable consideration. Taking into consideration that he has now been over six months out of the service—a heavy punishment in itself—and he has been a first-class constable for thirteen years and in the Force some twenty years, with a good character, I recommend he be taken back into the Force from the 5th proximo, and that he be placed at the bottom of the list of first-class constables.—A. HUME. 22/5/91." This is minuted, "Approved.—R. J. SEDDON. 23/5/91."

453. Do you know if Constable McGill was formerly stationed on the West Coast in the Township of Kumara?—Somewhere on the West Coast, but I do not know where.

454. About 1893 or 1894 Constable McGill had a very lengthy sickness, I think?—I will have to get the papers.

455. What was the longest sick-leave which Constable McGill obtained?—Two separate leaves of one month each, in 1895.

456. Did he apply for the second month?—Yes.

457. I think the records are wrong. I think it will be found that McGill had several months' consecutive sick-leave on full pay, and the last month of his leave, I am informed, was telegraphed to him without his making any application?—I will produce the papers referring to it.

458. Where is Constable McGill now?—In Addington.

459. He has been reinstated in his old rank, alongside of his colleagues from whom he was dismissed?—Yes.

460. Do you know what occupation he followed whilst out of the Force?—I have not the slightest idea.

461. You do not know that he was landlord of the Garrick Hotel while he was out of the Force?—I do not know.

462. Was Constable McGill allowed to retain his long-service pay of 1s. a day after he was reinstated?—Yes.

463. Now, take the case of Sergeant Frederick Percy Carlyon: do you remember him being charged with being drunk, using obscene language, and being guilty of an assault in a hotel during prohibited hours, I think at Dargaville?—I remember he was reduced for an irregularity, but what it was I cannot say without seeing the papers. I remember him being accused of being drunk and with using obscene language, and committing an assault, but the latter was not during prohibited hours.

464. Was he punished by being reduced from the rank of sergeant to third-class constable?—Yes.

465. That was in 1893?—Yes.

466. He has been promoted since?—Yes, to the rank of first-class constable.

467. And put in charge of the Featherston Police-station?—Yes; but he was in charge of a station before that.

468. Is he Inspector of licensed houses now at Featherston?—Yes.

469. Will you tell the Commission what were the special circumstances connected with this man's promotion to rank of first-class constable. You do not remember who interfered on his behalf specially?—No, not without the papers.

470. Have you the papers now in connection with the retirement of Constable Hattie on compensation?—Yes. The first paper reads: "Police-station, New Plymouth, 7th January.—Application of Third-class Constable No. 260, Alexander Hattie, for his discharge from the New Zealand Police Force on compensation, owing to ill-health: I respectfully beg to request that the officer in charge of the district will recommend and forward for the approval of the Commissioner this the constable's application for discharge on compensation. For some time past I have been in a delicate state of health, owing to illness contracted while on duty; and I am now informed that if I continue the duty of a constable, when I am necessarily subject to exposure, that I shall be liable to be seized with illness which might terminate fatally. In support of my application, I would beg to state that I have served for a period of thirteen years and a half in the New Zealand Constabulary Force. Medical certificate attached.—ALEXANDER HATTIE, Third-class Constable No. 260." This is forwarded to the Commissioner of Police, Wellington, by the Inspector, with the following report: "I have the honour to inform you that the constable named in the margin (Alexander Hattie, Third-class Constable No. 260), stationed in New Plymouth, has been in delicate health for a long time past, and from the 16th of last month has been unfit for duty, and, so far as I can learn, there is little prospect of his being able to resume duty for a long time, if ever. Under these circumstances, I would recommend his discharge from the Force on the usual compensation. He is a respectable, intelligent man, and during the time he has been in this district, apart from his ill-health, he has performed his duties in a very satisfactory manner—so much so that I am very sorry having to recommend his discharge. I enclose a medical certificate from Dr. Leatham, who is his medical attendant.—I have, &c., W. S. PARDY, Inspector." This certificate reads: "I certify that I have professionally attended Constable Alexander Hattie, of New Plymouth; that he has recently had a severe illness, contracted from exposure whilst on duty; that he is now in a debilitated condition, and is, in my opinion, an unfit subject for the work of a policeman, such occupation being injurious to his constitution, and likely to be attended by serious results if he continues to be exposed to the effects of climatic influences as he has been of late. I have advised him to resign his post on account of the injurious effect the work has had on his health, and also in anticipation

of evils to come should he continue in the same line of occupation.—H. B. LEATHAM, M.R.C.S., L.R.C.P.—New Plymouth, 6th January, 1890.” Then follows: “Inspector Pardy, New Plymouth.—You may discharge Hattie. Voucher for compensation (£138 12s. 8d.) passed on this date.—W. E. GUDGEON, 17th August, 1890.” It appears this man had been in the Force before, and had resigned, and Major Gudgeon submitted this to Captain Russell, who wrote, “Compensation must be reckoned on his last term of service only. As he resigned in 1877, he forfeited all claims by so doing.—W.R.R.—15/1/90.”

470A. When was he reinstated?—He writes on the 27th February, 1891, as follows:—

SIR,—

Chelmsford House, Thorndon Quay, Wellington, 27th February, 1891.
I beg respectfully to apply for reinstatement as a constable in the Police Force. Reference to my papers will disclose that I was discharged at Taranaki on compensation as medically unfit. Having fully recovered my health (please see attached certificate from Hon. Dr. Grace), I now feel thoroughly capable of performing my duties satisfactorily; and if, therefore, you will be good enough to consent to my request, I should feel deeply grateful, and should at once refund the compensation I received on leaving.

The Hon. the Defence Minister, Wellington.

I have, &c.,

ALEXANDER HATTIE.

To this I replied on the 3rd March, 1891, as follows:—

SIR,—

Police Office, Wellington, 3rd March, 1891.
I am directed by the Hon. the Minister of Defence, in reply to your application of the 27th ultimo for reinstatement in the Force, to forward for your information copy of an application from you for retirement on compensation on account of ill-health, dated “7th January, 1890,” together with a copy of a medical certificate which accompanied that application; and to add that the Minister is not satisfied that your health is sufficiently restored to admit of your being taken back into the Force.

I have, &c.,

A. HUME, Commissioner.

Mr. A. Hattie, Chelmsford House, Thorndon Quay, Wellington.

471. *Colonel Pitt.*] Who was the Minister?—Mr. Seddon.

472. *The Chairman.*] When did Mr. Seddon take over office?—On the 24th January, 1891, as Defence Minister; and Mr. Thompson on the 22nd June, 1896, on which date the police were transferred from Defence to Justice.

473. *Mr. Taylor.*] What happened after you had sent that letter?—The next thing is a memorandum of the 1st August, 1891, to Inspector Thomson: “Ex-constable Hattie has been directed to report himself at your office on Monday morning next, the 3rd instant, for duty. Please swear him in accordingly.—A. HUME, Commissioner.”

474. Will you say what passed in the way of correspondence, or interviews, between the letter in which you stated the Minister was not satisfied that Hattie was fit for reinstatement and the sending of that memorandum?—There is nothing to show.

475. You do not know who appealed on behalf of Hattie?—I would not know.

476. Is there a memorandum from Mr. Seddon bearing on the subject?—Yes.

477. What does it say?—“Please give me your views on this matter. The applicant seems a very decent fellow, and is well recommended.—R.J.S., 15/4/91.”

478. What was your reply to that?—“Mr. Seddon.—I do not think this man should be again taken on in the police. He resigned in 1877, and was medically unfit in January, 1890. Major Gudgeon says of him, ‘I have known Hattie for twelve years, and he has always been a weak-chested man.’ He is better now, no doubt, because he has had a rest from police duty; but I do not think he is fit for police work.—A. HUME, 16/4/91.” Mr. Seddon minuted this: “Matter to stand over.”

479. *Colonel Pitt.*] Did he refund his compensation?—I do not think so. I do not think there is any case of a man having refunded his compensation.

480. *The Chairman.*] In reply to the memorandum from the Minister you reported against his being taken on?—Yes. I thought he was too weak-chested.

481. You would scarcely remember, I suppose, if there was any further correspondence between the sending of that note and the date of his appointment?—There is certainly no correspondence, or it would be here on the file.

482. *Mr. Taylor.*] Do you remember any constable within the last few years—say, two years and a half—objecting to go to a station to which he was ordered, protesting on the grounds that he had reported the sergeant in charge of that station for drunkenness, and that it would be impossible for him to get on with him?—I think there was such a case.

483. Do you remember if the man was forced to go?—Probably. I should think so.

484. You do not think that would affect the discipline of the Force?—Oh, no. I would look upon that as an idle excuse.

485. You do not think it would be likely to interfere with the discipline of the man, the fact that he had to work under a sergeant whom he has had occasion to report for drunkenness?—No.

486. Nor that a superior officer is not likely to take any notice of a constable having reported him for drunkenness?—No.

487. What is the custom, so far as sergeants are concerned: are they supposed to be in charge of stations where there are no other constables?—Yes; and I have pointed out the farce of it. There is a man—Sergeant Hannan—in charge of himself, at Stafford.

488. He was transferred to some North Island station in 1892, and was away for about four months?—I believe so.

489. Do you remember anything special about his being returned? Was his return ordered by the Minister?—Undoubtedly.

490. Who was Defence Minister then?—Mr. Seddon.

491. Is Constable Donovan, who took his place, still living?—Yes.

492. Was he a first-, second-, or third-class constable?—He was third-class then; he is second-class now.

493. I would like to ask whether the police-officer named Donovan, who relieved Sergeant Hannan for four months at Stafford, was not, immediately after the return of Sergeant Hannan, promoted to the rank of sergeant?—I will have to look up the papers.

Colonel Hume : I find, in reference to constables being stationed a long time in one place, that first-class Constable Knapp has been at Spring Grove since the 1st July, 1877—I think that is the longest.

494. *Mr. Taylor.*] Have you ever recommended his transfer?—Yes.

495. And the Minister would not approve of it?—No.

Colonel Hume : I find, also, in reference to Constable Mullaney, that he was promoted because he was a Clerk of Court.

496. *Mr. Taylor.*] That means he would probably be promoted over the heads of men of equal rank, but who had not been Clerks of Court?—Yes.

FRIDAY, 18TH FEBRUARY, 1898.

Examination of Colonel HUME on oath continued.

Colonel Hume : I produce, first of all, the papers relating to the reappointment as sergeant-major of the late Mr. Moore, who was previously Inspector. I find from the papers, Sir, on the recommendation of the Petitions Committee of Parliament, the Minister appointed Mr. Moore to be sergeant-major on the distinct understanding that the compensation was to be refunded.

497. *Colonel Pitt.*] Do I understand you to say this was as the result of the report of the Select Committee of the House?—Those are the papers, Sir.

498. *The Chairman.*] Have you got the report of the Committee?—No; it is not on these papers.

499. You say he was reinstated?—He was not reinstated. He was appointed sergeant-major.

500. *Colonel Pitt.*] Was that, do I understand, on the report of the Petitions Committee?—He had petitioned the House, and they had recommended him for favourable consideration.

501. At any rate, it was after the report by the Committee?—Yes.

502. *Mr. Taylor.*] One stipulation was that the £700 compensation was to be refunded?—I will read you the telegram appointing him. Mr. Seddon sent this telegram, dated Dunedin, 19th November, 1891, to S. Moore: "It has been decided that you are to be reinstated in the Police Force with the rank of sergeant-major. On first vacancy Inspectorship you to be promoted to your former rank as Inspector. Compensation paid to you to be refunded. It is my intention for the present to place you in charge of Napier District. You will receive the usual official notification in the course of a few days or so.—R. J. SEDDON." Then, on the 8th February, 1892, I wrote to Inspector Emerson, in charge of the Napier District, Sergeant-major Moore having in the meantime been posted to Gisborne, which is in the Napier District, requesting him to ascertain from Sergeant-major Moore how he proposed to refund the compensation received by him on retirement from the service in the June previously. I shall have to read his reply in full:—

Police Office, Gisborne, 19th February, 1892.

Inspector Emerson, in charge of Waikato and East Coast District, Hamilton.
REPORT of Sergeant-Major Moore, in compliance with the annexed letter, No. 49, of date 8th instant, from the Commissioner of Police, with your minute of date the 11th February, 1892, thereon, asking how he proposes refunding the compensation, £700, received by him on his retirement from the service on the 30th June last. I beg most respectfully to request that the department will not urge on a refund while I hold such an inferior position to my former one, on retirement from which I received the compensation; taking into consideration the pecuniary loss I have already sustained through being so long a period out of the service—namely, from the 30th June, 1891, to the 1st December last, without any fault whatsoever on my part, as the books of the department will show. Having on the 13th October, 1861, at the solicitation of the then Provincial Government of Otago, been transferred from the Victorian Police, where a pension of from £250 to £370 per annum is given on retirement therefrom, to the Otago Police Service, and having held a commissioned rank—that of second and first class Inspector—from the 7th August, 1871, until the 30th June last (over twenty years), I submit that it is hard to be now compelled, through necessity, to accept a non-commissioned grade, and then refund my compensation. It is well-known by the former heads of the department that during the greater portion of my service I have had responsible and arduous duties in charge of gold escorts and districts combined. Owing to the great amount of travelling those duties entailed, I have not had a chance to save money to provide for my family as other Inspectors had who were simply in charge of districts. Again, in March, 1888, I was transferred from Lawrence to take charge of the Southland District, and in January, 1890, from Southland to the charge of the Dunedin district, each transfer causing me a loss of over £50. I was not aware at the time that other Inspectors obtained a refund for similar losses; consequently I did not apply for a refund. Now, having been so long out of the service—namely, from the 30th June, 1891, to December last,—and being in daily expectation of reinstatement, I had necessarily to encroach very heavily upon my compensation, and having re-entered the service in December, with the rank of sergeant-major, at about one-half the salary I was in receipt of in my former position, I submit that I am fairly entitled for my past service to the two years' pay as compensation. For instance, were I in a position to refund the money, which I am not, if again retired with my present rank I would only be entitled to one year's pay, about £191. This, I submit, would be very hard on me and my family. Under the whole circumstances of my case, I most earnestly request that the head of the department may be pleased not to urge on a refund while I hold the present non-commissioned rank. Should the department be pleased to place me in my former position, I would most willingly submit to monthly deduction from my salary, or give the department a guarantee that on my retirement from the service I would not be entitled to any more compensation. I may, in conclusion, state that, owing to my repeated removals (particularly during the last five years), my family have been subjected to many disadvantages in the way of schooling, &c. Feeling sure the Commissioner of Police, Colonel Hume, will clearly see the force and reasonableness of these remarks, I most respectfully ask that he will be good enough to advise the Honourable the Defence Minister to grant my request.

S. MOORE, Sergeant-major, No. 617.

That was submitted to the Hon. the Defence Minister on the 17th March, 1892, and he says: "Sergeant-major Moore accepted the appointment he now holds on the distinct understanding that the moneys received as compensation were to be refunded, and in terms which he agreed to. The moneys must be returned. If terms agreed to require amendment, amend by extending time."

503. *The Chairman.*] What is the extension of time referred to? There must have been some terms agreed to for repayment? I do not see the terms?—You see the Minister was away when this happened. I asked afterwards what he proposed to do, and that is the answer which I have just read.

504. What were the terms you had given him?—I cannot say the terms, Sir.

505. *Colonel Pitt.*] You communicated Mr. Seddon's memorandum to him?—Yes. I wrote to Inspector Emerson on the 19th March, 1892 :—

Referring to your minute 289/92, of the 3rd instant, covering a report from Sergeant-major Moore in reference to the repayment of the compensation (£700) paid to him on his retirement from the service in June last, and requesting that the refund may not be insisted on, I am directed by the Hon. the Defence Minister to request you to inform Sergeant-major Moore that, as he accepted his present position on the distinct understanding that the moneys received by him as compensation were to be refunded, he regrets that his request cannot be complied with, but that if the terms to which the Sergeant-major agreed are unduly oppressive, he has no objection to their being amended by extending the time in which the refund is to be made. I am to add that, in the event of compensation being again payable to Sergeant-Major Moore, the basis of computation will be the same as in the former case.

A. HUME, Commissioner.

Then he appealed again, on the 9th April, 1892 :—

Having had many expensive removals, a considerable amount of sickness in my family, and having incurred much expense in the education of my children, on receipt of my compensation I was obliged to encroach heavily upon it in the liquidation of accounts contracted. On accepting my present position I understood that a refund would not be demanded until I had again reached my former position. If the above proposal cannot be accepted, I beg most respectfully, further, to request that I be allowed to retain the compensation on the distinct understanding that upon my removal from the service I shall have no further claim upon the Government for compensation.

S. MOORE.

That was submitted to the Defence Minister on the 14th May, 1892. The Minister says, "In this matter Sergeant-major Moore has broken faith. He agreed to refund, and at the time he knew his position, and which position is now bettered. Refusal to comply means bar to promotion, and loss of my confidence in this officer." And, further than that, when the vacancy of Inspector did occur he did not get it, on that ground.

506. *Mr. Taylor.*] He was kept sergeant-major?—Yes; and died as sergeant-major.

507. He was drafted as sergeant-major to the West Coast?—To Westport; but that made no difference. Then, there was another appeal from him on the 31st May, 1892. He says there :—

I beg to state I feel very much disappointed that my former reports on this matter have not been deemed satisfactory by the Hon. the Defence Minister, and feel greatly hurt that, owing to my being unable to refund this compensation, it will "mean a bar to promotion and loss of his confidence" in me. I may mention that in all interviews I have had with the Hon. Mr. Seddon I have found him exceedingly courteous and kind to me, and I very much regret that he should now express himself as stated in the above-mentioned memorandum from the Commissioner, to the effect that I have broken faith with him; and I can safely assert that I have never intentionally or wilfully broken faith with any man on any subject whatever, and fail to see how in the face of my previous reports I can be accused of having done so in this instance. I have made no attempt at concealment of my position financially, and my previous reports, above quoted, show it fully; and, as already stated in them, I cannot refund the whole of the money, nor do I think it would be just to ask me to do so, as I was under the impression that a refund would not be asked for until I regained my former position, that of second-class Inspector, and I submit the tenor of the correspondence in this matter generally leads to that impression. In my previous reports it will be seen that I have been to considerable expense prior to and after my retirement, and have necessarily encroached very heavily on the compensation-money. I have house property, but what with clearing it, and the fact that property of this description has so deteriorated in value, to realise on it would now simply mean ruin; and I regret to have to state that recently I had to pay over £400 in calls, &c., in connection with a gold-mining speculation which I entered into in Eaglehawk, Victoria, in the year 1858, but glad to be able to say I am now clear of it and all other liabilities. Out of the compensation received I have still about £200, which sum I am willing to refund should the Government urge on it. This is the only offer I can make, as I have no other means, except as stated, at my disposal. Should I regain my former rank, I would then willingly submit to deduction being made from my salary of £30 a year towards liquidating the balance. Under the circumstances, I most respectfully trust that the Commissioner of Police will be pleased to place this report before the Hon. the Defence Minister, and to advise this course to be adopted.

S. MOORE, Sergeant-major.

Then, in reply to that, I sent the following to the Minister, dated the 28th June, 1892 :—

If Sergeant-major Moore before being taken back promised to refund his compensation, his conduct cannot be too severely commented upon, and has certainly been the reverse of straightforward and honourable. There is, of course, no promise in any official documents. He now states he can only pay back £200 of the £700, which is the only offer he can make, but if he was promoted to his former rank he could pay back £30 a year, which would take upwards of twenty-three years to pay the amount back in full. If he stated before he was taken on as sergeant-major that he was prepared to pay back the compensation money on being taken back, then I consider he should be forced to keep his promise.

A. HUME.

The Minister notes: "I quite concur in this memo. He did promise to refund the moneys by his own admission; since asked to refund he has speculated, and lost £400 of Government moneys." Then he was passed over for promotion, and he is now dead.

508. *Colonel Pitt.*] Why did they not discharge him from the Force or put him back to the position he was in?—I do not know, Sir. I suppose because of the Parliamentary recommendation.

509. *The Chairman.*] When did he die?—On the 28th April last.

510. How long did he remain in the Force after that correspondence?—He got sick, and then he was removed to Westport from Gisborne.

511. What provincial district had he been in as Inspector of Police?—Otago principally.

512. Had he ever been on the West Coast as Inspector?—No, I do not think so.

513. *Mr. Taylor.*] I would like to ask Colonel Hume whether he knows what age Sergeant-major Moore was when he was reappointed?—I could not say straight off, but I think about sixty-three or sixty-five. [Fifty-seven, since ascertained.]

514. Then, with regard to Matthew O'Brien—O'Brien is still in the Force?—Yes, he was when I gave up charge.

515. Was he not sent from Helensville for being of drunken habits?—No.

516. What was he transferred from Helensville for?—For not keeping his books up to date.

517. *The Chairman.*] What is he now?—He is a first-class constable, stationed at Auckland.

518. *Mr. Taylor.*] Was he in charge of the Helensville station?—He was deprived of the charge of a station, and, I think, fined 10s. for not keeping his books properly.

519. Have you any report on him by Mr. Bush, Stipendiary Magistrate?—No.

520. Have you the report dealing with the reason for his removal from Helensville—any correspondence bearing on the cause of his removal?—Yes, I have got it all here. Sergeant Gamble was sent up from Auckland to see what the delay was in not getting answers to documents from Helensville, and his report reads:—

Police Station, Auckland, 17th February, 1895.

REPORT of Sergeant Richard Gamble, *re* proceeding to Helensville on the 15th instant *re* the case of Brennan assaulting Hackett.—I beg to report that on Friday, the 15th instant, I left Auckland at 4 p.m. and arrived at Helensville about 7 p.m. Constable O'Brien was on the railway platform and was sober. I told him I came up to see what was the matter with him, as we could get no answer from him to telegrams sent by the Inspector. He said he could not attend to it, having been called away so often. I asked him if he had served all the witnesses in the Brennan-Hackett case. He said he had not served any of them, that he did not know the date the case would be heard. I told him we sent the subpoenas to him on Tuesday and he should get them on Wednesday morning. He said he did not get them. I told him to inquire at the post-office and at his own house. He came to me afterwards and told me he found them at his own house, having mislaid them. We then interviewed Mr. Smith, publican, and his barman, Olive, and served them with subpoenas. I sent Constable O'Brien next morning to Waingungu to serve a witness named Jago. Another witness named Bell is in Auckland.

R. GAMBLE, Sergeant.

521. *Mr. Taylor.*] Is there no record bearing on the question of the man's sobriety?—It may be on the defaulter's sheet. On the 8th June, 1897, there is an entry of his being in an hotel drinking, in uniform, for which he was fined £1.

522. Where was he then?—In Auckland, after his removal.

523. Had he any sick-leave?—There is nothing before that.

524. He was fined 10s. for dereliction of duty in February, 1895, after Gamble's report?—Yes.

525. And then he was promoted on the 1st February, 1897, to first-class constable?—Yes.

526. And on the 8th June, 1897, he was fined £1 for drinking in an hotel in uniform?—Yes. He had been in the Force since the 16th August, 1877, and he had only two entries against him at the time he was promoted. The first was in February, 1895, for neglecting to furnish particulars of evidence, *Regina v. Brennan*—10s. fine, and to be removed as soon as a suitable place could be found. On the 24th May, 1895, for neglecting to keep his station books posted up—fined 5s. (not 10s., I made a mistake) and deprived of station. That was when he was brought into Auckland. Then he was promoted in February, 1897. He had been a second-class constable since July, 1883. He was promoted in due course on account of seniority—that is to say, he was at the top of the list. I may state there are two entries in his merit-sheet—detecting a breach of the Beer Duty Act; rewarded £1 by the Customs. That was at Helensville in 1892. In 1894, arresting a deserter from H.M.S. "Wallaroo," £8. I think I explained to the Commissioners that he gets £3 from the colony and £5 from the ship.

527. *Mr. Taylor.*] Did he ever form the subject of special consultation with the Minister of Defence?—I do not remember.

[Colonel Hume here handed in a return of the religion of members of the Force on the 1st July, 1890, and the 1st January, 1898.]

528. *Mr. Taylor.*] Can you tell me what were the religions of members of the Force at Oamaru on the 12th July last year. I think you will find there were seven Catholics and one Protestant there on that date?—On the 30th June, 1897, there were five Roman Catholics and three Protestants at Oamaru.

529. Do you know whether the single constables at Oamaru are housed in the barracks?—Yes.

530. Do they not, as a matter of fact, lodge at the hotels?—No.

531. Do you not know that some of them lodge at hotels because there is no cooking apparatus at the barracks?—No, I do not. Instructions have been sent some time ago to the Inspectors to say that wherever there were respectable boarding-houses they were to recommend constables at places where there was no mess to feed there in preference to going to hotels.

531A. *The Chairman.*] There is no mess at Oamaru?—No.

532. *Mr. Taylor.*] Is there a gaoler there?—Yes.

533. Is it not his duty to see that there is a mess for the single men?—No.

534. Do you think that the necessities of a population such as Oamaru has required the presence of eight police-officers of all ranks in that town?—Yes, or they would not be kept there.

535. Do you know what the population of Oamaru is?—No, not straight off. I may point out I do not go by population. You cannot go by population at all. I think Timaru and Oamaru are about the same size.

536. *Mr. Taylor.*] The census of 1896 shows the population of Oamaru as 9,225. Do you know what number of police-officers there are at Sydenham?—Two, I think.

537. With a population of between ten and eleven thousand?—Yes; that exactly bears out my argument, that you cannot go by population. At Sydenham there are about eleven thousand people, but they can telephone to the police-station at Christchurch and get twenty men in a very short time.

538. Will you tell us how many people were in the gaol at Oamaru in one year?—No, but I can this afternoon.

539. Will you tell us whether sometimes for a period of three weeks there has not been a single inmate of that gaol except the gaoler and his wife?—That may or may not be true. I think it is unlikely that Oamaru would be so long as that without a prisoner; but it is no extra cost to the colony at all, because when there are no prisoners the gaoler goes off to police work.

540. *The Chairman.*] Are the duties of these eight men at Oamaru confined to the town?—Oh, no. They have to go over the suburbs, and they have a great deal of escort duty to do—prisoners coming from Christchurch, Dunedin, and so on. Of course, I have only got to go on the opinion of the Inspector. He says he cannot do with less.

541. *Mr. Taylor.*] As a matter of fact there are policemen in each district adjoining Oamaru, Hampden, and those adjacent districts?—Yes, and then there is a big country round there. We have two very busy seasons every year. One is harvesting and the other is shearing.

542. If any one were to say of the police at Oamaru that their principal occupation was in getting out of each other's way, you would think it was saying what was not true?—I should.

543. Do you know the constable at Hampden—Constable Joyce?—Yes.

544. Has he been there many years?—He has been there since the end of 1880.

545. Has he ever been recommended for removal?—I could not answer that. I think it is very difficult to find a station for him, because he has got seven children, and our houses will not run seven children as a rule.

546. On that particular point—constables with large families—can Colonel Hume tell us the circumstances connected with the removal of Constable Darby from Carterton to do street duty in Wellington—a man with a large family, I think ten children? First, what was he? first-, second-, or third-class constable?—First-class constable; he is sergeant now.

547. Who recommended his transfer?—On the 27th January, 1896, I recommended Constable Darby's transfer from Carterton to Wellington, and the reasons I gave were that he had been at Carterton since 1883; and he is now a widower and it is not desirable that he should continue in charge of a station. As I have explained, in the case of a single man or a widower it is not desirable that he should have charge of a station where he has to deal with women.

548. Is that a general rule?—Yes; always so.

549. He had been Clerk of the Court at Carterton?—Yes.

550. He would lose very considerably by the transfer?—Yes; another man down South suffered in exactly the same way.

551. This man had ten children?—I think so.

552. It was necessary he should be in charge of a station. It is only men who are in charge of stations who are Clerks of Court?—Yes.

553. Did he not get a very respectable woman as housekeeper immediately after his wife's death?—I do not know.

554. One of the reasons for his transfer was that his wife having died there was no female searcher at the station?—Quite so. He would have to take charge of females, and that was not desirable.

555. Can you tell us whether Mr. Hogg, the member for Masterton, did not interfere actively in getting this man transferred? Did he not bring the matter under your notice that the man's wife having died it was desirable that he should be transferred?—Oh, no; they have to report the fact.

556. Did he not see you about it, then?—I do not think so.

557. Now, with regard to Constable John Ryan; he was Clerk of the Court at Raglan?—He was, but not now.

558. You said yesterday that you could remember he was charged with, I think, some error in his forage account, but you could not remember his being charged with blackmailing in connection with judgment debtors?—I may say there was an inquiry held by the Inspector there.

559. *The Chairman.*] Will you tell us where he is now?—He is at Taupo, in charge there, and Clerk of the Court there.

560. What is his rank?—He is a first-class constable.

561. *Mr. Taylor.*] What was he at the time he left Raglan?—Second-class. The following is the report of the Inspector:—

Police Office, Auckland, 29th October, 1894.

Memo. No. 516A.—The Commissioner of Police, Wellington.

I FORWARD herewith statements of witnesses made before me at Raglan on the 24th and 25th instant respecting charges preferred against Constable John Ryan, No. 348. First: The first charge made was that he had on 2nd March last attempted to deduct 10s. from a sum of £4 1s. payable to a Maori out of Court trust funds; that the Maori appealed to Mr. Langley, a storekeeper of Kawhia, who caused Constable Ryan to pay the full amount. During the inquiry a number of other charges were preferred against the constable. Second: That he asked for and received by way of commission, on the 24th June, 1893, the sum of 8s. from Mr. James Rendell, storekeeper at Raglan, out of a sum of £7 8s. payable to him out of Court. Third: That he in December last assaulted a man named William Badley who was tipsy at the Royal Hotel at Raglan. Fourth: That he informed a man named Peter Middlemiss that his tender for fencing Courthouse reserve for a sum of £7 was accepted, and after the posts had been ordered he gave the work to Mr. A. Langley, of Raglan, the price being £6 15s. Fifth: That he has on three occasions had the shoes removed on his own horse at the same time that the shoes on the troop horse were removed, and has charged the removes as new shoes to the department. Sixth: That when arresting a man named Patrick Nolan, on the 25th October, 1893, for being drunk and disorderly he knocked him down. Seventh: That he retained 3s. 9d., with costs of Court 5s., out of an account of £6 8s. 9d. adjudged by the Court to be due James Rendell. Eighth: That he received 5s. for an information laid by James Rendell, which sum he retained for his own use. Ninth: That he used the horse-cover purchased for troop-horse on his own horse.

I submit that the first and second charges have been proved. That the third charge has not been proved. It appears he heard a noise in the Royal Hotel about 9 o'clock at night, in December last. On going in to see the cause a man named William Badley, who was tipsy, trod on his toes. Constable Ryan pushed him off and he fell. That the fourth charge has not been proved: indeed, I may say it has been disproved. The fifth charge has been proved. He admits that on three occasions when the troop-horse required his shoes removed he was not fit for work; he got the shoes removed, and at the same time got the shoes removed on his own horse at a cost of 3s. 6d. each, and charged each time for a set of new shoes to the Police Department. The troop-horse being old and not fit to do much work, he has more frequently used his own horse on police duty. From February, 1893, up to date—twenty-one months—accounts for fourteen sets of new shoes have been paid. No account for removes has been received by me. The sixth charge has not been proved. The seventh charge has been disproved. The record-books produced show that he received only £6 from a Native named Mete Karaka, and that amount was paid to Mr. Rendell. The eighth charge has been disproved. The information laid by Mr. Rendell's son was produced with stamps for 5s. affixed to it. The information had been withdrawn. This information has passed audit. The ninth charge has not been proved. I have seen a cover for his own horse much like the one for the troop-horse, and both covers have been used at the same time on both horses. He admits he has received no permission to keep a private horse.

I attach hereto a copy of my entry of inspection. Some delay has occurred from the time the first complaint

was made before the inquiry was held, but it was unavoidable owing to the fact that several of the witnesses are living many miles apart, and during wet weather the tracks were impassable, so that the witnesses could not be brought together.
J. Hickson, Inspector.

I reported on the 2nd November, 1894, that this man was evidently unfit to have charge of a station, and that he should be brought into a centre under an Inspector.

562. *Mr. Taylor.*] What became of him?—He was brought into Auckland. I telegraphed on the 22nd December, 1894, ordering Constable Ryan from Raglan to Auckland at once, and Constable Tapp to proceed from Onehunga to Raglan. On the 11th February, 1897, I recommended him for charge of Taupo Station. He went there, and is there still.

563. Was that recommendation made at the instigation of any Minister or outsider?—No, he was senior man without a station, and he had been three or four years without a station, and I thought that had been punishment enough.

564. It was not made as the result of any application to you?—Not that I can remember.

565. Was there no petition from Ryan for removal from Auckland?—I suppose he asked. I do not see it amongst the papers.

566. I wish to know if there was no man of intelligence and character in the Police Force to whom the appointment at Taupo would have been a suitable reward for services rendered—whether there was no man more worthy of this appointment than this man who had been proved guilty of theft?

567. *The Chairman.*] Put it this way: You, having two years before reported he was unfit to have charge of a station, what induced you of your own motion to place him in charge of a station?—That is very simply answered. I considered that he had been sufficiently punished for what he had done, and that he ought to have another chance; and I am glad to see that my successor agrees with me, as he has since promoted him.

568. *Mr. Taylor.*] When was he promoted to first-class?—On the 15th February, 1898.

569. Is he a Protestant, or a Roman Catholic?—He is a Roman Catholic.

570. And was not this man's case at any time brought under your notice by any member of his Church, or by any Minister of the Crown?—Not that I can recollect.

571. No one interviewed you on his behalf?—I do not think so. If there had been a letter, it would have been on this file.

572. I do not refer to a letter so much as a personal interview?—I cannot remember it. A great many people speak to me about this sort of thing. I thought he had been sufficiently punished.

572A. I would like to ask Colonel Hume this: Was there no man in the Force in New Zealand of sufficient character and intelligence, and length of service?—

573. *The Chairman.*] You can fairly put it this way: In promoting this man, after what had happened about him, do you think you were behaving fairly to the rest of the Force?—Yes, or else I should not have done it.

574. *Mr. Taylor.*] Have you the papers relating to Constable Mayne's exemption in connection with the Court orderly at Dunedin?

Mr. Tunbridge: I cannot find any papers at all on the subject. As a matter of fact, as far as I understand, there is no regular Court orderly at Dunedin.

575. *Mr. Taylor.*] Have you the papers relating to the removal of O'Donovan—that is the case of Hannon-O'Donovan referred to yesterday?—I want to know when Sergeant Hannon was removed from Stafford to Masterton?—I said yesterday I thought my memory was all right. He went to Otaki.

576. When was that?—That was reported as carried out on the 4th February, 1891. The telegram ordering it was dated the 29th December, 1890.

577. At the time of his removal he had been in charge of Stafford for some time?—I could not say how long at all. He was not sergeant in those days.

578. When was he promoted?—On the 1st February, 1892.

579. How long was he away from Stafford at Otaki?—He went from Otaki to Masterton. I do not know how he got to Masterton, but he was at Masterton. He was acting-sergeant.

580. When was he re-transferred to Stafford?—The order was given on the 29th December, 1891.

581. How long was that after his removal from Stafford?—He left Stafford in February, 1891.

582. Is he now in Stafford, in charge of himself as sergeant?—Yes.

583. That is very unusual for a sergeant to be in charge of a station without any man under him?—I do not think there is another case; but Stafford is a very peculiar place. He is Receiver of Goldfields Revenue, and he has two Courts to run.

584. Who was the Minister who ordered his re-transference to Stafford?—Mr. Seddon would be in office then.

585. Have you any Ministerial memorandum bearing on his re-transference—was it on petition of the man himself, or was it a direct order from the Minister?—I cannot tell you. I see my memorandum ordering it, but I cannot tell you what led up to it.

586. It is scarcely the kind of transfer you would have made without instructions?—I cannot tell at all. I cannot remember the case.

587. Are there not first-class constables on the goldfields who are acting as Receivers of Goldfields Revenue in charge of stations?—Yes.

588. So that it does not require a sergeant necessarily?—Oh, no.

589. While he was away from Stafford Constable O'Donovan I think was in charge?—Constable O'Donovan. He went from Stafford to Ross. He is in the same list of transfers.

590. When was Constable O'Donovan made sergeant—was it not immediately after he had relieved Sergeant Hannon?—He was made sergeant on the 15th February, 1892.

591. Now, with reference to Constable Carlyon. Yesterday you could remember he was charged with being drunk, using obscene language and being guilty of disorderly conduct in a hotel, but you did not think it was during prohibited hours. He was reduced to third-class constable?—Yes.

592. And he has since been promoted to first-class?—Yes, on the 1st June, 1896.

593. *The Chairman.*] Have you any record to show how or why or under what circumstances?—I see a recommendation on these papers from Mr. Lawry.

594. *Mr. Taylor.*] Mr. Frank Lawry, M.H.R. for Parnell?—Yes.

595. What is the date of the recommendation?—3rd February, 1894.

596. *Colonel Pitt.*] What was he recommended for?—The following letter was written by Mr. Seddon: "Sir,—In reply to your letter of the 4th December last, *re* consideration of the case of Constable Carlyon, I have the honour to inform you that I have given instructions for this constable to be promoted to the second class, and to be posted to Ponsonby Station, which is now vacant.—I have, &c., R. J. SEDDON. F. Lawry, Esq., M.H.R., Auckland." On the 8th June, 1896, I wrote to the Minister: "You will see the offences for which this man was reduced from second-class constable to third-class constable were about as bad as they could be. You will see also, by letter from Defence Minister to Mr. Lawry, M.H.R., of the 3rd February, 1894, that this man was at that time promoted from third- to second-class constable, and, as he has given entire satisfaction ever since he left Dargaville, and does not now drink, I have much pleasure in recommending he be now promoted to first-class constable. He has had charge of Ponsonby Station (8th February, 1894), and has carried out his duties to the satisfaction of his superiors.—A. HUME." Then: "Approved —T. THOMPSON."

597. *Mr. Taylor.*] Was he the subject of any special conversation between yourself and Mr. Thompson prior to your making the recommendation?—I do not remember. I should not have written this probably if there had been, because I have written it out fully here.

598. Have you the papers now about Constable McGill's sick-leave?—Yes.

599. I would like to know what is the longest period of continuous sick-leave that he has had?—The first paper, dated the 9th February, 1895, is the report of Constable Stanton, as follows: "I have to report, in accordance with Police Regulation No. 39, that First-class Constable Patrick McGill, stationed at Addington, has been sick more than four times during twelve months, as follows: 1894—July 23rd to 31st, nine days, influenza; October 25th to 30th, six days, influenza; December 14th to 25th, twelve days, influenza. 1895—January 24th to 27th, four days, influenza; February 8th (still on sick list), influenza." Then comes the minute: "Forwarded to the Commissioner. Constable McGill is now stationed at Addington.—T. BROHAM, Inspector." Then my minute: "Please report when this constable resumes duty." Then: "McGill has just obtained a month's leave of absence on account of sickness." On the 9th February, 1895, application of Constable McGill for three months' sick-leave of absence on account of sickness on full pay: "I beg most respectfully to apply for three months' sick-leave of absence on full pay, as I have been for some time suffering from a severe attack of influenza, which can be seen by the attached doctor's certificate. In support of this application I would respectfully state that for over twenty-eight years' service I never had a day's sickness up to within the last six months. I trust that my officer, knowing the circumstances of my case, will be good enough to recommend this application for the favourable consideration of the Commissioner." Accompanying this: "9th February, 1895. —I hereby certify I have for a considerable time been attending Constable McGill, who has been suffering from the after effects of influenza. His constitution has been so severely tried that I have strongly recommended him to obtain, if possible, complete rest and thorough change for a period of three months, in order to restore him to his usual state of health.—A. C. DE RENZIE, M.R.C.S., England, 58, Oxford Terrace, Christchurch." The reply to that is a telegram dated 18th February, 1895: "First-class Constable McGill is granted a month's leave of absence on full pay. If not in a position to resume duty at the expiration of that time he must apply for an extension of leave, which will be duly considered.—A. HUME." Then, on the 11th March, 1895: "I hereby certify that Constable McGill is still suffering from severe mental depression following influenza. I am of opinion he will require another month or two of complete rest and change before he will be in a fit state to return to duty.—A. C. DE RENZIE, M.R.C.S., England." On the 11th March he applied for two months' sick-leave of absence on full pay, on which was minuted: "Forwarded to the Commissioner and recommended. Constable McGill has suffered very much from influenza. He has lost three and a half stone in weight, and is physically and mentally very much shattered. With rest and change of air he will soon be well again.—T. BROHAM, Inspector." The answer to that was on the 23rd March: "McGill is granted an extension of one month's leave, at the expiration of which you will be good enough to forward a report on his state of health.—A. HUME." Then, at the expiration of one month, 24th April, 1895, Inspector Broham reported that McGill was still far from well; that the "influenza had left him thin and worn and exhausted of all energy. Another month's leave recommended.—T. BROHAM, Inspector." Then the further minute: "Recommended that this man be granted another month's leave, which will make three months in all.—A. HUME." That was approved.

600. *Mr. Taylor.*] Did he return to duty at the end of that time?—The next certificate is dated the 27th June: "I hereby certify that Constable McGill is still under medical treatment suffering from severe nervous prostration after influenza, and is not, in my opinion, at present fit for duty.—ARTHUR C. DE RENZIE, M.R.C.S." Then, on the 2nd July, I wrote to the Minister: "This constable has now been nearly six months off duty from sickness within the last twelve months, and, as he is not now fit to resume duty, I recommend he be retired on medical grounds, receiving the usual compensation." I presume the Minister was away somewhere. Anyway the case was not dealt with, and I have added to this: "As this man resumed duty on the 11th instant, these papers can be filed." This is where the delay came in, apparently, for there appears this memorandum: "When a

member of the Force has been so long on the sick list as this constable had been, an immediate report of his return to duty should have been sent to this office."

601. Is it a fact that some of the policemen in Christchurch, when they have been bad with influenza, have had the number of days they have been sick deducted from their annual holiday?—I do not know. Inspector Broham can answer that.

602. It is quite exceptional for a man to be sick so long as McGill?—Oh, yes; but I dare say there have been others as long. He was very bad indeed at one time. It was not the influenza that Mr. Taylor seems to infer. I thought it was softening of the brain at one time.

603. Do you remember having conversations with Mr. Reeves and Mr. Seddon about this man's leave?—Oh, probably I did.

604. You do not remember the nature of them?—Mr. Seddon probably asked me whether I thought he would be able to return to duty, and I imagined from the manner in which I acted that he would.

605. With regard to Constable Russell, of Newton: can you tell the Commission the circumstances connected with his retirement from the Force, and his reappointment by the present Minister?—He was found in a publichouse at Newton. I am not quite sure whether it was after closing hours or before. He was either allowed to resign or be dismissed. He was out of the service, and he was brought in again some time afterwards by order of Mr. Thompson. That case has been mentioned in the House, I think. The report I wrote on the case was as follows:—

It seems quite clear Constable Russell was in the "Rising Sun" Hotel on the 5th April last at about 10.50 p.m., and thereby disobeyed Regulation 55 and Circular Memo. 11/95 of the 10th August last, rendering himself liable to immediate dismissal by such conduct. It is also beyond all reasonable doubt that he had, just when the sergeant entered the hotel, there and then consumed a glass of beer, as the freshly-emptied glass was in front of where the constable was standing. It is also clear that the constable tried to get away from the sergeant when the latter went into the hotel. It is also clear that two long and two small glasses of beer were drawn by the licensee while Constable Russell was in the hotel; but the constable did not or would not see this violation of the law, though one of these glasses was drawn for a man residing a few yards from the hotel, and he must have been known to the constable as neither a traveller nor a boarder. Perhaps the more serious aspect of the case is the falsehood told by Constable Russell, when asked by the sergeant if he knew anything of the man McCutcheon, who he was; when the constable replied, "No; he is a stranger to me. I never saw him before." And yet this McCutcheon turns out to be the constable's half-brother, and had slept in the constable's quarters the night previous to this conversation. This alone shows, in my opinion, Constable Russell's unfitness for the Force. Constable Wainhouse says he has seen the constable in publichouses after hours nearly every night that he has been on duty, and Russell has asked Wainhouse to go in with him and have a drink, and see if the places were closed; and he has also asked Wainhouse to go in with him and have a drink after hours more than once. Constable Russell does not cross-examine on these points, and therefore they must be taken as truthful. Again, Constable Flavell says he has seen Russell visiting publichouses after closing-hours, and has also seen him drinking after closing-hours at the "Newton" and "Rising Sun" hotels, but he has never seen him very much the worse for liquor. He has seen him twice slightly the worse, but never so much so that he could not do his duty. He says he knew on one occasion Constable Russell to be in the Caledonian Hotel about five minutes after closing-hour, and about three-quarters of an hour afterwards he went back to the Caledonian at the request of Mrs. Russell, and still found him there. He says also the constable has asked him to go into a publichouse with him after hours to have a drink, and Constable Flavell has done so; and Constable Russell declines to cross-examine on any of the statements. Night-watchman Simpson, of Newton, has also seen the constable in publichouses after hours, and has twice seen him the worse for liquor. I see no reason to doubt any of these statements, especially as the constable pleaded guilty. After giving all due consideration to the fact of this constable having served sixteen years and ten months in the police with a clean defaulter's sheet, I regret that I cannot come to any other conclusion than that he is unfit for further service in the Force.

He was dismissed on the 2nd May, 1896.

606. How long was it between his dismissal and his reinstatement?—He was reinstated on the 20th October, 1896.

607. Can you tell the Commission who interfered to secure the man's reappointment: did Mr. Lawry, of Parnell, recommend it?—I do not know anything about it. I was told by the Minister to reappoint him.

608. Do you not remember the nature of the conversation between the Minister and yourself?—He simply said the man had a large family.

609. Is there no record that Mr. Lawry recommended that man?—No.

610. You simply know that you were instructed by the Defence Minister, Mr. Thompson, to reappoint him?—Yes.

611. *The Chairman.*] Is he in the Force now?—He is stationed at New Plymouth.

611A. What class of constable is he?—Third-class. I may state that a very extensively signed petition was sent in, dated the 22nd April, 1896, from Auckland, in favour of this man Russell. It is addressed to the Minister of Justice, and is as follows:—

We, the undersigned, residents of Newton, in the City of Auckland, have learned with deep regret that senior Constable Russell, of the said Newton Police District, has been suspended by Mr. Inspector Hickson, of the Auckland District, for having been found in a hotel on a "given" Sunday night. We have no desire to take any exception to the action of Mr. Inspector Hickson, but we feel it to be our duty to place before you the following facts: (1.) Constable Russell has been in the Police Force of this colony for a period extending over the past seventeen years, during which time he has discharged his duties well, and to the satisfaction of the people with whom he has had to deal. (2.) A short time ago he received from the Police Department a medal for long service, which is in itself corroborative of the foregoing statement. (3.) He has dependent upon his labours for sustenance a wife and eight children. (4.) Whilst admitting that the said constable was guilty of a technical breach of duty by being found in a hotel on a Sunday night, it is alleged that his purpose in going into the hotel was to obtain lodgings for a relative who had arrived in Newton from the Waikato. (5.) Having fully considered the circumstances of the whole case, we have much pleasure in respectfully asking you to give Constable Russell's case your earnest and immediate attention, and, if you can do so, issue instructions for his reinstatement either in his present position or place him as a police officer in some other part of the colony.

612. Has any member of the House signed that?—No; I do not see the name of any member.

613. *Colonel Pitt.*] When was it dealt with?—It went before Cabinet.

614. *Mr. Taylor.*] Have you the papers relating to Sergeant Edward Wilson?—This is the report of Inspector Pender, who was then in charge of Christchurch:—

Inspector's Office, Christchurch, 6th July, 1891.

I HAVE the honour to inform you that, at the annual licensing meeting held at Akaroa on the 25th ultimo, Sergeant E. Wilson, who is in charge of the station, objected to the renewal of the license held by Robert Bayley on the grounds that he had been three times convicted of breaches of the Licensing Act during the year. Mr. Potts, who appeared as solicitor for Mr. Bayley, called Mounted Constable Whitty, stationed at Akaroa, who stated that the house was well conducted. Sergeant Wilson, in his report of the 26th ultimo, brought the constable's action under my notice, and I instructed the sergeant to obtain an explanation from Constable Whitty, which is attached hereto, together with Sergeant Wilson's report thereon, dated the 2nd instant. Constable Whitty was in charge of stations in this district for several years prior to his removal to Akaroa, which was at his own request for the benefit of his health. I have always entertained a very high opinion of his character, and am much surprised at the tone of his report and the position he assumes towards his superior officer at Akaroa. It is evident that there must be a change, and I beg to recommend the constable's transfer to some other station in this district.—I have, &c., P. PENDER.

I minuted on that: "I think both sergeant and constable should be moved from Akaroa. I have a constable in Christchurch who is waiting to be mounted, who would do for Akaroa. The sergeant might remain till he can be conveniently removed." "Removal approved. Exchange with mounted man.—R. J. S." The sergeant was removed soon afterwards to Christchurch, and he is now in charge of Palmerston North. He is a very good man.

615. *The Chairman.*] What were the charges made against the sergeant?—The constable said the house was well conducted, and the sergeant said the house was badly conducted.

616. *Mr. Taylor.*] But Whitty made some charges?—Constable Whitty reports: "About December last he (Sergeant Wilson) issued a requisition on Mr. Chappell, a resident here, for ten bushels of oats, and forwarded a voucher as having received this quantity from Chappell, whereas he only received one bag, about 180 lb., and made up the remaining weight (220 lb.) out of his own private stock which he had in hand." Then, he makes a charge with regard to the shoeing of the troop-horse, and wrongly charging for horse-hire when he used his own horse. Then, Inspector Pender reports to Sergeant Wilson: "I think it would be well to forward a reply to the charges made by the constable as soon as possible. If there is nothing in them, and that you can prove this, an investigation will be unnecessary."

617. *Mr. Poynton.*] Was the charge made by Whitty against Sergeant Wilson after the report about the license?—Yes; and the result was Inspector Pender recommended both to be removed, and they were removed.

618. *Mr. Taylor.*] What was the result of the charge?—It was not proved. The sergeant says, in forwarding this complaint: "I beg to state I can give a complete answer to every one of them, in writing if necessary, proving I have not had any benefit as the constable suggests; but, as the constable has thought it to be his duty to go round to the inhabitants of this place and get statements in writing, which I would point out are not evidence, and has threatened another who would not make statements to suit him, I respectfully submit only an investigation will settle the matter; and it is my wish the fullest inquiry be made, so that the truth can be established, and I may have an opportunity of proving the falsehood of the reckless statements the constable has made in this and a former report. In the face of this, and what has already transpired, I think the Inspector will see the malice by which the constable is actuated, and that if he had any serious charge he would be only too happy to bring it. I think I may say with regard to these charges that they have been so grossly exaggerated that they appear serious, whereas in truth there is nothing in them."

619. *The Chairman.*] What was the ground for removing the sergeant when the complaint which had been made was not proved?—Well, it was evidently a row between the two. One seemed to be as bad as the other.

620. *Mr. Taylor.*] Was not the charge against Sergeant Wilson dismissed with a caution?—I do not think so—unless I can see his defaulter's sheet. I do not see anything about it here. He says, "I feel I have been censured by being removed."

621. Did not Whitty resign?—I do not know what became of him. There is nothing about his resignation here. At the end the Inspector says, "I respectfully recommend that the sergeant and constable be removed at once. Please see my letter of the 6th July last." His recommendation was carried out.

Colonel Hume: I might here state that the number of prisoners in Oamaru last year was seventy-three.

622. *Mr. Taylor.*] Is that after conviction, or does it include awaiting trial?—Everything, after conviction and waiting trial.

623. Do you know Constable Bennett, of Hokitika?—Yes.

624. Has any serious offence against the Police Regulations been reported to you in connection with him?—Not that I remember. Recently, do you mean?

625. Within recent dates?—He has a clean defaulter's sheet.

625a. I want to know what report, dated the 18th April, 1893, was made in connection with this man by the sergeant in charge of the district?—On the 18th April, 1893, report of Sergeant Fraser, relative to breach of clause 52:—

Police Station, Hokitika, 18th April, 1893.

REPORT of Sergeant Fraser relative to a breach of clause 52 of the Police Regulations by Constable Bennett.—I respectfully beg to report that Constable Bennett of this station has recently been adjudged to be the putative father of an illegitimate child, of which child ——— is the mother. At the hearing of the case the Bench made an order for maintenance—viz., 4s. per week. Application was thereupon made by Constable Bennett to the presiding Magistrate to fix a sum of money to be paid in lieu and in satisfaction of the weekly payment, and the sum of £50 was ordered to be paid. This sum, I understand, has since been paid.—CHAS. FRASER.

The Inspector says: "Submitted for the Commissioner's information. Bennett is an excellent policeman, and I am truly sorry he has got into the trouble herein referred to. With costs of Court he has had to pay some £55, so that with the domestic trouble the matter has caused him, I submit he is sufficiently punished for his misdeeds.—FRANCIS MCGOVERN."

626. Has any other serious charge been made against this man?—No, that is the only thing I can see.

626A. Have not other officers been dismissed for the same offence that Bennett had been guilty of?—I should think so.

627. Do you remember one case or more where men have been dismissed from the Force for the same offence?—I do not know what the circumstances were, do not you see.

628. Is it not an offence that would usually meet with the punishment of dismissal?—I could not say that.

629. I think Colonel Hume says he thinks there have been dismissals for the same offence?—I think so, but I could not say.

630. As a matter of fact, did you not have a conversation with Mr. Seddon about this man's case?—I do not think I had, or else I do not think I would have told you at first that I thought there was no case against him.

631. You do not remember having a conversation about him?—No.

632. No special instructions about him?—No.

633. Is it an oversight that such a thing was not recorded on his defaulter's sheet?—It is a civil conviction. I do not know that his having been dealt with by the Court might not be considered sufficient.

634. In all matters affecting his promotion you would judge of his merit by his defaulter's sheet?—That does not follow; but at the same time I think it ought not to be entered in his defaulter's sheet.

635. There was no entry made in either Whitty's or Wilson's sheets?—Whitty was afterwards discharged on account of ill-health, on the 23rd March, 1892, with a very good character.

636. On his own application?—Ill-health. He had to produce a medical certificate.

637. Is the application there that he sent in?—No.

638. What I wanted to see was the letter that accompanied his resignation?—That would be on a separate record.

639. *Colonel Pitt.*] You say both these had clean defaulters' sheets?—No. Whitty had not a clean one; but that offence was not recorded against either of them.

640. *Mr. Taylor.*] You remember a case of a sergeant in New Plymouth being discussed in the House last session?—Yes, Sergeant Duffin.

641. Did you see him frequently when you had charge of the department?—When I visited New Plymouth I always saw him.

642. You know why he was dismissed?—Yes.

643. Did you know for years before that he was not a sober man?—No, I did not.

644. He was never reported to you?—No. I asked the Inspector several times what sort of man he was, and he had nothing to say against him.

645. *The Chairman.*] No complaint was made to you that he was an intemperate man?—It came out. He got *delirium tremens*, I think, finally. He was dismissed, and then a prohibition order was taken out against him.

646. *Mr. Taylor.*] A remarkable thing, was it not, if he developed that suddenly?—I think I can explain that. It is only my own idea. Of course he always had an officer over him at New Plymouth. The officer suddenly died, and Duffin was left in charge of New Plymouth for two or three months, and it was during that time he got worse and worse. That is the way it was explained to me.

647. Do you remember the case of a youth named Lindegren being drowned at Wairoa, Hawke's Bay, a few months ago?—Yes, I think I remember something about it.

648. You remember the details of it?—No.

649. Do you know Constable Ramsay, who is in charge of the station?—He is not in charge. He is stationed there.

650. Do you remember that at the inquest it was stated that Ramsay had been drinking with this youth on the night he was drowned up to nearly midnight?—Yes.

651. Was any special notice taken of that?—As soon as I read it in the paper, he was called on for an explanation through his Inspector. The Inspector reports on this: "I beg to forward for your information the attached papers, and to state I consider, from the particulars gathered by the detective, that there are no grounds for entertaining any suspicion of foul play in connection with the death of this man. I think, however, Constable Ramsay should be transferred to Napier, where he would be under the constant supervision of a sergeant. Constable Bennett, of Napier, who is a married man, would be a good constable to replace Ramsay. I also recommend that Constable Coughlan be removed from Wairoa, as I am strongly of opinion he is unfitted, through incompetence, to have charge of an isolated station. After what has taken place, I think both Constables Coughlan and Ramsay should be removed as soon as possible." This is Mr. Tunbridge's minute: "Inspector Emerson,—Detective Chrystal's is a very clear and exhaustive report. Constable Ramsay has become too familiar with a certain class in Wairoa, and he has to be removed." Then, to the Commissioner: "Constable Ramsay arrived at Napier on the 4th instant, transferred from Wairoa."

652. Do you remember any case, Colonel Hume, in which a fine having been imposed on a constable for wrongdoing, and a conviction having been duly entered on his defaulter's sheet, the fine was refunded, and the conviction deleted without reference to the Inspector who imposed the fine—tried the case?—I think I have done so myself.

653. Deleted the conviction on the defaulter's sheet?—Yes.

654. What would be the reason for so doing?—When the papers came up, and I did not think there was a case against him, I should have informed the Inspector and taken it out. I do not know what particular case Mr. Taylor is referring to, but it strikes me I have done it before now.

655. Do you remember in the case of a man named Aitcheson of a fine being imposed and refunded?—I remember something about it. I do not think I did that. I think that was done by the Minister.

656. What was Atcheson ultimately dismissed for?—Something about a woman.
657. Do you know if he has been in the employ of the Rabbit Department since dismissal for that offence?—No I do not. I tried to find out, but I could not trace him at all.
658. What rule is followed in the Defence Department in the preparation of returns ordered by Parliament: For instance, supposing a return is ordered of all correspondence bearing on a certain question, does the Minister indicate exactly what portions of that correspondence shall be supplied?—No.
659. Is it all supplied?—No, we do not supply all. Instructions as to what is to be supplied is laid down in the Civil Service instructions. We lay all except Ministerial minutes and confidential documents.
660. You remember the correspondence with Inspector Emerson over the subject of granting a license to a man named Lawliss?—Yes.
661. A return of the correspondence in that matter was ordered, was it not?—Yes.
662. Was it all supplied?—All supplied, so far as I know.
663. Every letter?—Every letter.
664. Do you remember two letters, read by Mr. George Hutchison during last session of Parliament, which he alleges were omitted from that return?—No; but I can later on, if it is in *Hansard*.
665. You remember writing one letter, suggesting that the police should withdraw their opposition to the granting of a publican's license to this man?—Yes.
666. Who authorised you to write it?—I said I was directed by the Defence Minister.
667. Who was Defence Minister then?—Mr. Seddon.
668. You did not interfere with the police in regard to the issue of a license to this man of your own motion—it was distinctly under instructions?—Yes. I think the correspondence says so too.
669. When a serious charge is made against a police-officer, what method of inquiry is adopted? For instance, supposing a detective were to charge another detective with receiving blackmail from the bookmakers of Wellington, who would inquire into the charge?—The Inspector would, in Wellington.
670. Do you remember a case in which Detective Campbell charged Detective Kirby with receiving blackmail from certain gaming-shops in Wellington?—No.
671. Was that before your time, perhaps?—I do not happen to remember it, but it will be filed. Any way it may never have got to the Commissioner's office at all. The Inspector may have inquired into it, and found nothing in it.
672. Take another case: there were charges made by James Taylor, J.P., of Woodville, against Inspector Emerson, that he had been assaulted by Emerson on the Woodville Racecourse. How was that charge investigated?—The Inspector denied it; and it was decided that Taylor had his remedy in the Police Court—that Taylor could lay charges if he liked.
673. Have you had a charge of gambling made against Emerson at Napier?—I do not think so.
674. You do not remember that?—No.
675. Do you remember charges being made against Kirby by Hermann?—Yes: that also has been before a Court of law, you know.
676. On an important charge being made against a police-officer, would the inquiry into the charge be confined to getting a report from the officer?—Oh, but Hermann's case is a different thing altogether. I was rather awkwardly situated. I had it on my own hook for a long time, because I could not very well give it to a detective to go and find out about another detective. It was hung up for a long time. That was an exceptional case. You see you could not very well, where one detective was concerned, tell another detective to go and look after it.
677. You said, Colonel Hume, yesterday that it was impossible to enforce the provisions of the Licensing Act so far as Sunday trading and other matters are concerned?—Yes.
678. In your report for 1894, paragraph 9, you say: "The efforts of the police to suppress Sunday trading, liquor-selling after hours, and sly-grog selling, have been extremely successful during the past year"—That is right, as compared with the year before.
679. You proceed: "And many convictions have been obtained, notwithstanding the defects and complications in the liquor laws, and considerable credit is due to all ranks of the Force for their exertions in this direction." Can you reconcile these two statements?—I do not see that there is anything contrary the one to the other. I say that, with the law as it stands, there was very considerable improvement during that year. You know yourself they are improving year by year, but still we have got some difficulty.
680. Do you not think the success of 1894 could be made a bigger success in 1898 if the Force were to exert themselves?—So it is. I say it has improved every year.
681. It is not impossible to enforce the licensing laws?—Oh, yes it is.
682. It does not depend on the exertions of the men really?—No; all the exertions in the world cannot stop Sunday trading as the law is now.
683. Have you ever had any conversation with the Minister of Defence as to the policy that was to be pursued in regard to enforcement of the licensing laws?—What do you mean, Mr. Taylor?
684. I mean, has not the Minister said publicly, and said to yourself as well, that he did not wish for a strict enforcement of the licensing law?—No, he never said anything of the kind to me.
685. He said so publicly?—He may have done, but he never said so to me.
686. *Colonel Pitt.*] What Minister is that?—No Minister has ever said to me, "I do not wish you to carry out the liquor-law or modify it in any way." On the other hand, several of them told me if I did not carry it out considerable changes would be made. I am very positive on that point.

687. *Mr. Taylor.*] As a matter of fact it has not been carried out because of the difficulties in connection with the present law?—Yes.

688. I think you said yesterday that the Force was a very sober Force?—Yes, I consider it so.

689. I suppose you have had considerable difficulty with the men at times on the score of drunkenness?—I think I reported it every year. My reports will state, I think.

690. Your last report says there have been nine dismissals—for drunkenness?—No. I suppose we can take six of them for drunkenness—two-thirds of the number.

691. Do you remember an article appearing in the *Lyttelton Times* on the 18th May, dealing with the sobriety of the Force in Christchurch, stating that a number of the police-constables in Christchurch were little better than the confirmed drunkards they were supposed to control?—Yes, I think there was an article of that sort.

692. *The Chairman.*] Do you accept that statement?—No, certainly I do not. I presume the editor will have a chance of coming and proving it before this Commission now.

693. *Mr. Taylor.*] What followed on that article in the way of removals—how many men were removed?—I do not think the article affected me a bit.

694. As a matter of fact, how many of the Force did you move immediately following the publication of that article?—I could not tell you.

695. You moved some?—Yes, there were some moved about that time. I thought they would benefit by a move; but I do not think the article had anything to do with it. In fact, it was all decided, as far as I remember, before the article came out. As regards drunkenness, of course the defaulters' sheets, which will be before the Commission, will show exactly the drunkenness for each year.

696. You do not think all the offences, so far as drunkenness is concerned, are reported at headquarters, or entered on the defaulters' sheets?—Well, I do not think anything about it. I really do not know. I do not run the Christchurch district, or any other particular district.

697. *Colonel Pitt.*] Have you any reason to suppose the Inspectors would not enter them on the sheets?—I do not think that any Inspector would shield his men, if they were in the habit of getting drunk, if he knew it.

698. Do you remember numerous complaints from New Plymouth to the effect that a man named Butterworth was permitted to regularly play an illegal game called "the bird on the wing," and although the police were frequently applied to to stop him playing this game, they declined?—The first letter that I see here is dated the 12th April, 1892. It is from Mr. E. M. Smith, M.H.R.

DEAR SIR,—

New Plymouth, 12th April, 1892.

I have the honour to address you on the following question—namely, to draw your attention to a case that has arisen in New Plymouth. At the last race meeting, a Mr. James Butterworth bought the right of games. He has for this last twelve years run a game called "the bird on the wing." He runs it in conjunction with the Taranaki Jockey Club—that is, he takes half the proceeds, and the club the other half. He has lent it to religious bodies for their bazaars, and to local bodies for their sports. Mr. A. Standish, a prominent and leading barrister and solicitor, and Crown Prosecutor, says he considers it a simple and harmless game, and one that should not be brought under the Police Offences Act. If this game is stopped, it will be a loss to the Jockey Club, Athletic Sports Club, and others. I write to ask if it could not be allowed to be carried on under the guidance and control of the Jockey Club. It is not a game of chance, so far as the man who runs the game. He has no chance in it. He only finds the darts, guns, &c., and gets a percentage. I hope you will kindly see into this question, and reply at once and oblige me. Waiting your action and reply.

I have, &c.,

E. M. SMITH.

Colonel Hume, Chief Commissioner of the New Zealand Police Force.

Then, on the 26th April, 1892, to E. M. Smith, Esq., M.H.R. :—

I have the honour to acknowledge the receipt of your letter of the 12th instant, *re* the conditions of a game called "bird on the wing," as to whether it is or not a game of chance, and to inform you in reply that the matter has already been decided by a Resident Magistrate, who stated that the game is a game of chance; and therefore the police have no option in the matter, but are bound to stop it at all gatherings under clause 8 of "The Gaming and Lotteries Act, 1881."—I have, &c.,

A. HUME.

699. *Mr Taylor.*] I would ask Colonel Hume whether he remembers writing this letter, dated 17th January, 1893, to Mr. William Nichols and two others, New Plymouth :—

In reply to your letter of the 9th instant, *re* the Police at New Plymouth permitting persons to play a game of chance known as "bird on the wing." I have the honour to inform you that, after making careful inquiries into this matter, I find that an arrangement was made between the Taranaki Jockey Club members and Mr. Butterworth that he was to be allowed to play this special game only, and the police are of opinion that this "bird on the wing," as played by Mr. Butterworth, is not a game of chance, and therefore they were not justified in taking any action against that person.—I have, &c.,

A. HUME.

Can Colonel Hume explain?—In order to explain I must go back to what the Inspector says about it :—

The game referred to is purely a game of chance, and, like all other games of chance, is fair enough if fairly played, but a clear breach of the law. If this game is allowed, then all other games of chance must also be tolerated, and the continual increase of spiliers allowed to go on unchecked by the police. I had Butterworth summoned for playing the game at the races here on the 31st ultimo, when the Resident Magistrate decided it was a game of chance; but on the defendant Butterworth promising to desist using the instrument again he did not inflict a penalty, but expressed his intention to deal severely with any future charge brought before him.—WM. S. FARDY.

700. Were there any other complaints after that?—Oh, yes. A summons was issued against the man, and was withdrawn. The honorary secretary of the New Plymouth Jockey Club wrote to Mr. Smith, who sends on the letter, apparently :—

DEAR SIR,—

12th September, 1892.

Mr. James Butterworth has been for some years the only person who has been allowed to have any games on the course on race-days, and has always given every satisfaction to the club. Our object in giving him the sole right was to get rid of the "spiling" element, and I am glad to say that object has been attained.—Yours faithfully,

E. M. Smith, Esq., M.H.R.

ROBERT BAUCHOP, Honorary Secretary.

701. Was that letter sent by the Jockey Club because an information was laid against Butterworth?—Yes, I think so. On the 13th April, 1893, I wrote this minute to the Defence Minister :—

When in New Plymouth recently I saw this game, and consider it a perfectly fair game as played by Mr. Butterworth, who appears to have had the sole right of running it at the races, bazaars, sports, &c., in the Taranaki and Wanganui districts for the last fourteen years. It has been a source of income to the Jockey Club, Botanical Gardens Board, and numerous religious bodies, and I think it a pity to stop it at the instigation of one man, who has a personal spite against Mr. Butterworth. I therefore recommend the summons to be withdrawn. A. HUME.

Mr. Cadman's minute is: "Withdraw the summons, and have the question looked into before the machine is used again."

702. How came you to see the game?—Butterworth came to me in the street and said, "This is hard lines on me that you will not allow me to run this game," and I went up to his place and saw the thing.

703. Had you seen him before that?—Oh yes, known him for years.

704. Had you any particular discussion about this question with Mr. Seddon?—It was not signed by Mr. Seddon at all. It was signed by Mr. Cadman, who was acting temporarily.

705. After that, did you not have any discussion with Mr. Seddon about Butterworth being allowed to play this game?—I expect I did. I thought it very hard lines. I thought it was hard on these bazaar people.

706. It was the Church you were concerned about?—Not only the Church but bodies generally. I am under the impression we got another legal opinion. That is what I want to try and get at. On the 21st April, 1893, I wrote to the Inspector:—

Will you be good enough to look very fully into the matter of this "bird on the wing." Enclosed you will find a certificate signed by the secretary of the Taranaki Jockey Club and also the president, who is a lawyer and Crown Prosecutor, stating that allowing Mr. Butterworth the sole right of games, including the use of the "bird on the wing" has been the means of getting rid of the "spieling" element; and against this there is only a protest from one man, Nichols. I shall therefore be glad of your opinion on this matter, and also as to information as to the character of William Nichols. I understand that the Taranaki Jockey Club, the Botanical Gardens Board, as well as Church bazaars, have largely benefited by granting Mr. Butterworth the sole right of using "bird on the wing." A. HUME.

707. Was not Mr. Standish connected with the Jockey Club?—Yes.

708. And Crown Prosecutor?—Yes. Then, on the 31st January, 1894:—

For the information of the Commissioner.

I HAVE very considerable difficulty in further reporting on this matter, as I was unable to ascertain or state anything new on the subject or anything that had not already been stated in the attached papers, and the summer race meeting here being over there was no immediate hurry. I thought it the better course to defer further reporting on the subject until I could personally confer with you *re* same, and the papers were temporarily placed aside for that purpose. . . . I certainly consider the game in question, as played by Mr. Butterworth, a fair game, and, as the Taranaki Jockey Club will not grant permission for any other person to play games on the racecourse here, it effectually discourages numbers of the spielers from coming here. It is further quite true that many of the local institutions have from time to time during the last few years benefited considerably by Mr. Butterworth being allowed to run this game in question. With reference to the informer in this matter, William Nichols, I am not aware that at present there is anything known against his character; but it ought certainly be known that some years ago he played the same game here ("bird on the wing"), and I am informed had also his wife and step-daughters to assist him in attracting customers to same. He is at present principally employed as an acting assistant-bailiff. I understand that a strong effort will be made during the coming session of Parliament by certain members who sympathize with Mr. Butterworth to legalise the use of the equalisator, and that pending such alteration of the existing Act the game will not be played here again. J. B. THOMSON.

Then, on the 27th January, 1894, Mr. Richmond, solicitor, entered a protest:—

I am retained on behalf of the informant in the matter of an information under the Gaming and Lotteries Acts for playing an unlawful game known as "bird on the wing." He instructs me that the police here decline to lay an information for such an offence in this district, on the ground that the game, though admitted to be within the scope of the Acts and thereby prohibited, is fair to all who play it, and is honestly worked by its promoter, Mr. James Butterworth; and upon the further ground that the Jockey Club, the Recreation Grounds Board, and the Agricultural and Pastoral Association there receive large augmentations to their funds by sharing the profits with Mr. Butterworth. These profits are very considerable, amounting to as much as £50 to £60 per day under favourable circumstances, and often to £30 per day, representing, with the first-named figures, an investment by the public of at least £250 per diem. My client and other respectable persons here are at a loss to understand why gambling-houses are so constantly raided upon in every part of the country, sweeps prohibited, and every effort of the police strained to insist upon compliance with the Gaming and Lotteries Acts, with this conspicuous violation of the law being sanctioned in this district. They have no kind of animus against Mr. Butterworth, and are quite prepared to believe that the share of profits, generally one-half, received by these voluntary associations is generally well expended. But it appears to them to be an exceedingly bad precedent, and to inevitably lead to an extension of gambling amongst young men and boys. I should be glad of a prompt answer, as to whether the police here will be instructed to take up and prosecute the present information, and to lay any further informations that may be requisite. A merely nominal fine could be imposed, but the game should be certainly stopped or legalised.

I told Mr. Richmond, in reply to his letter, that the matter was entirely in the hands of Inspector Thomson. My reply is as follows:—

In reply to your letter of the 27th ultimo *re* the police laying an information for playing a game known as "bird on the wing," I have the honour to inform you that Inspector Thompson tells me that he considers the game in question, as played by Mr. Butterworth, a fair game; and therefore I see no necessity for the police to interfere in the direction indicated in your letter.—I have, &c., A. HUME.

709. You wrote that memorandum after having previously said you thought it was a game of chance?—Oh, yes.

710. I will ask Colonel Hume whether the department did not lay an information against Butterworth in February, 1895, on this very ground, that he was playing an illegal game, and secure a conviction, immediately after further complaints were received from Nichols. I propose to read this letter, so as to put it in proper form. It is dated the 31st January, 1895, from New Plymouth:—

I have once more to complain to you about the local police allowing a game of chance to be played on Boxing Day, 26th December, 1894, on the New Plymouth Racecourse, which was the first occasion it has been played since about this time last year, when Mr. Richmond communicated with you on the subject on my behalf. Why the police neglect their duty in this manner I cannot understand, but, sir, if you allow it again I will bring the matter before the next session of Parliament.—Yours respectfully, WILLIAM NICHOLS.

I will ask Colonel Hume whether, within a few days of the receipt of that letter from Nicholl, an

information was not laid against Butterworth, and a conviction recorded of £1?—I see a letter here from Inspector Thomson :—

Referring to the attached correspondence *re* equalisator, or “bird on the wing,” I have the honour to state that the hearing of the information laid by the man Nichols against Butterworth, charging him with playing the game in question at the Agricultural Show held here in December last, was, by consent of both counsel, adjourned to the 26th February (yesterday), when the information was formally withdrawn by the informant’s solicitor. In accordance with the statement made in concluding paragraph of my memorandum of the 31st ultimo, the game was not played at all at the two days’ race-meeting held here last week. Mr. Richmond has not applied to me for any further information on this matter, as suggested in your letter to him of the 9th instant; but I had previously had a conversation on the subject with him in the street.

I sent that letter to Mr. Thomson for a report, and this is what he says :—

This complaint refers to a new game, owned by Mr. James Butterworth, called the “puzzling alphabet,” and all to whom I have spoken on the matter speak of it as an extremely fair game indeed, and cheating at it impossible. However, to test the matter, I have informed Mr. Butterworth that if he plays it at the races on the 20th and 21st I will have him summoned to Court, and he is quite content to abide the issue. The informant in this instance is the bailiff’s assistant, who last year complained of the “bird on the wing” game, although he had played the same game himself for several years. Lengthened absence from home has prevented me from reporting sooner.

Then, there is a telegram dated the 25th February, 1895, from Inspector Thomson :—

J. Butterworth was charged on Saturday with breach of Gaming and Lotteries Act. After hearing the evidence and the arguments of defendant’s counsel, the Bench convicted, and fined defendant twenty shillings and costs.

711. Was not another information laid in February, 1895?—That is February, 1895.

712. Was there not another one?—No. Then, there is a petition as follows :—

The memorial of the undersigned, adult residents in New Plymouth and its vicinity, humbly sheweth: 1. That by the “Gaming and Lotteries Act, 1881,” gaming with an instrument in a public place is declared illegal, and punishable with a fine up to £50, or three months’ imprisonment with hard labour. That this law has been openly and deliberately violated on the New Plymouth Racecourse during the races on Boxing Day, 1894, and those held on the 20th and 21st February, 1895. That prior to the 20th February the attention of Colonel Hume was drawn to the violation of the law on Boxing Day last, but no prosecution resulted. That pressure was brought to bear upon the police to stop the game on the 20th February, but they would not stop it, and, even after the information was laid by them, the playing of the game was continued on the 21st without any interference from the police. 5. That two informations were laid—one for the offence on the 20th, and one for the offence on the 21st February. The defendant was convicted on the first charge, and was fined £1 and 9s. costs. The Inspector then withdrew the second charge, saying the ends of justice were met. 6. That we consider the fine imposed is quite inadequate to the gravity of the offence. 7. We believe that the money made is very considerable, and the terrors of the law minimised when such inadequate fines are imposed. 8. Your petitioners believe that by the necessary interference of the police at the proper time, no breach of the law would have been committed; and, as the first duty of the police is to prevent crime, we respectfully request that you will be pleased to take such measures as will prevent a repetition of the offence.

That petition was addressed to Sir Robert Stout, who forwarded it to the Minister of Justice. It is very extensively signed—about four hundred and fifty-six signatures.

713. *The Chairman.*] Since then the game has been discontinued, as far as you know?—Oh, yes; ever since that conviction was obtained.

MONDAY, 21ST FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

Colonel Hume: Before commencing, Sir, I should like to point out one matter to the Commissioners. Mr. Taylor, when he was here on Wednesday, prefaced his remarks by saying that he wanted to ask me some questions about the police regulations. Well, Sir, of course I am quite prepared to answer any questions on police regulations straight off; but Mr. Taylor then proceeded to ask all sorts of questions on matters that occurred many years ago, and I had no notice at all that these things were going to be asked. A large file of papers was put into my hands, and I was supposed with the help of my memory and a cursory glance at these files to give full and definite answers. Well, Sir, I say that is impossible; and on looking over my answers I see that they are not near as full as I should like to give them. I have nothing at all to hide; but at the same time I think, gentlemen, with all due respect to you, when papers of this sort are to be called for I should receive twenty-four hours’ notice, so as to be able to look them over and refresh my memory.

The Chairman: This is a serious thing, and I may say, Colonel Hume, that had you asked for this notice you would have got it.

Colonel Hume: As Mr. Taylor said, that was only one list, and he had several more, I merely make these remarks so as to be ready for the next little list. The Commissioners might say that my memory ought to serve me in these matters; but I would point out that in addition to running the Police Department, all the time I had one other department, and most of the time two other departments, under my control. It is therefore impossible to rely on my memory in these matters. I should like to correct or add to some of the answers I gave the other day. I think I perhaps may have misled the Commissioners in regard to the remission of a fine of 2s. 6d. in the case of a constable named Aitcheson. I think I said it was done by order of the Defence Minister. I have refreshed my memory, and I would like to explain to the Commissioners that the system adopted is that at the end of every month each Inspector sends in to the Commissioner’s office a return of all offences against constables during the month. When they are all in, they are filed together and laid before the Defence Minister, and he writes “Seen” on them, and they are filed. The particular return containing the remission of this fine cannot now be found.

714. *The Chairman.*] Would the punishment return record the remission of the fine as well as the imposition of the fine?—No; it goes up and is shown to the Defence Minister as it stands. This particular entry was, “Five minutes late parading for duty, 8.45 p.m.”; and the punishment was, “Fined 2s. 6d.—INSPECTOR PARDY.” My impression is that the Minister said, “I think that is

pretty severe. Is that the usual thing, and is this man often late? Please look into it." I did so, and found he had never been late before, and I therefore remitted the 2s. 6d., and ordered that he should be admonished, and wrote a memorandum to the Inspector to that effect, a copy of which is in the letter-book. Then, as regards the system of recruits from the Permanent Force, I was under the impression, until I read my evidence over, that I gave the Commissioners as one of my reasons that the Commander of the Forces was protesting against his gunners being taken just after they had become efficient, which was clearly pointed out by the Minister in the House in reply to Mr. Taylor. Then, as regards a man named Russell, who was dismissed, and afterwards taken into the Force again: As I had not the necessary papers before me, I think I omitted to inform the Commissioners that he joined the Force on the 12th June, 1879, and was promoted to second-class constable on the 1st July, 1893, and that during the whole of that service he had never had an entry in his defaulter's sheet. The offence for which he was dismissed was the first one ever brought against him. He had done good service in the Force, and had a wife and eight children. I should like to add that after so long police service he was unfitted for any other employment, and with his large family was virtually starving. That is all I have to say.

715. *Colonel Pitt.*] He was reinstated and appointed a third-class constable?—Yes.

Mr. Tumbridge: I should like, first of all, to put in a return called for by Mr. Taylor, asking the number of men outside the Permanent Artillery who were appointed during the period from the 17th October, 1889, to the 24th January, 1891. The return shows that during that period there were nine candidates enrolled into the Police Force outside the Artillery. The appointment of these men were authorised by various Ministers—not all by Captain Russell; and the return shows three were appointed by Captain Russell, one by the Hon. F. Whitaker, one by the Hon. Sir H. A. Atkinson; and in the case of one it says, "Instructions given," but it is not stated by whom; and three were appointed direct by Major Gudgeon. There is nothing on the papers to show that there was any Ministerial authority for their appointment.

716. I wish now, Colonel Hume, to refer to the case of the late Sergeant-major Moore?—Yes.

717. You stated that the late sergeant-major was reinstated in the Force on parliamentary recommendation?—Yes.

718. That recommendation was not by any means a party recommendation, but Parliament generally?—The Petitions Committee.

719. Not representing any shade of political opinion?—No.

720. And no Minister, so far as you are aware, took the slightest personal interest in the reinstatement, but acted simply on the recommendation of the Petitions Committee?—Yes, so far as I know.

721. And you have already said he was only readmitted on the promise to refund the amount that had been paid him on his retirement: that was a condition of his reinstatement?—On that clear condition.

722. Now, at the death of the late sergeant-major, had he not received that compensation, his widow and children would have been entitled to compensation or compassionate allowance?—Well, not virtually entitled, but it is always given.

723. You have never known it refused?—No.

724. In fact, it is given as generally to the widows and orphans as is the compensation given to a constable when retiring on other grounds?—Yes.

725. This compassionate allowance to the widow and family is based on practically the same calculations as is the compensation given to men on retirement: a year's pay is usually given?—Sometimes more, though never less than a year's pay. Generally it is eighteen months' or two years' pay.

726. Therefore had the late sergeant-major not received the amount he did at the time he was retired from the service in 1891 the widow and children would have been entitled to a sum almost equal to that amount?—I cannot say entitled.

727. They might reasonably be expected to have received that?—Yes.

728. Well now, you know, as a matter of fact, that the widow did not receive the allowance she otherwise would have received?—She did not.

729. As a matter of fact she received at the time nothing more than the actual expenses she might have had in the way of expenses allowed her for transfer from Gisborne to Westport, had she gone to Westport when her husband went?—Yes.

730. The amount she received at the time was the amount which she would have been entitled to as travelling-expenses consequent on the transfer of her late husband from Gisborne to Westport?—Yes. She had a sick son at Gisborne, and could not leave when her husband was transferred, and we gave her her expenses afterwards, as though she had then travelled to Westport. The travelling-allowance was £50, and she wanted the doctor's expenses for attendance to her husband, but she did not get them.

731. *The Chairman.*] Do I understand that, at the death of officers and men, practically their widows are given eighteen months' or two years' salary?—Yes.

732. That means natural death under any circumstances?—Yes, so long as the officer is in the service. In regard to transfers, circumstances may arise, owing to domestic reasons, that prevent a woman leaving at the same time as her husband is transferred. In those cases we always pay her expenses afterwards, as she was clearly entitled to them.

733. *Mr. Tumbridge.*] Now, this compassionate allowance was withheld from the widow entirely, in consequence of her late husband having previously received compensation?—Yes.

734. Then, it really resolves itself into this: That the colony has not been a loser of this £700 odd, but merely that the sergeant-major had the use of the amount some years before he was entitled to it?—That is the exact state of the case. The money must have been paid at some time or another.

735. In regard to the question of the two men, Cullinane and Hattie: these two men were taken back into the Force on the promise to refund the compensation they had already received?—Yes.

736. Well, now, the Minister who decided these men were to be readmitted to the Force had these papers before him, in which they promised to refund the compensation?—Yes.

737. Had you anything to lead you to suppose that the Minister did not expect that they would not make that refund?—No.

738. The Minister reappointed them on the understanding that they would refund that amount, so far as you know?—Yes.

739. They have never refunded?—No.

740. Because they have never been asked?—Quite so.

741. You never received any directions from the Minister not to demand a refund?—No. I presume I must take the responsibility of not demanding a refund, but I am under the impression that such cases are provided for in "The Civil Service Act, 1866"; and though the Police are not Civil servants, and therefore do not legally come within the four corners of that Act, I consider it is a distinction without a difference; and I have never known, so far as my recollection serves me, of anybody having had to refund their compensation under those circumstances. If any blame attaches I willingly take the responsibility, as I do not think it fair to ask a man in the position of a constable, or on the pay of a constable, to make any refund.

742. *Colonel Pitt.*] You mean anybody in the Civil Service?—Yes, under similar circumstances.

743. *Mr. Tunbridge.*] These men on their final retirement from the service will not be granted a second compensation?—Certainly not; and that was an additional reason for my not demanding a refund.

744. Now, will their widows, should they die in the service, receive any compassionate allowance?—No.

745. There will be no second payment made to these men?—No.

746. So that the colony is not and will not in future be a loser by the compensation these men have received?—That is so.

747. I should like to ask you a question about the artillerymen coming into the Force: You stated in your cross-examination that the names of the men were selected for transfer to the police. Was that made by the Minister?—Yes. I used to put a list before him, and say these are the artillerymen anxious to come into the police.

748. You did not always make recommendations in writing, did you?—No.

749. You made many verbal recommendations?—Yes, very many, and some of them confidential ones.

750. Were not always the question of education, character, and physique taken into consideration in making these selections for transfer?—Certainly; and whether married or single, and religion.

751. Do you know of your own knowledge, or is there anything to show that these men were ever transferred to the police on political or Ministerial grounds, and not upon the general ground of fitness?—I know they were not. They were transferred on the general ground of fitness.

752. Do you remember any case or cases where the fittest were rejected?—No.

753. Now, as to the scheme submitted for superannuation for the police: I think, *Colonel Hume*, the principal idea of finding funds for carrying out that scheme was that the long-service pay, and so on, should be put into a general fund for superannuation?—Yes; that was the first scheme. It was to take away the men's good-conduct pay and the year's compensation, and they were to get a lump sum of £400, or a little over £1 per week when they were sixty-five years of age. That was the original scheme.

754. It simply meant this: that the men who were receiving long-service pay were to lose that long-service pay, and those not receiving long-service pay would lose nothing?—That is so.

754A. And it was principally on the ground that it did not act equally all round that it fell through?—I believe so.

755. Those who were receiving long-service pay preferred to hold on to the bird in the hand?—That is right.

756. In reference to the case of an assault alleged against *Inspector Emerson*: Now, in this case the complainant was advised to lay an information against *Inspector Emerson* before the Magistrate?—Yes; and he said he would do so.

757. Has the department considered that, in a case where there is a conflict of evidence, it was much better that the evidence should be taken on oath before a Magistrate and dealt with judicially?—Yes; and besides it is in accordance with the regulations.

758. You still maintain that the decision in that case was the correct one to give?—The department took the perfectly right course.

759. In reference to the case of *Lawliss*, whose papers are here now if you would like to look at them: This man *Lawliss*, before he applied for the license to be transferred to him, did he ask you if the fact of his dismissal from the Police Force would act as a bar?—Yes; I should like to read what I wrote to him. He first wrote to me from *Dannevirke* on the 12th February, 1895, as follows:—

SIR,—

With reference to my dismissal from the Police Force on the 30th January last, I would beg to state that I tendered my resignation on the 23rd January, while I was suspended, but no notice appears to have been taken of it. With regard to my pleading guilty to the charge for which I was dismissed, I was advised by *Inspector Emerson*, who even wrote me a copy of my plea of guilty, telling at the time that I would be more leniently dealt with by the Commissioner of Police, and also save the Department the expense of inquiry. I was therefore misled by my *Inspector*, and wrote an admission which appears to have deprived me of the right of resigning, or one penny

compensation, which to say the least seems a more severe punishment than the offence deserved after a service of nearly fifteen years, which was served with only a reprimand. Please inform me if I am entitled to a discharge or any thing that would enable me to join some of the Forces in the Australian Colonies, also whether the Police would raise any objection to me holding a publican's license in this Island.

I replied to that :—

SIR,—

16th February, 1895.

In reply to your letter of the 12th instant, I have to inform you that you are labouring under some delusion as regards compensation, as members of the Police Force who resign are not entitled to compensation. I am, of course, quite in ignorance as to what Inspector Emerson may or may not have said to you, but the evidence forwarded by him here was of so conclusive a kind that it would have been only a farce your pleading anything but guilty. As regards your query *re* a discharge, I have to inform you that, having been dismissed, you are not entitled to a certificate of discharge, and I am not aware that the Police would raise any objection to your holding a publican's license in any part of the colony.

760. That implied that the police would not raise any objection should he apply for a license?—Certainly, and I do not think there were grounds for refusing, or I should not have acted as I did.

761. On the strength of that letter, he entered into agreements considerably involving him in some ways in connection with the transfer of a license to him?—I saw him, and he told me he had taken a "bush pub." somewhere; I think he said in the Hawke's Bay District.

762. Acting on the assurance you had given him?—Quite so.

763. When the question of a transfer came before the Licensing Committee, the local police there, I believe, objected to the transfer?—Yes.

764. This was without your knowledge?—That is so.

765. On the ground of his dismissal from the Police Force?—That is so.

766. This objection was brought to your knowledge after it had been made?—Yes.

767. You then, feeling that there was no valid ground for the objection, endeavoured to communicate with the Inspector of the district, asking him to withdraw the objection?—I sent the following urgent telegram to Mr. Emerson on the 11th May, 1895 :—

Inspector Emerson, Napier.

Ex-Constable Lawliss is applying for a license for a bush house in the Napier district, and I understand the police are opposing it. Why? Is it because he was dismissed from the Force? If so, this looks like persecution. If necessary, let the Committee know why he was dismissed from the Force; but it appears to me that he should not be hounded down. Immediate action should be taken, as the case is to be decided on the 14th. I hope you will be able to see your way to withdraw the objection.

A. HUME, Commissioner.

His clerk replied as follows, on the 12th instant :—

Re LAWLISS.—On the 16th ultimo Mr. Stanford, S.M., applied to Police for a report as to Lawliss's character and fitness to hold a license. Inspector Emerson wrote that he could not express an opinion, and that Lawliss had been discharged from the Force for immoral conduct. In consequence of this report I understand Mr. Stanford has refused to issue a certificate under section 12 subsection (2) of the Alcoholic Liquors Sale Control Act. Inspector Emerson is, I believe, at Galatea, and there are no means of communication with him. Please instruct what you wish me to do. I would suggest your wiring to Mr. Stanford.

S. P. NORWOOD (for Inspector).

768. Was your telegram sent by order of any Minister, or did you send it yourself?—That particular telegram I imagine I sent myself; but I may have spoken to a Minister before I sent it. I am not sure. I am quite willing to take the responsibility.

769. What is stated in the telegram you entirely agree with?—Yes.

770. You did at the time, and still agree with it?—Yes.

771. The Inspector did not get that telegram?—No, in the meantime he had gone to the King-country.

772. Did you then, owing to the Inspector's absence, wire to the Stipendiary Magistrate?—I did, as follows, on the 11th May, 1895 :—

R. L. Stanford, Esq., S.M., Palmerston North.

THE Defence Minister wishes me to invite your attention to the case of ex-constable E. J. Lawliss, who is applying for a publican's license, but I understand it is likely to be refused because he was dismissed from the police. Inspector Emerson is at Galatea, and therefore I cannot communicate with him and do not know what he reported. But it seems Lawliss paid the penalty of his improper conduct by being dismissed, and if the police are going to hound him down and prevent his obtaining a livelihood it looks like persecution, and I trust you will take these matters into favourable consideration before deciding the matter on the 14th.

A. HUME, Commissioner.

I am positive I showed the papers to the Minister before I sent that telegram, because I had no authority to telegraph to a Stipendiary Magistrate without a Minister's consent.

773. Do you say that you recommended that telegram?—Yes.

774. And you take the responsibility for it?—Undoubtedly.

775. *The Chairman.*] Were the instructions given to you by the Minister to do it?—I merely got his permission.

776. *Colonel Pitt.*] You say that the "Minister invites me"?—That was the only way in which I could communicate with the Stipendiary Magistrate to show that I had the Minister's authority to do so.

777. What was Lawliss's offence?—He went away travelling round the country with an unmarried girl while on leave. I may state that he was a constable from the 7th October, 1879, till the 21st January, 1895, the date of his dismissal, and he had only one offence against him during that time,—on the 14th March, 1894,—of allowing a prisoner to escape out of his custody. He was severely reprimanded for that but not otherwise punished; and he has got two entries on his merit-sheet, one for services rendered in connection with a sly-grog selling case in July, 1885, and in June, 1891, he got a reward of £5 for intelligence and sagacity displayed by him in discovering and sheeting home a charge of housebreaking, for which the offender got three years' penal servitude. I may state that I knew the man well, and considered him a very good constable.

778. In sending that telegram, and making that recommendation to the Minister, was there any other idea in your mind than that of doing what you considered right and just towards the man

and towards the public generally?—No; I supposed that the Inspector based his report to the Licensing Committee entirely on this case of dismissal, and I do not believe because a man makes one slip and pays the penalty that he is to be deprived of his livelihood for the rest of his life.

779. So far as you can see, is the file in the Lawliss case complete?—I will have to compare the file and the papers laid on the table of the House to see.

780. Do the papers laid on the table of the House include the telegrams you have now read?—Yes; both telegrams.

781. Throughout the whole matter do you know if the Minister acted without any personal feeling at all in the matter, and entirely on your recommendation?—Yes; entirely on my recommendation.

782. I would like to refer to the case of Constable Bennett. Is there anything on these papers to show, or do you know of anything to prove that the Minister knew anything whatever about the case, or that it was ever brought under his notice at all?—No.

783. You dealt with it entirely as Commissioner of Police, acting on the recommendation of the Inspector of the district?—Yes. Probably we shall examine Inspector McGovern at some period of this inquiry, and he may be able to give some further grounds in regard to this recommendation.

784. There is one more point arising in connection with this case, and that is the absence of any record of this affiliation case on the constable's defaulter's sheet. Now, the fact that there is no such record was not through any Ministerial interference?—No.

784A. The Minister is not responsible for that?—No.

785. It is merely a question as to whether such a charge should go on the defaulter's sheet or not; and in your opinion you thought it should not go on the sheet?—In every service I have been connected with it has always been a debatable point whether civil convictions should be recorded in defaulters' sheets. In this instance of Bennett, the offence was not entered by the Inspector of the district in the return, already alluded to this morning, sent in to my office, and consequently it was not entered in the defaulter's sheet. As I stated the other day, I am of opinion that civil convictions should be entered; but that is only my opinion.

786. *The Chairman.*] Was it by your instructions it was not entered in the monthly return?—No; it was not omitted from the Inspector's return by my instructions.

787. *Mr. Tunbridge.*] In the case of McGill's long leave: were you in that case guided entirely by the medical certificates and the Inspector's report?—Yes, entirely.

788. And the Minister was also?—Yes.

789. *Colonel Pitt.*] Do you know if that is the constable referred to in the House by Mr. Taylor as having been incapacitated from duty through debauchery?—I have no doubt that was the man referred to by Mr. Taylor.

790. Now, in regard to Constable Cox, about whom you were questioned by Mr. Taylor, has Constable Cox done good work since he has been in the Force?—Very good, since he has been a plain-clothes constable.

791. Was one of his cases that of the Browns, convicted for abortion?—Yes; Brown got eighteen years, and his wife about two years.

792. He was connected with the case of attempted murder at Balclutha?—Yes; and he arrested the man here in Wellington.

793. Was he also engaged in the case of illegal trading at the Central Hotel, Christchurch, where the licensee was heavily fined?—Yes. I should like to explain that case. It was rather a special case. I ascertained that there was a good deal of illicit selling going on at this Central Hotel. I spoke to Inspector Broham, and he said, from the situation of that hotel, and the scouts the proprietor had out, it was impossible to catch him, as all the local constables were known to the men. I sent down two men from Wellington, and Cox was one of them, and told them not to interview Inspector Broham or any of the police, or report themselves in any way until such time as they had got sufficient evidence to lay information. They carried out their duties with great sagacity, which resulted in obtaining, I think, two convictions, and the man was heavily fined, and gave up the hotel. I mention this case specially, because Inspector Broham felt hurt at two constables being sent to his district without his being consulted or informed.

794. Why did you do it?—I thought they might be seen about the police-station, and that the licensee would get wind of their being in Christchurch.

795. You did not doubt the loyalty of the local police at all?—No; not at all. I was afraid the men would be seen and become known if they went near the station.

796. *Mr. Tunbridge.*] Cox has been engaged in many other cases?—Yes; one was a notorious pickpocket, whom he got arrested and convicted.

797. And has he shown zeal and intelligence in carrying out his duties?—Yes; and I look upon him as a coming detective.

798. And as regards Nixon, has he also displayed very considerable intelligence and so on in carrying out his duties?—Yes; I have no fault whatever to find with Nixon. I think he also will make a detective in time.

799. Therefore, whatever reasons there were for bringing these men into the Force, they have shown they are very good police-officers?—Yes; and I should also like to add that I brought no pressure to bear upon Inspector Pender to employ them as plain-clothes constables. They were his own selection.

800. You were asked about ex-Sergeant Duffin: Was this officer upwards of thirty years in the Force before he was dismissed?—Yes.

801. And until the reports of drinking that led to his dismissal, had he a perfectly clean sheet?—Perfectly clean.

802. I should like to ask Colonel Hume about transfers: You said in your examination in chief that you thought every officer should be transferred at least once in five years?—That is so.

803. Now, some of these transfers cost from £30 to £50.—Yes.

804. Well, now, if the whole Force was transferred once in five years would mean that upwards of 100 would have to be transferred each year?—That is so; but a great many of the men are bachelors.

805. *The Chairman.*] What is the lowest cost?—The cost ranges from £3 to £40.

806. *Mr. Tunbridge.*] At that rate, then, it would be a charge on the department of something from £1,000 to £2,000 a year, I mean if you strike an average of £15 per man?—Yes; but I think if we got longer notice of the movements of the Government steamer she might be utilised very much and save money in making these transfers.

807. *Mr. Poynton.*] Have you ever used her for that purpose?—I have when I could; but as a rule we do not get twenty-four hours' notice of where she is going to.

808. *Mr. Tunbridge.*] Then, in transferring you would treat all men alike, and would remove them all once in five years?—I am not prepared to say that. That is a big order. I would put it in this way: I think it should be understood in the Force by the men that they are liable to be transferred every five years; and not only the men, but then I think the local Justices of the Peace and influential people would understand that it was in the course of carrying out the efficiency of the service that the transfers were made, and there would be less of this petitioning and less of this pressure brought to bear.

809. *The Chairman.*] Do you think £1,500 would be well spent in removing constables every five years?—I am not prepared to say that £1,500 would not be well spent in removing them.

810. *Mr. Tunbridge.*] You gave one instance where a man had been at a place twenty years, but there are plenty of other instances where men have been at their stations eight, ten, and twelve years?—Yes.

811. Have you found in many instances their long stay at these stations has acted prejudicially to the service?—Not in these particular cases, or else they would have been removed. My experience has been that you cannot lay down a hard-and-fast rule.

812. The principal reasons for transfer, I believe, are that men get too familiar with the people, and get generally lax in the way of carrying out their duties?—Yes; that remark applies more especially to country stations.

813. At many of these country stations, I believe, the men are not visited more than once, or at the most twice a year by the Inspector?—I think the majority are, but some certainly are not. For instance, I doubt if Pembroke is visited once a year.

814. And it is in a great measure owing to this want of supervision that the men do become lax in the conduct of their duties?—Yes, I should say so.

815. *The Chairman.*] Do you think that such visits once or twice a year would do any practical good?—I think so; and I might explain, it is not only the fact of the Inspector going there and seeing the men, but the Inspector interviews the community and finds out in that way how the duties are carried out, and so is in a position to say whether the constable is or is not performing his duty properly.

816. *Mr. Tunbridge.*] You would, I take it, Colonel Hume, recommend greater supervision over the men if it was possible to apply it?—Yes, I have tried to get that by grouping stations into sub-districts under the senior sergeant or constable in such sub-district.

817. And why were you not able to bring that about?—Because the senior officer did not always happen to be stationed in what ought to be the head station of the group. But in some cases it has been successfully done.

818. I should like to ask you about the different offices held by constables. Do you consider that the fact of a constable holding numerous offices other than that of a police constable, and in respect of these offices making reports to the various officials connected with these different departments, outside the Commissioner of Police altogether, is conducive to discipline or otherwise?—I cannot say I found it interfere with the discipline; while I think the holding of these offices brings them into closer touch with the people, and establishes a system of confidence and reliance on each other, with the exception of collecting the dog-tax, for which they used to be paid by the collar. When I pointed out to the Government that I considered it was objectionable they stopped it.

819. *The Chairman.*] Do you think the practice is beneficial, except in the last instance?—Yes.

820. *Mr. Tunbridge.*] Now, Police Regulations, paragraph 11, page 4, says what? "Every member of the Force will be required to devote his whole time and energies to the service, and will be held responsible for obedience to all lawful orders and conformity to all regulations." That means the Police Service?—Yes, I might say that in some country stations I think the constable would die of *ennui* in about a month if he had not some of these outside things to do. At the same time you must have him there.

821. Are these some of the offices which constables hold in addition to their positions as police officers, viz.: Clerks of Magistrates' Courts, bailiffs, Clerks of Wardens' Courts, Inspectors of Factories, agents of Public Trustee, Inspectors of Weights and Measures, Inspectors of Abattoirs and Slaughterhouses, Postmasters, Registrars of Electors, Labour Agents, Receivers of Goldfields Revenue, Probation Officers, Census Enumerators, and, in addition to that, they compile information for the agricultural statistics?—Yes.

822. In connection with each of these offices do the police-officers send in reports, without passing in any way through the Commissioner or any police-officer, to the various heads of these departments?—Yes.

823. You have been connected with the public service in England and in the colony for many years: do you know of any similar state of affairs?—No.

824. Although you see by this Police Act that the Commissioner is the responsible head of the Police Force, and that these men should be under his control: as a matter of fact are they under

his control?—Well, the only reply to that question is that all these duties are subservient to the police duties.

825. *Colonel Pitt.*] Suppose a Court is sitting, and a report comes in that a man requires to be arrested, would the Court be adjourned?—Yes, I think the Court would be adjourned.

826. *Mr. Tunbridge.*] Have you ever found during the time you were Commissioner that constables very often excused themselves for not performing certain police work owing to being engaged in duties in connection with some other office they have held?—Yes, they certainly try to.

827. Is it not very difficult to prove that their statements are incorrect?—It is very difficult; but that does not often happen.

828. But there is always that opportunity to excuse themselves?—Yes. I would like to add that it would add an enormous cost to the country if this work was done by paid men instead of by the police.

828A. *The Chairman.*] Have you had any complaints that the civil work undertaken by constables is neglected in consequence of police duties?—Very seldom. The Under-Secretary for Justice has occasionally come to me and said, "I cannot wake up that man of yours in such-and-such a place."

829. No complaints from outsiders?—No.

830. *Mr. Tunbridge.*] You were good enough to tell the Commissioners the other day that a prison warder started at £125 a year?—Yes.

831. But you did not tell the Commissioners what the maximum was, and the way they got to the maximum?—That is rather a difficult question to answer, because they can rise to the position of gaolers.

832. I mean in their position as warders?—They can rise up to £150, and there is £20 besides as house allowance. They attain their maximum pay by service and by being transferred to a first-class prison.

833. Not by any graduated scale?—No, there is a classification for first- and second-class gaols.

834. About how long would a man be in the prison service before he would get a rise?—The chances are that he would get a rise in twelve months.

835. What would be the amount?—£10; if he was in a first-class prison he would get it in twelve months, and if he was in a second-class prison the chances are he would be transferred to a first-class prison and he would get the rise then.

836. As regards the efficiency of the Police Force: you said the other day that you considered the Police Force of the colony was thoroughly efficient, and in support of your contention you quoted the criminal returns in the Year-book?—Yes.

837. These returns you quoted apply only to the cases before the Courts?—That is so.

838. Or, in other words, detected crime?—Yes. Then, I added also that I did not think there was very much undetected crime.

839. Will you kindly turn to your last report. Now do you find that the increase of reported crimes last year was 663 over that of the preceding year?—Yes.

840. Out of a total of 14,673 offences reported?—Yes.

841. The percentage of increase therefore being as near as possible $4\frac{1}{2}$ per cent. on the year?—Yes.

842. Now, the increase of population in that year is shown in the Year-book as 1.91 per cent.?—Yes.

843. Therefore, you see that the increase of crime during the year very much exceeds the natural increase of population?—According to this table.

844. And has not this increase of crime been going on for the last seven years, although perhaps not in the same ratio as last year?—No; I cannot say that it has. I do not think this return is worth the paper it is written on, because it is not a return of crime. I furnished it, but I would like you to look at what I said in my report. In paragraph 13, I think you will see that offences have decreased, as follows: "Abortion, 5; assaults, 7; assaults and robbery, 18; burglary, 112," &c. That is what I call crime decreasing. I do not call "drunkenness, 369," crime increasing.

845. It means police work, does it not?—Yes, but I do not call it crime. Now, I think that the worst crime we have in New Zealand is forging and uttering, and there was a decrease of eight. Then there is a decrease: "Gaming offences, 13; illegally on premises, 25; malicious injury to property, 35; murder, 10," &c. That is what I call crime. I may be wrong.

846. *The Chairman.*] You mean a decrease in the most serious crimes?—Quite so.

847. *Mr. Tunbridge.*] You say that the more serious crimes are diminishing?—Yes.

848. If you look at your report for the previous year (1896), it is very strange that many of the crimes you say were lesser last year were increased that year?—That is quite probable, and yet the next year we get a bigger population and the crime goes down.

849. But is not last year altogether an exception as regards the decrease in the more serious crimes?—Well, there has been a decrease in the prisoners every year. I am not prepared to say that last year was not an exceptional year.

850. The year before (1895) many of the serious crimes were on the increase?—Yes, there was an increase.

851. In the year 1894 there was also an increase?—Yes; and just to show that these figures are not worth much, there is a decrease of drunkenness in that year of 657.

852. You spoke of bicycles being used by the police as assistance: you have never refused the use of a bicycle?—No; but they are extensively used.

853. The men using the bicycles use their own machines and pay for the wear-and-tear themselves?—Yes.

854. *The Chairman.*] What is the rate of pay in each class of the Force in 1890 and in 1897?—There has been no alteration since 1890, and the grades at present are: First-class Inspectors, £400 each, and £50 a year house-allowance; third-class Inspectors, £300, and also £50 house-allowance; sergeants-major, 10s. 6d. per day; first-class sergeants, 9s. 6d.; second-class sergeants, 9s.; third-class sergeants, 8s. 6d.; first-class constables, 8s.; second-class constables, 7s. 6d.; third-class constables, 7s. Then, all constables enrolled after the 1st April, 1895, get £120 a year; first-class detectives, 13s. 6d.; second-class detectives, 12s.; third-class detectives, 10s. 6d.; and fourth-class detectives, 9s. 6d. Then, we have some Native constables and district constables on different salaries varying from £30 to £60 per year, and we have four matrons at £100 a year. All men who entered the service before the 10th February, 1887, get 6d. per day long-service pay after five years' service, and 1s. per day after ten years' service.

855. You referred to Native and district constables: what is their position in the Force?—They have the same powers as ordinary members.

856. Are they under the same discipline and control?—No, they are not supposed to give their entire time to the Force. There are some places where there is not sufficient work for an ordinary constable, and we get a local man and offer him perhaps £30 or £40 a year, as the case may be, and if he is approved he is sworn in and has all the powers of a constable. But he has no lockup, and no quarters.

857. Do they wear uniforms?—No.

858. Do they make the usual returns that the other officers make?—No; but they report any crime that occurs in the district. I will tell you the sort of places they are at, viz.: Howick, Mangawai, Ohaeawai, Great Barrier, Panmure, Port Albert, Katikati, Waiuku, Tokaanu, Kawhia, Moawhango, Makuri, Cullensville, Richmond, Motueka, Cheviot, Half-moon Bay, Stewart Island, and so on. Then we have Native constables. Their pay differs from £20 to, I think we had one as high as £40. Wherever we have a Native constable we have a European constable there as well, and the Native constable is subordinate to him.

859. Are these Natives regular members of the Force?—They are in the same position as district constables. A great many of them were handed over by the Native Department to the police. They were men who had done service in the war, I think. There are eight of them altogether. They are principally stationed where there are Native settlements.

860. Do they wear uniforms?—Some of them do.

861. *Colonel Pitt.*] They have all the powers of constables?—Yes, but always under a European officer.

862. *The Chairman.*] And they do not act independently?—No.

863. Were the men who were enrolled at the reduced rate in 1895, or subsequently, given to understand they would have an increase of pay for lengthened service?—No; they were merely told they would be enrolled on a pay of £120 a year.

864. Is there any reason why the first- and second-class constables should be limited in number?—There is no reason that I know of, except a financial reason.

865. At present what entitles their promotion from third- to second-class?—There is nothing.

866. Does that apply also from second- to first-class?—Yes.

867. Can you tell us how many men have been recruited from the general population since you ceased to recruit from the Permanent Militia exclusively?—I cannot say at present. In regard to enrolments, the Commissioners will notice that the Act says nothing about a man being enrolled from the Permanent Militia. It is only in the regulations. Now, what I wanted to say was this: that if a Minister had wanted to do any underhand thing as regards these appointments, all he had to do was to take a man into the Permanent Militia to-day and transfer him to the police to-morrow; or he had only to produce a regulation at the next meeting of the Executive Council, and the Governor would have signed it. What I wanted to show is that there is nothing illegal, because there is nothing to prevent it in the Act.

868. My object in asking that question was to know whether the introduction of these men has had any effect upon the Force, and if so, what? Has the number enrolled from the general public been sufficient to affect the Force in the sense of demilitarising it in any way?—I am not aware of this military element in the Force at all. I may say I have asked the Inspectors on all my visits since outsiders have come in, and they have universally, I think, agreed that we were getting more efficient men, or men who promised to be more efficient, as policemen from among outsiders than we had previously got from the Artillery.

869. You say there is nothing entitles a man to promotion: Do you think a system giving the right to promotion or increase of pay after a fixed term of service, say, of five or seven years, with a clean defaulter's sheet, and where there are trivial offences giving the Commissioner power to set the man back for a time or strike out the offence if he considered circumstances justified, would be beneficial to the Force?—Yes. I entirely believe in the system of increase for years of service, and I should like to see the different classes abolished.

870. In your report of 1891 you say you have put a stop to the system, which you say you found existing, of Inspectors making transfers in their districts: Do you think it objectionable that they should have that power?—It certainly was.

871. Transfers, you say, are attended with the very greatest trouble to Ministers: Was not the effect of this alteration to bring the matter of transfers under immediate Ministerial control?—No. I think that the regulation was made before we had telegraph communication. Now, it is only a matter of a few hours' delay. The Inspector telegraphs, and says, "I want to remove So-and-so"; and if he gives a reason it is probably done. In these days of telegraphs I do not see why you should give the Inspectors that power.

872. You tell us that every recruit has now to insure for £200: Is that life insurance?—It is payable at sixty, or at death if sooner.

873. Do you consider superannuation essential to a good Force?—Yes.

874. Do you suggest that it should be provided by the men out of their pay, or by the State?—By the State.

875. Do you find that constables serving civil processes and acting as bailiffs work satisfactorily?—Yes; but at the same time if they did not carry out their duties satisfactorily it would not be reported to me, but to the Justice Department.

876. Do constables so acting furnish any return of the moneys received for such services?—Yes; it is furnished to the Justice Department.

877. You do not know what sum is made by a constable who is a bailiff, in addition to his pay?—I cannot answer that question. I have at times asked the Accountant, and he has given me the answer, but I do not know whether he had to go to the Justice Department first for it.

878. Do you think you ought to know?—I cannot say; it is a fluctuating quantity.

879. *Colonel Pitt.*] Do I understand you to hold that this long-service pay should cease, and that the superannuation scheme should take effect?—I do not know that I would deprive them of it, because they are very old hands.

880. Can you carry out the superannuation scheme without that?—No. I think if you had a superannuation scheme you should put these men out of it. I do not see how you are going to provide for them now because they are so old. This was one of the objections from the first.

881. How many classes would you have, Colonel Hume?—I would have Inspectors, sergeants, senior constables, and constables; and I think I would have all the detectives one class.

882. Would you have Sub-Inspectors?—I do not think, myself, that there is any necessity for them. They were not a success, I understand, when they were appointed before.

883. Now, do you recommend a total cessation of recruiting from the Permanent Militia?—No. I do not see any reason why a man, because he happens to be in the Permanent Artillery, should be debarred from going into the police.

884. I mean on the ground of the efficiency of the Permanent Militia itself, or the Police Force?—No; I think there are good men in the Permanent Militia, and if too many are not taken I do not see that they have any grounds for complaint.

885. You said that this political influence is the principal matter that leads to disorganization in the Police Force?—Yes.

886. How do you recommend that that should be met?—Of course, if you had my classification scheme, or my payment scheme, in force you would do away with all influences of any sort, political or otherwise, to get men promoted. That goes without saying. Then it comes down to transfers and giving men stations. That I would leave entirely in the hands of the Commissioner. I might say I consider he would be strong enough to resist any pressure that might be brought to bear upon him.

887. Do not you think that the Commissioner should be made absolutely independent of Ministerial control. I am not altogether in favour of that. In fact, I said in my report, "I have no desire to lay it down as an axiom that the Force should be controlled entirely by the sole will of one individual." But I say in the matter of transfers he should certainly have sole control.

888. Now, in your opinion, are the police districts, as at present constituted, satisfactory?—Yes. I have not found them too big.

889. If the superannuation scheme was in force, would the compulsory life insurance of the members of the Force be necessary too?—No, I should think not.

890. You stated, in your opinion, the police ought not to have a vote: would that, in your opinion, operate against getting good men as recruits for the Force?—No; I am certain it would not. The men, as a rule, tell me they do not want to vote.

891. When was the franchise given to them?—I cannot say at once. It was before I was in office. [Since ascertained it was in 1886.]

892. So that a great many men joined the Force on the understanding that they would not have the franchise?—Yes; more than half of them, I should say.

893. Now, do I understand from your evidence that you are in favour of the Government providing uniforms for the police?—Yes, I think they ought to. I have never given the matter much attention. The police never complained to me much about it, and I have never thought about it.

894. How are injuries to the uniforms met at the present time?—The department bears the expense of repairing.

895. Will you say how you would deal with the case of petitions against the transfers of constables; I mean with a view to preventing them?—If they knew that the Commissioner had sole control, and that he was a strong-backed man, they would not try it on.

896. As to the reduction to £120 for third-class constables: in your opinion, should that stand if a scheme for increase of pay is not adopted?—Yes, I think it is a very fair pay for a commencement. I may say that since then the pay of a Permanent Militiaman entering the service has also been reduced.

897. Do you consider that the present number of the Force is sufficient in comparison with the population?—No; I intended to have asked for twenty more on the estimates this year. I may say I had an increase last year and the year before.

898. Is the Police Reward Fund often drawn upon?—Yes; but it is not reducing much. The fines for the year and the percentage pretty well cover the expenditure.

899. Can you make any suggestion as to the alteration of that eight-hours night-duty?—No, I cannot. I have thought the question out, and I cannot see how any alteration can be made without a considerable increase in the number of non-commissioned officers and men. I might add that, as men can do it in the English climate, I certainly think they can do it in the New Zealand climate.

TUESDAY, 22ND FEBRUARY, 1898.

Examination of Colonel ARTHUR HUME on oath continued.

910. *Colonel Pitt.*] Colonel Hume, in reference to instruction, are the members of the Police Force supplied with a copy of the Police Guide by (now) Sir Howard Vincent?—Yes.

911. Every man?—Yes.

912. And that contains information upon almost every point that a policeman requires to know in reference to his duty?—Yes, Sir.

913. *The Chairman.*] About the disorganization in the detective branch, referred to in your several reports, what was the disorganization you refer to?—What is the report, Sir.

914. In 1891, and again in 1894?—Well, the principal thing was the extreme anxiety of every detective to get charge of a particular case, especially big cases, and there appeared to be jealousy existing between the members of the Force as to who should get a case in hand and make the arrest. I attribute it a great deal to the chief detective—to the fact of having the rank of chief detective. Naturally, the case was reported to him first, and I found very often he would take charge of the case himself, and perhaps some other detective would find out something about it and arrest the man, and then there was jealousy between them.

915. The disorganization referred to in the detective branch, then, arose from jealousy?—Jealousy, yes.

916. In your report for 1891, you say the Detective Force is in an unsatisfactory state, owing perhaps to men having been selected more from political influence or favouritism than special intelligence and aptitude for their duties?—I have already quoted a case, I think.

917. Does that influence continue?—Well, I quoted the case of Mayne.

918. Were you referring then only to an individual case in that report?—Then another case has happened since. What I mean to say is this: that members of Parliament and Justices of the Peace and other people are incessantly, even up to the present time, making representations. They say, "So-and-so would make a splendid plain-clothes constable. Can you not do something for him?"

919. You said yesterday, if the Commissioner had backbone that would not influence him. Does this backbone not exist, or where is the backbone that this influence affects?—I think it is not fair to the Commissioner trying to bring pressure to bear on the department.

920. In your report for 1896 you state: "I do say, however, that interference with the administration of the Force, without due cause, must result in the breaking of the bonds of discipline." To what interference do you refer?—I refer to local influences generally.

921. But then over whom was this influence brought to bear?—It is brought to bear on the Minister.

922. On the Minister, not on the Commissioner?—Oh no, on the Minister.

923. And what is the effect of this influence being brought to bear on the Minister?—Of course it is hard for him to resist.

924. He yields, in other words?—I would not like to say that altogether. Well, I suppose in some cases he does yield.

925. Does the consequence of his yielding to this influence affect independence of management on the part of the Commissioner?—Yes, I think it does.

926. Does it control the will of the Commissioner?—Well, the will of the Commissioner is subservient to the Minister. I would like to give a case that comes to my memory now. A constable made an arrest for sheep-stealing. Of course, as I have explained to the Commissioners, the Commissioner of Police has a fund at his disposal for giving rewards for anything of the sort that he considers deserving. The Inspector may or may not draw his attention to it. He generally does, and the Commissioner acts on it. Not long ago, five or six Justices of the Peace wrote recommending a man for this reward. I maintain that it is no business of the Justices of the Peace or anybody else. That thing should be entirely in the hands of the Inspector and the Commissioner. The Inspector may recommend, or may not; or the Commissioner may consider the Inspector should have recommended and give a reward. But the local people send in a form of petition—"What a splendid man this is, and what a splendid arrest he has made"—and, if you do not listen to the prayer of their petition, they immediately have a grievance. In the same way you will get a letter from local people to say a man's quarters are not big enough for a man who has seven children, as there are only five rooms in the house. Well, I maintain that the Inspector and the Commissioner who visit these stations are the men to settle these matters. (*Vide* Regulation No. 118.)

927. To whom do you say these communications come?—Sometimes to me, and sometimes to the Minister.

928. If they come to you, do they influence you?—I am afraid they do sometimes.

929. *Mr. Poynton.*] You have no power under the Act or regulations to make any appointments to the Force?—No.

930. That power vests in the Governor, who is represented, of course, by Cabinet or the Minister?—Yes, Sir.

931. And when you submitted a list of eligible candidates for admission to the Force, and the Minister exercised his choice, he was acting strictly and legally within his rights?—Yes.

932. Now, the only constable that you remember as having been enrolled since 1891 is Nixon, in contravention of the regulations?—Oh no. I did not give the Commissioners to understand that.

933. You told us that all the appointments made were in accordance with the regulations up to 1891?—Yes.

934. Since 1891, do you know of any other constable but Nixon who was appointed in contravention of the regulations, up to the date these regulations were cancelled?—Oh yes, there are a

great many. I may add that the system broke down. They could not give us the men. We could not help ourselves.

935. Nixon was appointed after the system had broken down?—No, I think before. I will not be certain.

936. In June you reported it as having broken down, and Nixon was appointed two months before?—Oh yes, it would be in consequence of that.

937. The constables that were enrolled subsequently to March were enrolled in the same way as Nixon?—Yes, Sir.

938. Was the same care exercised in Nixon's case as in those subsequently enrolled?—Exactly the same. Inquiries were made in the same way—as to their former history and conduct.

939. There is nothing in the regulations stating especially that a constable, if he becomes the father of an illegitimate child, will be dismissed?—No, Sir.

940. There is nothing specific in the regulations indicating that a constable, if he becomes the father of an illegitimate child, will be punished by dismissal, or otherwise?—No, Sir.

941. You think it desirable that there should be a regulation to that effect, considering the position of policemen and complaints made against the Force generally?—Yes, I think there ought to be a regulation.

942. I suppose most of these cases come to your knowledge as Commissioner, either by outside complaints, or by marks on the defaulters' sheets?—Quite so.

943. And do you think, having regard to the number of men, and other circumstances, that the proportion of those who have illegitimate children is great, or is it any more than could be expected?—What could be expected; very small, very slight, from what I know.

944. From what you know, you think the proportion of those having illegitimate children is small?—Yes; they are few and far between.

945. *The Chairman.*] Can you give us the number of cases that have been brought to your knowledge during your term of office?—I think the one mentioned before the Commission is the only one I can recollect. I think Mr. Taylor said something in the House about illegitimate children. Of course, I do not know anything about that. I do not remember any other case. One minute! I think there was a man dismissed in Napier—a man named Ryan. I could look it up.

946. Not more than two cases in seven years?—As far as I can remember.

947. That have been brought to your knowledge: There may have been cases, but they have not been brought to your knowledge?—Quite so.

948. *Mr. Poynton.*] As to these retiring-allowances to Inspector Moore, Constable Hattie, and other cases, it would have been repaid to them again on retiring, or to the widow on death?—Yes.

949. Can you say what was the object of compelling a refund of the compensation before they were reinstated?—I suppose that, having received the money and then got an appointment again, the country should not lie out of it for the time being. That is the only way in which I can account for it.

950. It would only amount to the interest on the capital during the time he may be in the Force?—Yes, quite so.

951. *The Chairman.*] There is the element of risk: He may be dismissed, and thus forfeit his claim to compensation?—Of course, there is that; but in those particular cases, where you had old and tried officers, it was not likely it would result in dismissal.

952. *Mr. Poynton.*] Can a constable take an office from a local body without the consent of the Commissioner?—No.

953. I mean Inspector of Nuisances, and so on?—No.

954. So that the constables who have these appointments hold them with the consent and sanction of the Commissioner?—Quite so.

955. Notwithstanding the drawbacks, I understand you to say that the holding of these offices, such as you mentioned yesterday, is desirable by the police?—Yes, I see no objection.

956. It saves the country a lot of money?—Yes; and in some country stations the constable has little or nothing to do; but still he must be there, and he might as well hold these offices in addition to his police work.

957. *The Chairman.*] Are there many or few of those stations?—There are many such stations.

958. *Mr. Poynton.*] Some of these offices involve very little work, and only at certain times of the year?—Yes. I may say I have had an application from a constable to be removed from a station so that he might have something to do.

959. I suppose it has a good effect in training constables to certain work?—I think so, and it brings them in closer touch with the people.

960. *The Chairman.*] You have used that expression, "bring them in closer touch with the people," several times. What do you mean by it? I mean a man goes, for instance, to collect agricultural statistics. He sees the people and their mode of living, and, perhaps, he has never been there before. He knows exactly what their mode of living is, what they are doing on the farm, and so on.

961. Do you not think this bringing them in touch with the people has its disadvantages as well as its advantages?—I never found it so.

962. I thought that was a ground of complaint against men who had been stationed in localities for some time?—Oh, well, that will not occur during five years, or if they are moved periodically.

963. *Mr. Poynton.*] I want to know your system of collecting crime statistics. Is the system of receiving reports as to crimes committed uniform?—Yes.

964. A crime is reported and entered in a particular book—the crime-book?—Yes.

965. Whether the crime is detected or not, immediately the crime is reported to the police?—Yes; and there are, besides that, two warrant-books.

966. How long have these same kind of books been in use—have they been in use for ten years past?—Oh yes, long before I saw the country. They are all headed now “Armed Constabulary.”

967. A list of reported crimes is sent every year to the central office, so that every year you have the number of reported crimes in the colony?—Yes.

968. You have also the number of arrests made in relation to those crimes?—Yes.

969. The number of committals for trial or summary convictions, and also the discharges?—Yes.

970. So that looking back through these reports, say, for ten years, and making an analysis, it would indicate whether or not the police had become efficient during that ten years?—Yes, that is so.

971. The proportion of detected crime to the undetected could be ascertained for each year?—Yes.

972. Some of these reported crimes, I suppose, on inquiry are found to be really invasions of civil rights?—Oh yes, and some are often found to be no crimes at all. For instance, a man says his watch is stolen, and two or three days after he comes and says he has found it.

973. But taking the average for each year, it would be about the same?—Yes.

974. The system that formerly prevailed, of allowing an Inspector the right to transfer men in his own district, you considered a disadvantage?—Yes.

975. It is desirable to have transfers made by a central officer?—Yes.

976. Naturally, the central authority would know the capacity of the men required for a special place better than an Inspector?—I will give you a case in point. For instance, we will say a station in the Dunedin district becomes vacant—the constable at Kaitangata, we will say, dies. The Inspector in Dunedin in the olden days would have had the power—I do not know whether he would have done it or not—to send any constable in his district who had not got charge of a station to fill Kaitangata; whereas in other districts there might be men ten years the senior of that man, and not in charge of a station.

977. *The Chairman.*] The tendency was to make the Force a local instead of a general one?—Yes, and cause discontent by putting juniors over the heads of seniors. For instance, a District Inspector has only got fifty or sixty men in his district to choose from, and a great many of them may be junior or senior to men serving in other districts, but he only knows the particular lot that are in his district.

978. *Colonel Pitt.*] The result clearly was to make the Force a local one instead of a general one?—Quite so.

979. *Mr. Poynton.*] The number of men in the Force receiving long-service pay will, of course, be getting less every year?—Yes. I believe a return has been prepared in connection with that.

980. *The Chairman.*] I wish to understand your use of the word “promotions.” You have used it in referring to change of rank, and change of station, and sometimes to some other change. For instance, these transfers were not promotions?—Oh, no.

981. Did it give juniors something over the heads of seniors?—Well, charge of a station is worth £50 a year more.

982. Then, it is a financial benefit?—Quite so; nothing in rank. It is no promotion in the Force. For instance, a country station to a man who has been serving in Wellington would be worth considerably more than £50, because he would save that very nearly in house-rent. He gets a free house, and he gets his provisions much cheaper, and he gets extra emoluments or perquisites as Clerk of the Court or something of that sort.

[*Mr. Tunbridge* here handed in returns: (1) Of the men receiving long-service pay; (2) the state of the Reward Fund, showing the rewards given for the last two years.]

Colonel Hume: I may say, with regard to the sum of £93 paid as rewards during the year 1897–98, that £25 of that amount was paid for special services rendered by members of the Force in the Boshier murder case. The interest on the Reward Fund amounts to about £60 a year, and that, as I have already said, is paid by the Public Trustee.

983. *The Chairman.*] The other sources of income to the fund is the fines inflicted on men in the Force?—Yes. Of course, that has nothing to do with another fund for rewards for detection of sly-grog selling, which is in the gift of the Minister.

984. *Colonel Pitt.*] Of these 280 men who receive long-service pay, how many get 6d. and how many 1s. a day?—They all get 1s. a day now.

[*Mr. Tunbridge* here handed in a corrected return of the religions of members of the Force.]

985. *Colonel Pitt.*] With reference to the questions put by the Chairman regarding the Detective Force: *Mr. Taylor* referred to the same paragraph as the Chairman drew your attention to in your report of 1891, and you said then to *Mr. Taylor*, “All that is improved now”?—So it is, Sir. The Detective Force is very much improved.

986. I understood you to say this morning that the same state of things exist still?—Oh, no; it is very much improved. I understood, having said that before, the Commissioners were aware of it. I would like to put in here the form of letter that is sent to candidates when they are appointed. [Document handed in, and read].

987. *The Chairman.*] At the present time, if a man reaches the age of sixty, he would be entitled to his eighteen months' or two years' compensation, or whatever it is?—Twelve months.

988. And he would get his £200 for which he is insured?—Yes, up to the date that compensation was done away with. Compensation is done away with now.

989. It is done away with?—Yes; no Civil servant gets compensation now.

990. *Mr. Poynton.*] A retiring-allowance is given?—To all those enrolled after a certain date.

991. What is the date?—From the 1st April, 1895.

992. *Colonel Pitt.*] A man gets no compensation if he retires now?—No. This is to provide for compensation. I may say there has never been a case; but that is what I understand. The Commissioners asked yesterday how many men there were on this £120 a year who had been enrolled since the 1st April, 1895. There are 122. I promised the Commissioners I would look up a case of leave granted. I find that on the 2nd April, 1882, Sergeant McArdle, who was then quartered in Masterton, asked for twelve months' leave of absence to go to England to enable him to take a long sea voyage for the benefit of his failing health. Colonel Reader was then Commissioner, and he minuted to the Defence Minister: "Although Sergeant McArdle is worthy of every consideration, the utmost extent given on pay has been six months, and I cannot recommend more.—14/4/82." The Hon. Mr. Bryce says: "I should not like to authorise more than six months.—JOHN BRYCE. 15/4/82." He had six months' leave on full pay.

993. Are appointments in the Force generally sought—are there more candidates than are required for the Force?—Yes. There was a list when I gave over of about 350, roughly speaking. I know that is well within the mark.

994. *The Chairman.*] All properly recommended?—Oh, yes; I think they are pretty well all eligible men.

995. *Colonel Pitt.*] Can you tell us why a position in the Force is so sought after?—No, Sir; but I understand the Permanent Artillery is equally sought after, and they are on reduced pay. I would like to state here that I yesterday spoke somewhat disparagingly of this Return of Offences in my report. The reason is, if the Commissioners will turn to Regulation No. 44, page 9, they will see I am obliged to furnish it. I did not like the form. I said it did not show what I call crime, and I quoted "Absconding from apprenticeship," which I do not look upon as crime. But this is the form I found when I took office, and it is the form that was in vogue long before I came, and I furnished it in accordance with Regulation No. 44.

996. *Mr. Tunbridge.*] About the men performing work as Clerks of the Court, and that sort of thing. Did you not find it hampered you very much in dealing with men as defaulters, and in transfers, and that sort of thing?—No. I explained to the Commissioners I did not take anything into consideration beyond Clerk of the Court. I dare say men will come to the Commission and say they were agent of the Public Trustee, and something or the other, but I did not take that into consideration at all.

997. You said that in many places constables had very little to do, and unless they had these outside offices they would really die of ennui?—Yes.

998. *The Chairman.*] Did not the fact that some of these stations were more remunerative than others affect you in making your transfers?—No; I could not possibly take that into consideration. It would be endless.

999. *Mr. Tunbridge.*] Did you not find, when applications were made to increase the number of men at certain places, the argument advanced in many cases was that the existing constable's time was occupied a great deal by duties as Clerk of the Court and other outside offices?—Yes, that has been adduced as a reason; but in many instances I have attributed it more to local pressure being brought to bear on the Inspector than anything else.

1000. You admit that the money received by the constables who are fortunate enough to have the stations to which these offices are attached is a cause of complaint on the part of men who are not so fortunate as to get those offices?—Undoubtedly. I was going to suggest that the Commissioners might get a return of the places where constables are Clerks of the Court. I think there are about fifty altogether.

1001. Do you consider it a good policy for constables who are paid a fixed salary to perform their duty as constables to be receiving fees for the fulfilment of other posts?—Oh, yes; I have already explained I see no objection to it.

1002. You say you have no objection to their holding these offices when they have nothing else to do much. Do you think it a good policy that men should be paid for other posts than that of a police-officer, when they are taken on to perform police constable's work and no other? Do you think it a good policy that they should be receiving other moneys?—If you ask them to do the work, certainly; in fact, it is one of my grievances, because I could not get any pay.

1003. *The Chairman.*] You say they should be paid for outside work?—If called upon to perform it.

1004. *Mr. Tunbridge.*] You think that the pay a man receives as constable is not given to him for the whole of his time?—Well, the police duty takes precedence of all other.

1005. Yes, but that is not quite what I mean. I mean a man is paid as a police constable; and that being so, the Police Department have a right to the whole of the man's time. The men who are not holding these outside offices have to devote the whole of their time to the Police Force?—Yes.

1006. And yet you think, in regard to the men who are holding other offices, that the department should forego its claim upon the whole of their services and permit them to hold those offices?—Forego its claim on the whole of their services?

1007. Yes, the Police Department claims to have the whole service of a man when he becomes a police constable?—Yes.

1008. And so long as he does not hold other offices the department has the whole of his services?—Yes.

1009. But immediately they hold other offices the department foregoes its claim to the whole of the services of the men?—Well, I have never found any detriment arise from it. It was in vogue before I took office: it had been in vogue for years and years, and I see no detriment. I think Major Gudgeon also speaks favourably of it.

1010. There is the difficulty about providing a fund for pensions. Do you not think that as the Police Department has the right to the whole of the service of every man in the Force, the

fees or salaries accruing from any other offices they hold by permission of the Police Department should rather go into the Police Fund generally than to the individual officer who performs the work?—No, I do not think so. As you were saying just now, the town man does nothing but police duty, and the other man is doing other work besides this. The town man who is doing no work but police work is deriving a share of the money that this man in the country is working hard for.

1011. *The Chairman.*] You say the town constable gives the whole of his time to police duty: he cannot do more; while the country constable, in order, as you have remarked, to save him from *ennui*, is given some other employment beyond police work?—But, still, he works for it and earns it, and the town constables have part of the proceeds.

1012. *Mr. Tunbridge.*] You advocate that the man who does the work should get the money?—Yes.

1013. If the fees connected with these outside offices were paid into the Police Fund, would it not be very likely it would help a great deal towards founding a police-pension fund?—Undoubtedly. That will be proved, of course, when the return comes up.

1014. And then the whole of the Force would be benefited?—Yes.

1015. In one of your reports, I think, you advocated the abolition of the rank of chief detective?—Yes.

1016. Now, I want to know from you under what officer you would place the detectives of the four principal centres, if you are doing away with the chief detective?—My idea is, he should be under the sergeant-major, or, rather, under the senior non-commissioned officer.

1017. *The Chairman.*] Which do you consider the chief branch of the service—the detective or the street-duty man?—The detectives are more important.

1018. You would place him under the control of the non-commissioned officer?—Quite so; but the Inspector is over both.

1019. *Mr. Tunbridge.*] You would place a detective under a uniform officer, who is supposed to have no special knowledge of criminal matters or of detective work?—He cannot have any special knowledge of detective work, but he certainly has of police matters.

1020. But not any knowledge of detective work?—No.

1021. Of course, you would expect the officer under whose immediate control the detectives would be to be in a position to judge of the work they were performing?—Yes.

1022. And also to be able to judge of the capabilities of the men—what particular branch of crime they are more suited for?—Quite so.

1023. *The Chairman.*] Is the chief detective subordinate to the Inspector?—Oh, yes.

1024. Your suggestion is that, instead of being subordinate to the Inspector, he should be subordinate to the sergeant-major?—As well as the Inspector.

1025. *Mr. Tunbridge.*] For an officer to be able to perform the work you suggest—that is, to be able to supervise the work of the detectives, see that they did their work properly—would it not be necessary he should be very familiar with detective work?—It would be an advantage; but, supposing the Inspector wants a man for plain-clothes work, he does not go to the detective and ask him; he goes to the sergeant-major and asks him whom he considers the most suitable man for plain-clothes duty.

1026. But the man who is put to plain-clothes duty temporarily is not a recognised detective, and he will be put in plain clothes merely as a patrol, and would not be given a difficult inquiry to manage?—That may be so, but still it is the stepping-stone to the Detective Force.

1027. *The Chairman.*] It is recognised as such?—Yes.

1028. *Mr. Tunbridge.*] With regard to police surgeons, do you not think it would be an advantage to the Police Force if there were so-called police surgeons, in the populous centres more particularly?—Yes, I certainly think so.

1029. Paid by the department, and not by the men?—Yes, I think so. I have often talked to the Minister about it.

1030. *The Chairman.*] Who are they paid by now?—The members of the Force pay, themselves.

1031. And you suggest the State should provide for it?—Yes, and have a police surgeon.

1032. *Mr. Tunbridge.*] Some reputable surgeon in practice at the place should be appointed by the Police Department to attend constables in illness, and he should give certificates before the men are withdrawn from duty and go on sick list?—Yes.

1033. This would be a check on malingering?—Yes.

1034. And would practically do away with one of the charges brought against the police at the present time—I mean, men being on sick list ostensibly for one disease whereas it is something else?—Quite so.

1035. You think it is a very necessary appointment?—Very necessary. I have thought so for some time.

1036. Do you not also think there should be some slight stoppage from a man's pay when he is on sick list?—No, I do not know that I would altogether say that.

1037. That is the rule in many Forces, is it not?—That is so.

1038. Many of the men belong to benefit societies, do they not?—Yes. In addition to that last answer, I would like to call the attention of the Commission to Regulation No. 39, page 7, which bears on the case: "When any member of the Force is in hospital, the charge for accommodation and treatment will be deducted from his pay. If suffering from the effects of his own misconduct no pay will be allowed." I think that sufficiently provides for the case Mr. Tunbridge refers to.

1039. The cases that you refer to in Regulation No. 39 are only where men are in hospital, or where they are sick from their own misconduct?—Yes.

1040. The cases I referred to were where men were sick in their own homes?—Legitimate sickness?

1041. Yes, ordinary sickness. Of course, cases in hospital are very few?—Yes.

1042. I think you will admit cases of ordinary sickness are rather heavy?—Yes, that is so. Influenza especially, in Wellington, and a good deal of typhoid fever.

1043. In the populous centres as many as five and six men have been on sick-leave at one time?—Yes, certainly, as many as six have been on the sick-list at one time.

1044. That is, of course, only on occasions?—Yes.

1045. *Colonel Pitt.*] Not an average?—Oh, no.

1046. *Mr. Tunbridge.*] There are many men who belong to benefit societies?—Yes, I do not know whether there are so many since this insurance business has been introduced. There were a good many before that.

1047. For all you know they still keep up their payments?—Yes.

1048. A man who is a member of a friendly society, when he is sick and doing no work, is somewhere about 15s. a week better off than when he is at work?—Quite so.

1049. In other words, if he is an unscrupulous man, there is a premium on malingering?—Yes, but that would be stopped by having a police surgeon. I might add that I will say this for the men: I do not think there is much malingering.

1050. *Colonel Pitt.*] Are these police regulations satisfactory, in your opinion, or do they require amendment?—They require amendment. They are very old. They came out in 1886. There are several amendments required.

1051. *Mr. Poynton.*] Coming back to the outside officers, Colonel, do not the police look to the country stations with the increased emolument for these offices as a promotion and reward for good conduct?—Yes.

1052. And for superior education?—Yes.

1053. And for old men who, I suppose, are unfit for street duty after a certain time?—Quite so.

1054. And would not that incentive be taken away if you abolished the pay?—Yes.

1055. They are all married men in charge of stations?—Yes, they must be married men.

1056. *The Chairman.*] Do you say if this system were altered the incentive to good conduct would be taken away?—Yes, and also it would be an injustice to the older men.

1057. You wish these country stations to be regarded as rewards for length of service, or special service, which is it?—Length of service, I should say.

1058. That is, something in addition to the proposal to increase their pay for length of service?—Yes. I am speaking now as the Force is constituted at the present moment.

Captain JOHN COLEMAN, examined on oath.

1. *The Chairman.*] What is your office?—I am captain in the Permanent Artillery; stationed at Wellington.

2. How long have you been in the service?—Twenty-three years and six months.

3. In the New Zealand Government service?—Yes; I joined October, 1874.

4. For some years it has been the rule to recruit the Police Force of the colony from the Permanent Force?—Yes.

4A. Can you tell us the mode by which the recruiting for the police is carried out?—As far as we knew, they were taken from the list of members of the Permanent Artillery who are candidates for employment in the civil branch of the Force.

5. And by whom selected?—It would be impossible for me to say. The order would come from the Under-Secretary of Defence, at the request, I presume, of the Commissioner of Police.

6. Did any recommendation as to the suitability of the men go from you, or from the officers of your corps?—Only as regards height and physique. Their character would be shown on their defaulters' sheet.

7. *Colonel Hume.*] With reference to your last answer, do you see all the documents sent in to the Defence Office by the officer commanding the battery?—No; I may happen to be absent at the time, but there is nothing to prevent me seeing them if I am present.

8. *The Chairman.*] Who is in command of the battery?—Major Messenger. He has been in command for the last twelve years.

9. *Colonel Hume.*] Supposing a third-class gunner—say John Brown—sent in a respectful request to the officer commanding the battery that he would recommend him to be transferred to the police, what would happen then?—The officer commanding the battery might recommend him if he thought him really suitable, or he might simply forward his application for the consideration of the Commissioner—this is the usual course.

10. But just now you said there were no recommendations?—He might forward and recommend it, or simply forward it—this is the usual course adopted.

11. *The Chairman.*] You have known of such cases in which the men have applied to the officer to recommend them?—They always do. That is the invariable rule, and if the man is an exceptionally good man the officer will say "Recommended," or he might say "Strongly recommended." He might, but very seldom.

12. *Colonel Pitt.*] He must give some recommendation?—Only "Forwarded for the consideration of the Commissioner."

13. *Colonel Hume.*] Can you tell the Commissioners whether the fact of taking gunners from the Permanent Artillery for the police has been found detrimental to the Permanent Artillery force?—The Permanent Artillery officer looks at it from two points of view: as regards the advantage of having police constables sufficiently up in their drill to be able to be moved in case of necessity; but continually taking them from the Permanent Artillery he looks upon as a worry—it

makes his battery a mere recruit or training depot. It would be to his advantage for men not to be taken from the Artillery; but I think it would be to the Commissioner's advantage to have men in the police that had undergone a certain amount of training.

14. *The Chairman.*] It is inconvenient to have men taken for the police?—As far as the battery is concerned, yes, very.

15. *Colonel Hume.*] And from a military point of view is it detrimental or otherwise to the battery?—If you are expecting trouble from the outside it would be detrimental to the battery from one point of view; but from another it would give us a certain number of fairly well-trained constables in the colony to call on in case of emergency.

16. *The Chairman.*] Would their training be of much good to them after a certain number of years in the Police Force?—I think so. If a man once knows the use of a rifle he never forgets it. Artillery training is more complicated than infantry, no doubt, but still they would be very much better than the raw material.

17. *Colonel Hume.*] From your intimate relationship with the Police Force you know pretty well, I suppose, where those police are stationed who have been trained as artillerymen?—Yes, I have a fair idea where they are stationed; although, of course, if you shift them about I have no means of knowing. When they are first shifted I know where they go to, but after that I lose sight of them, unless I see them when travelling about the country.

18. From your knowledge of their localities, do you think they could be brought to a centre in sufficient time to be of much use as gunners?—It is a difficult question to answer. If you wanted them immediately I think the greater portion of them are within twenty-four hours' journey of your four centres, and a considerable number of them less.

19. Are not some at Greymouth?—Yes, Sir; but that is a part of the Island that would scarcely be threatened.

20. But if you wanted to get them to a centre?—You could send them across to Christchurch. You could get men to Wellington from Marton, Feilding, Waverley, Wanganui, Palmerston, and up that way.

20A. What about the man at Okarito?—Oh well, he had better remain as he is, to look after the district. What I mean to say is, it is a very great advantage, I think, to have the police with a certain amount of military training, so that you can move them—that they are not a mob. Also, I think it is a very great advantage in case there was trouble with the outside world to have them to use until you could get your Volunteer artillery together. At the same time, I do not think that, from other than from a military point of view, military training is of very much advantage as regards the steadiness and morality of the police. As regards morality, police and soldiers are much the same.

21. *Colonel Pitt.*] You do not think it is?—I do not think so—only as regards discipline and military training. Of course a soldier will be a soldier.

22. *Colonel Hume.*] Have you had any conversation with the late Commandant or the present Commandant on this point?—No, but I have heard them express their opinions on the advantages or disadvantages from their point of view of taking men from the different batteries.

23. And can you tell us what their opinions were?—They were both unfavourable—that it was not an advantage to the efficiency of the battery.

24. Now, you have seen all the police recruits that have been passed through the Permanent Artillery since there was a Permanent Artillery?—Yes, nearly every man. There may have been an exception. I believe there were some taken on that did not pass through the battery.

25. Do you consider the class of recruits you are getting now-a-days are as good or better than they were two or three years ago?—If you extend the period back a little I certainly say I am quite convinced the physique and stamp of men, other than from an educational point of view, is not as good now as it was ten years ago.

26. Have you noticed any difference in their moral and general character?—I think their moral character—I am talking now of the Permanent Artillery—is not as good as it was immediately after the Armed Constabulary was formed into the Permanent Militia. We had a different stamp of men.

27. Are the number of offences dealt with at the depot nowadays greater than they used to be or less?—Very much greater. When I say lately I mean for the last four or five years. They are not the same stamp of men at all.

28. *Colonel Pitt.*] Do you attribute that to stricter discipline, or to deterioration in the class of men?—If you could put the question some other way I think I could give you an answer that would give you a better idea of what I mean.

29. Give your own reason, then?—I think that some years ago we were allowed to go into the open market and get the best possible value for the money. At present we are confined, not solely, but to a large extent, to recruits from Volunteers.

30. *The Chairman.*] From the Volunteer Force?—From men who had either served in the Volunteers or were serving then.

31. *Colonel Hume.*] You were Sub-Inspector in the Armed Constabulary, and used to take on police recruits at the depot at Mount Cook?—Yes.

32. How long did that last; when did it stop?—That was gradually done away with just previous to the death of Colonel Reader. The thin end of the wedge was introduced just before his death, and it was gradually taken out of our hands until it left us altogether. Colonel Reader died, I think, in 1885. I know he stated to me that the change was a very great mistake, and a great pity—taking the selection of the recruits out of the Commissioner's hands and the officer commanding the depot.

33. Who fixed the date as to when the Armed Constabulary men should count their service as constables from: For instance, they were constables in the Armed Constabulary Force. When

they came to the police branch, did you say, "John Smith, you go over to the Police Force," and then, was his appointment as policeman dated from that date?—There were a certain number of applicants or candidates on the list for employment in the police. There were Police Guides or books placed in the library for them to work themselves up and get a rough idea of civil duties. When I got an order from the Commissioner's Office—Colonel Reader was then Commissioner—the order was worded, "Send a foot-man to Hokitika." I took the oldest member on the list of candidates, unless he originally came from that district, and there was an unwritten law that we should not send a man back to his own district.

34. When did his appointment as policeman date from?—I paid him up to and for the date he left the depot; and I presume he came on police pay—I could not say—the next day.

35. Would that in your opinion be the proper way to treat him—to date it from that date?—I think so, because while the man is travelling to his new station he should receive pay.

36. But would it be fair, in your opinion, to date his appointment from the original date of his joining the A.C. Force?—I think not. I think from the date of his joining the civil branch.

37. It was generally known for some time before it was abolished that the A.C. Force was a sinking ship?—Yes.

38. Consequently a great many men, seeing that, got or applied to be transferred to the civil police?—I believe so. I believe that was the reason. That is my candid opinion.

39. Then, those who remained on had rather a good time of it in those days—did they not get extra pay for making roads?—At out-stations I believe they did.

40. I mean on the West Coast?—Yes, I believe they did. I know this: that men were most anxious to get away from Wellington to join the service companies, as they were called.

41. Then, these men were encamped on the West Coast and were living very cheaply?—Yes.

42. And had extra pay for road-making while their comrades were doing street duty?—Yes; and if they had been twenty years in the A.C. Force, from their knowledge they were really recruits the day they joined the police. They had no civil police experience, and they were not as valuable to the head of the civil police as the man who had been two years a civil policeman.

43. What I want to know is this: If those men who have been making roads and living at a cheap mess were brought into the Police Force on the original dates of their A.C. appointment, would it be a proper thing to do?—No; it would be unfair to the men who had been serving years in the civil police.

44. *Mr. Poynton.*] What care is exercised in relation to the character of recruits for the Permanent Artillery at the present time?—You are asking me a question I cannot reply to.

45. *The Chairman.*] Recruiting from the Permanent Artillery to the police does go on at the present time?—Yes; we were ordered to discharge a man yesterday, I think, on his transfer to the civil police—a man named Martin.

Mr. Poynton.] Do you know anything about the care that is exercised in examining the antecedents of the men whom you enrol?—The method is this, at present: A man presents himself at the depot, and hands in a letter, "Please enrol So-and-so in the Permanent Artillery."

47. You have no knowledge of any procedure before that?—No. We have no knowledge whatever of his character.

48. *Mr. Tunbridge.*] The Permanent Artillery, I believe, when they are out of barracks on leave or pass, are at liberty to go just where they choose?—Quite so.

49. That means they may go to public-houses and drink, or they may go to brothels?—Quite so.

50. Without committing any breach of the regulations of your Force?—Yes. It is no offence against the laws of the colony for any man to enter a brothel. When you say a brothel, I think if they were seen in a recognised brothel by one of our non-commissioned officers he would be to a certain extent neglecting his duty if he did not bring the case under the notice of the commanding officer; but, having done so, the commanding officer could not punish the men, because they had committed no military or civil offence.

51. You said the effect of having police constables who had passed through the Permanent Artillery would be of benefit to the colony, as they would have a fair idea of artillery work, and would, in case of a sudden disturbance with the outside world, be an advantage to a certain extent. Can you suggest in what way the vacancies caused in the Police Force at that time by withdrawing all these men would be filled?—Swearing in district constables.

52. Men totally unacquainted with police work?—Well, I do not see what else you could do. Defending the colony would be of more importance than police work for the time being.

53. You, as a military man, have read up the history of wars in different countries. We go back to one of the greatest of European wars, the Franco-Prussian: Do you not find that lawless people, in Paris and other places, availed themselves of the opportunity afforded by the invasion of the German army to sack places, and so on?—Oh, yes.

54. Would not the civil police be required at the time of a threatened outside invasion equally as much, or even more than in ordinary times?—Yes. But I think defending the harbour from attack, if it ever was attacked, would be of more importance for the time being, because you could get your policemen back again. I have thought the matter over a good deal, and, from my point of view, I think it a great advantage to have the police go through a certain amount of military training, as, in case of a civil disturbance, their officers can use them as partially-trained men instead of as a mob.

55. *Colonel Hume.*] Was or was not some order issued not very long ago prohibiting Permanent Artillery-men from going into public-houses in uniform?—I do not think so.

56. Would you know if it had been issued?—No; it might have been issued when I was away, but I should say not. A man is independent so long as he conducts himself properly. There is no breach of discipline in going in and having a glass of ale, or any other form of refreshment.

FRIDAY, 25TH FEBRUARY, 1898.

CHARLES SLIGHT was examined on oath.

1. *The Chairman.*] You are an ex-member of the Police Force, I believe. In your own way, tell us the story you wish to bring before us, will you please?—Yes. I may say that I am a colonial. I first entered the Volunteer service in 1866, and in 1872 I joined the Armed Constabulary. I left the A.C. Force in 1874, and I joined the Volunteers again, and in 1881 I joined the Police Force in Wellington.
2. You were not transferred from the A.C. Force to the police?—No.
3. Will you kindly tell us the circumstances of your joining the Force in 1881?—It was my first intention to join the Gaol Department, but as they were wanting police, I joined that Force, and was sent to the Thames.
4. Did you send in an application to be enrolled in the police?—Just the ordinary application. I produced my testimonials, and my discharge was held in the office. I was sent to the Thames as a third-class constable. During the time I was at the Thames, my wife became ill, and I had doctors' certificates that the climate did not agree with her, and I applied for a transfer South. It did not seem to be entertained, because it hung on for a long time. My wife continued to get worse, and finally I applied for a month's leave, and came to Wellington.
5. In what year was that?—That would be 1883. I resumed my application for transfer, and I got it, to Wellington. After being a short time in Wellington, I was appointed to take charge of the Upper Willis Street sub-district.
6. Was that a separate station—I mean, was there a lockup there?—No. I think I had that for about four or five months, when I was sent to take charge of Manners Street Station; and my wife was appointed female searcher at that station. I held the station for a year and eleven months. During that time there was a good deal of dissension between the Detective Force and the general police, and very burning it was, too. At that time I was one of the unfortunates who were not in favour with Chief Detective Brown, because I arrested a prisoner, and would not give the case up to the detectives, but worked it up myself. The case was that of Samuel Bennett, charged with breaking and entering Collins's store. Mr. Brown tried to hand over the case to a man named McGrath, a third-class constable who was acting as detective, and who was married to Brown's niece.
7. Your rank then was what?—I was a second-class constable. Brown tried his best to get me to give up the case, which would have been about McGrath's first case as a detective; but I objected, and looked after it myself. Mr. Brown took me to task very severely for this, and from that out I was never very friendly with Mr. Brown. However, a combination, consisting of Inspector Brown, Sergeant Ready, and O'Rorke, Hadden, and Hattie, was formed against me—this was in 1884—and they succeeded in putting me out of the station after I had fought them for four months on paper. I was sent back to take charge of Upper Willis Street, with the promise of Mr. Shearman, who was then Inspector, that I would have the first country station that became vacant. Shortly after three stations became vacant, and I was sent to the one at Pahautanui.
8. What year were you sent to Pahautanui?—I think it was in August, 1886. During the time I was at Pahautanui one very singular thing occurred. I was sent to take charge of the ship "Pleione," which was wrecked on the Waikanae beach. I was just six weeks there, away from my station, camped on the beach. Two Permanent Militiamen were sent out to assist me in supervising the transfer of the cargo from the ship to the Waikanae Station, and I was in charge of them. We superintended this work, and there was no claim for lost cargo against the contractors from the time the ship started to unload until she was emptied, owing to the great care and attention we gave to the matter. There was not one complaint from the underwriters or consignees of cargo about lost goods. I destroyed two suits of uniforms through the salt water, tar, and dirt about the ship, and a suit of plain clothes as well. After the work was done I applied to the proper quarters, as I thought, for a reward or some compensation for this duty, as it had been special extra duty. The Commissioner of Police (Mr. Gudgeon), referred me to the Customs Department, and the Customs referred me on to the underwriters, and the underwriters to the contractors; but by the time I got to the underwriters I was full up of it, and I would not apply any further. In consequence I got nothing, and lost two uniforms. Another case, that of James White, wanted for horse-stealing, cropped up, and I arrested White under circumstances referred to in the correspondence. I applied for a reward, and it was not given to me. What I complain of in that case is that Constable Carr, my comrade with me on that occasion, was transferred to Maketu, and I understood that he got a rise in salary. However, I was left with only a record of merit.
9. *Colonel Pitt.*] You resigned?—Yes; I think on the 1st August, 1890, in consequence of this. I saw it was no use my remaining in the Force. Other men were getting promoted over my head. There was Gray, of Dunedin (116), my junior, and Maddern (108), my junior in the service, and both got rewards and promotions for services which I considered were no greater than mine.
10. In your letter to the department you say that if your resignation is not accepted it would cost you £1,000?—Yes; because I had partly entered into an agreement which involved that amount. After leaving the Force for some time I met Constable Hattie in the street, and he told me he had left the Force. He asked me if I had got compensation when I retired, and I said I had not. He told me I ought to have done as he did, go sick for a week and get a doctor's certificate and get compensation. Now, my grievance is that I did not get any compensation, and I consider I ought to, as I left the Force with honour to myself and credit to the country I served. I heard that Constable Cullinane also got his compensation.
11. You resigned out of the Force?—Yes.
12. Do not you know that men who resign out of the Force are not entitled to compensation?—I know that, and I understand it has been the rule.

13. *The Chairman.*] A man who deliberately asks the department to accept his resignation by a certain date because it will cost him £1,000 if the department does not, and when the department meets him in that request he can hardly have any claim for compensation. You never applied for compensation, did you?—There was no one to apply to, as I had been told I would not get it. Then, when I saw an impartial Board had been set up to inquire into police matters, I thought I would come before the Commission to see if I could not get my rights.

14. What is your grievance?—I think I am entitled to some compensation, more especially considering these men got it, and have since gone back to the service. I was quite satisfied to let my case drop until I found that these other men were getting compensation.

15. But they resigned under different circumstances altogether to you. They were ill, and produced doctors' certificates proving that they were incapacitated from duty.

16. *Colonel Pitt.*] You spoke of the dissension between the police and the Detective Force, and you have given us one instance as concerns yourself: Are we to understand from you that you had experience of that generally in the Force?—Yes. I understand you are going to Nelson, and I would ask you as a special favour to call ex-Inspector Goodall on this point.

17. Where was Inspector Goodall stationed then?—At Wellington.

18. Have you any knowledge of that dissension existing now?—I know nothing about the Force at the present time. Any knowledge that I have would be from outside talk. I hear of it from the men, but I cannot say anything of my own knowledge; therefore, it is no use talking about it.

19. *Mr. Poynton.*] Would you suggest any remedy to prevent this dissension?—There is one thing I should like very much to see, and that is this infernal system of political influence done away with. An honest, straightforward man has not a ghost of a show against political influence. The Commissioner should not be tied by the nose to a Minister at all. It is a disgrace to the service. I can speak from personal experience. I know if I had used political influence I could have got promotion over the heads of all these men, but I would not use it. I spurned the thought of it, because I thought if I was not worthy of promotion by my officer on my merits I was not worthy of the service.

20. Can you speak from your knowledge of the men generally?—It is general conversation with them that the man with the most influence can get promotion.

21. That was the opinion?—It is the opinion even to-day.

22. Do you think that the Force would be more satisfied if the head were made independent of political influence?—Yes, I do positively. I consider a good, honest, and impartial Commissioner will give a man worthy of promotion or reward his just dues.

23. And was the political influence when you were in the Force a cause of discontent?—It was very strong then, and I could have had five members of the House to take up my case, but I would not allow it. In fact, it went so far that one member told me he would bring it up in the House. That would be in 1889.

24. You say the feeling in the Force at that time was that political influence was rife and undesirable?—Yes. There was another thing I might mention which was in vogue at that time, although I do not know if it is the custom now. Any reports of crimes coming in were locked up in the detectives' offices until they could do nothing with them, and then they were handed over to the general police to deal with. In the case of White, I never knew anything about the case until I saw the report in the *Evening Post*. I then wired to the Inspector if it was true, and asked for particulars. These papers were locked up for nearly a week in the detective office, and all the time White was between Wellington and my station, where I had seen him. Yet I was not allowed to know anything about it. It was from the *Evening Post* that I found out that White was wanted on a charge of horse-stealing. The general police have not a ghost of a show while the detectives keep things locked up as they do.

25. There is a monopoly, or was?—Yes; but I do not know how it is at present.

26. *The Chairman.*] At the time you left the Force did not the *Police Gazette* contain particulars of all warrants, and descriptions of supposed offenders?—Yes; but they came out once a fortnight. There was a case of a man named Fitzgerald who was in my district, where I saw him, and I did not know he was wanted on a charge of forgery. The *Gazette* came that day, and when I read the notice I was satisfied that the man referred to was the man I had passed on the road. I got a letter or telegram saying he was in my district—saying that the man was supposed to have gone to my district—and telling me to arrest him. I went out and arrested him, and he was convicted. That was another case where the thing was locked up, while the detectives were running about between the Wairarapa and the Upper Hutt; while the man was all the time in my district, and I knew nothing of the charge.

27. *Mr. Poynton.*] What would you suggest?—That whenever a crime is committed knowledge should be sent to every member of the Force in the district.

28. *Colonel Pitt.*] When a man is wanted, as this man White was, is it usual to telegraph to all the constables round, or is it merely put in the *Police Gazette*?—No; it was not telegraphed then, but a Crime Report was sent out by mail to each member of the Force. However, in that case I got no Crime Report at all.

29. *The Chairman.*] You think these cases were exceptional?—They must have been, because no Crime Report reached me.

30. *Colonel Pitt.*] When you say that five members of the House were prepared to take up your case, was that in reference to this matter of White?—Yes, to get me promotion.

31. What is your opinion in regard to the police having the right to vote at elections?—I do not think they ought to have the right.

32. Why not?—Simply because it makes partisans of the police.

33. *The Chairman.*] When you joined the Force there was a rule prohibiting men from taking any part in elections or political canvassing: Was that rule ignored?—Yes, it was taken no notice of.
34. Do you think that the withdrawal of the right of the franchise would in any way affect the character of the men who would join the Force?—No, I do not.
35. Do you think it would act as a deterrent to joining the Force?—No, I think you would get the right class of men.
36. When you joined you gave up your right to the franchise?—Yes.
37. At that time was there any feeling in the Force amongst the men owing to their being disfranchised?—Yes, many of the men did complain, and it was owing to their agitation that they got the right to vote. I never felt myself injured when I had no franchise.
38. *Colonel Pitt.*] As to the rate of pay to the police: Do you think that it is sufficient?—Of course, married men have not the same advantages as single men, but I think the rate of pay is fair. I do not think there is any fault to be found with the rate of pay, if they get uniform, and long service, as of old.
39. *Mr. Tunbridge.*] You joined the service in 1881?—Yes.
40. And you were appointed to the charge of a station at the Thames?—Yes.
41. And afterwards appointed to a station in Willis Street?—Yes.
42. Within three years?—Yes.
43. And you had charge of a station right up to the time of your resignation?—Yes.
44. You were advanced in class how soon, after you joined the Force?—I think I was made second-class in the third year after joining.
45. And your complaint is that you were not made a first-class constable?—I believe Inspector Thomson recommended me for first-class rank and a reward of £10, in connection with the arrest of White, but it was not entertained.
46. It simply amounts to this: You were placed in charge of stations almost immediately after joining the Force, and got your first advance within three years after joining, and you were in charge of a station during nearly the whole of your service?—Yes.
47. And yet you think you were not fairly dealt with?—I certainly think I was not. When I was in charge of Pahautanui during Major Gudgeon's time, fuel and light were taken away, and on three different occasions I had to sit up in my office with a prisoner and burn my own fuel and light, and never got any refund.
48. That was a general order; it did not apply to you only?—That is so; but I wished to show the injustice it inflicted on the whole of the country stations.
49. There is no fuel or light granted now?—No.
50. Are you aware that at the present time constables are going eight and ten years, and in some cases longer, without getting a rise?—I am not aware of the fact, and if such is the case it is time they were dismissed, or justice has not been done to them for want of influence to get promotion, &c.
51. Well, if such is the case, you would consider you were very well dealt with in comparison with the men who are going eight and ten years without getting a rise?—Hardly, because I know of any number of men who have never done anything to get a rise in their lifetime.
52. Are you also aware that there are very few men indeed under six or seven years' service who are in charge of stations?—I am not aware of it.
53. You say the Commissioner should have full power in dealing with the Force. Perhaps you will tell the Commissioners who it was you came down to Wellington to see, when the Commissioner declined to take action in the way of giving you a transfer in consequence of your wife's ill-health?—I applied to no one, but went direct to Captain Coleman. I went and reported myself at the depot, and the result was that I got a transfer to Wellington. I never consulted a member with a view to promotion or transfer.
54. You did not go to any one outside the Force to advocate your transfer?—No; except my wife.
55. *Colonel Hume.*] At the time you entered the service, you say, political influence was rampant?—Yes; there was no difficulty in getting rewards, or promotion, or anything else, if you liked to use influence.
56. You also told the Commissioners you had a good deal of political influence yourself, but never used it?—That is the positive truth.
57. You also gave the Commissioners to understand that anybody without political influence at that time would have very little chance of advancement?—They would trot along for ever and a day. That is my opinion. Of course, if anybody did anything exceptional they might have had a chance.
58. Is it not a fact that you, without the slightest political influence of any sort being exercised, got your first step shortly after joining the Force?—Yes; and I will tell you how I consider I got promoted. A man named Remer, who was my junior, got promoted to second-class, and I applied for my grade, pointing out this man was junior to me and had been promoted. The next thing was that I got my step.
59. However, it comes back to this point—that you got it without the slightest political influence of any sort?—Yes.
60. Then some men at that time, apparently, without political influence, did get on?—I must have done.
61. How do you reconcile that with your statement that no man could get on without political influence?—I did my duty well, and was praised by my officers for it.
62. You quoted the names of two officers who were promoted, you say, through political influence?—I did not say anything of the sort. I suppose you mean the men Maddern and Gray.

These men were both my juniors, and were both promoted over me, and I reckoned the services for which they were promoted were no greater than mine for which I was not promoted.

63. That was duly notified in the *Gazette*?—Yes.

64. Will you tell the Commissioners of some one who was entirely promoted through political influence?—It is impossible for me to tell that. I could not point out a specific case.

65. *The Chairman.*] Have you ever been told by any member of the Force that he had secured his promotion by political influence?—Yes; I have been told by two or three, by different Governments. It was the general talk throughout the station all the time I was in Wellington. You could infer nothing else from their conversation but that it was political influence, and nothing else, that got their advancement.

66. *Colonel Hume.*] Coming down to the last eight years, since you left the Force: you are a licensed victualler, and you keep a house at Paikakariki, and it is the only house there?—Yes; I have been there since I left the Force.

67. You see a great many men there passing backwards and forwards belonging to the Force, and ex-constables?—Yes.

68. And generally have a talk with them about the Force?—Yes.

69. In fact, you and I have had that kind of conversation ourselves?—Yes.

70. Well, now, I want you to tell the Commissioners of anybody you have heard of during the time I have named having been promoted out of his turn through political influence?—I positively refuse to answer that question. It is not fair to the men. I know of nothing of my own knowledge. I have been told up till quite lately that political influence has been used, but I decline to give the names of the men who attributed their and others' promotion to it.

71. Now, you have said that, if there was a good honest and impartial Commissioner, free from Ministerial control, it would give much more satisfaction?—Yes.

72. That, of course, reflects on me, therefore I should like to ask you whether you have any reason to believe that I was not an honest and impartial Commissioner?—Certainly; I do not say that you were not honest, or dishonest.

73. Then, I take it, from what you know and have heard, you have no reason to suppose I was not honest and impartial?—Not a bit.

74. *Mr. Tunbridge.*] You say, notwithstanding the written application you submitted to be allowed to resign, the cause of your resignation was dissatisfaction with your position in the Force?—Yes; and I entered into the outside business transaction through being dissatisfied.

75. That is, because you did not get promotions and rewards that you thought you were entitled to?—Certainly, when I saw other men being promoted.

76. You said just now that Remer was advanced to second-class before you, and that you founded a complaint on that, owing to that constable being junior to yourself?—Yes.

77. Now, admitting that Remer was advanced before you: his date was the 1st June, 1884: would that date coincide with your recollection?—I think it would; I am not sure.

78. Do you know Constable Remer personally?—I knew him in Wellington, but I have not seen him for ten years or so.

79. Do you know that he is a fairly good constable?—Oh, yes, he is a very nice fellow. I have nothing against Remer.

80. If you were dissatisfied with not getting first-class before the 8th August, 1890, you would consider that Constable Remer, who was made first-class only a few days ago, would be more dissatisfied than you were eight years ago?—I thought you got promotion or reward for meritorious services.

81. You will admit that a man is not an impartial judge of his own actions. Do you not think it is for other people to judge of a man's actions, than for that man to judge himself?—Of course; but when a man points out his case and compares it with others, and points out that it is a better case, he ought to get some recognition of it.

82. *The Chairman.*] You think if he waits to put his good qualities forward they will never be taken up?—Undoubtedly.

83. *Colonel Pitt.*] You said you think the police are fairly well paid?—Yes.

84. Do you think it is right they should provide their own uniforms?—No; and I think the system of long-service pay should be continued.

85. *The Chairman.*] Have you heard anything in the Force in respect to superannuation?—No.

86. When you were in the Force was there a system of compulsory insurance?—I do not think so. I was insured, and my premium was deducted.

87. There was no feeling in the Force in consequence of the want of superannuation?—I do not know that I have heard that question raised before.

Colonel Hume: I wish, Sir, to put in two circulars which were asked for, in reference to police attending fires and drill, and instruction to be given by Inspectors. [Exhibit No. 8.]

88. *The Chairman.*] Have the latter instructions been carried out?—So far as I know instruction is given, but there is no system of return reporting that it is done.

89. You have no reason to suppose they have not been carried out?—No.

TUESDAY, 1ST MARCH, 1898.

GEORGE NEALE was examined on oath.

1. *The Chairman.*] You are an ex-constable of the New Zealand Police Force?—Yes.
2. What rank did you hold in 1883?—I was a third-class constable stationed in Christchurch.
3. What is your complaint in respect to Inspector Pender?—On the 28th April, 1883, I received information from a woman that the dead body of a child had been found in the grounds of a brothel

in New Street, Christchurch. It was on the previous Easter Monday, about 9 a.m., that the body was found by a boy named Ford; and Mrs. Boyd, who kept the brothel, was present when the child was found. I presented a report on the 28th April to Inspector Pender, as follows:—

Christchurch Police Station, 28th April, 1883.

CONSTABLE G. Neale, No. 1553, respectfully begs to report in re concealment of a birth of a male child found by four boys in Mrs. Boyd's garden, New Street, Christchurch, on Easter Monday, 26th March, 1883.

Mrs. Neilson states that she had a conversation with a Mrs. Cumming, who resides in Salisbury Street. The conversation took place the day after Easter Monday, and that Mrs. Cumming should say that she saw the body of a dead male child at Mrs. Boyd's, New Street, on Easter Monday, and that the boy Ford had found the child in the corner of Mrs. Boyd's garden on Easter Monday, about 9 a.m., and that when the child was found it was wrapped up in brown paper. The after-birth was laid on the child, and it had its arms close up to its body. The child was small; and that Mrs. Boyd was present, when she saw the child and told the girls to go and bury it.

Mrs. Cumming states that Mrs. Ford sent for her to see her about doing some needlework. When she came to Mrs. Ford's house, Mrs. Ford took her up to Mrs. Boyd's to see a dead male child that had been found by her boys and others in Mrs. Boyd's garden a short time before. This was on Easter Monday; it would be about 9 a.m. The child was lying in the corner of the garden.

Thomas Verner Kennedy states: I was in Mrs. Boyd's garden on Easter Monday with three other boys—the two Fords and Mrs. Boyd's little boy. We found a parcel in the corner of the garden all over blood, and wrapped up in brown paper. We did not touch it. We were frightened.

Ernest Ford states: I was in Mrs. Boyd's garden with my brother and a boy named Kennedy, and Mrs. Boyd's son, on Easter Monday. We found a parcel in the left-hand corner of Mrs. Boyd's front garden. It was wrapped up in brown paper, and had a lot of blood on it.

Mrs. Mason states that she saw Amy Dyson on the Friday night before she died, and she told her she had been beaten by Mrs. Boyd and kicked in the side, some time ago, and that she had not got over it, and said, "I am very bad," and that the "Chestnut Filly" had told me—meaning a girl named Thompson—had seen Amy Dyson, and Amy Dyson had told her that Mrs. Boyd had kicked her in the side, and that she had never got over it, and that she believed that she was going to die, and she had not been right since she had been kicked by Mrs. Boyd.

Mrs. Cummings further states that a man named Hannan had been to Mrs. Boyd's a short time after the child was found, and had got four bottles of beer out of Mrs. Boyd, and had told her that he would inform the police. I also saw Mrs. Boyd that morning, the 28th April, in her own house. Mrs. Boyd was in Wellington. I have not seen Mrs. Boyd since Easter Monday until this morning.

Alice Hulbert states: I know nothing about the child that was found in Mrs. Boyd's garden. I was at Mrs. Boyd's house on Easter Monday. I did not assist to bury the child that was found. I do not know anything about it. Mrs. Boyd went to Wellington some time ago. She came back last Thursday by the "Hawea" steamer. She is staying at Addington. She is not in the house. She does not stop here. I have been to Wellington. I came back on the 3rd April with a girl named Miller that is living with Mrs. Boyd. I am living at Mrs. Boyd's, New Street. The two girls, Alice Willit and "the Crooked Neck," are at Dunedin. I do not know the name of the girl we call "Crooked Neck." They went away a few weeks ago. They were here last Easter Monday. A man named "Cockney Jack" went away with "the Crooked Neck" to Dunedin.

Joseph Hannan states that he heard that a child had been found in Mrs. Boyd's garden some time ago. He heard some women talking about it. A Mrs. Kennedy was one of them. Have spoken about the child being found in Mrs. Boyd's garden at different times in New Street, but have not spoken to Mrs. Boyd about it.

The constable begs to state that the place where the dead child was found has been pointed out by the boy Ford, and that the ground was dug up by Constable Daly and the constable on the 27th April, but the earth appeared to have been recently disturbed. To all appearances the body has been removed from where it was buried. The deceased Amy Dyson was kicked by Mrs. Boyd about the time the child was found; and Alice Hulbert, one of the girls who buried the child after it was found, being instructed to do so by Mrs. Boyd. Mrs. Boyd left for Wellington shortly after, and did not return until last Thursday, after Amy Dyson had died. The constable had made inquiry for the girl Thompson, *alias* the "Chestnut Filly," who stops at Mrs. Weston's. She has gone to Port Lyttelton, and will be back to-night. Also, a woman named Mrs. Jack has stated to some woman in New Street that Mrs. Boyd had kicked Amy Dyson in the stomach, and that killed her. The constable will see Mrs. Jack this evening. The constable called at Mrs. Boyd's this morning, and inquired for Mrs. Boyd, and Alice Hulbert informed the constable that Mrs. Boyd was not there. Mrs. Cummings saw Mrs. Boyd a short time before, in bed, at the house; the constable had inquired for her.

GEORGE NEALE, Constable No. 1553.

The Sergeant in Charge of Police, Christchurch.

On that report I was instructed by Inspector Pender, who was then in charge of Christchurch district, to make inquiry into the circumstances concerning the report of the 28th. I obtained certain evidence, which I forwarded to Inspector Pender, and Mrs. Boyd was subsequently committed for trial on a charge of concealment of birth. My complaint is that, had Inspector Pender made use of the evidence, which was forwarded by me to him in the ordinary course, at the trial in the Resident Magistrate's Court a charge of murder would have been preferred against Mrs. Boyd. Four witnesses in the case were not examined at the Resident Magistrate's Court, although subpoenaed, and their evidence had been taken by me.

4. Who were these witnesses?—They were William Wood, cab-driver, a resident of Christchurch; George Wakefield, labourer, residing at Sydenham, Christchurch; Jessie Thompson; and Mrs. Jack, a resident of Christchurch.

5. You had taken their evidence; they were subpoenaed, but were not called?—No; and I was told by the parties interested that one of them was paid to leave the Resident Magistrate's Court, at the Court, by a constable; and that another was paid in the street to stay away from the Court, and he never appeared in the Court.

6. Were you present when the payment was made?—No.

7. Who were the persons who told you this?—William Wood and George Wakefield, the two parties interested. That is the gist of the case, as to the four witnesses being withheld from the Resident Magistrate's Court.

8. *Colonel Pitt.*] What had Inspector Pender to do with these witnesses not being called?—If they were subpoenaed he knew they were subpoenaed.

9. *The Chairman.*] Who conducted the prosecution?—Inspector Pender, in the lower Court.

10. *Colonel Pitt.*] Did he tell you why he did not call them?—No.

11. Did you consider there had been a miscarriage of justice?—I did, and do to this day.

12. Why did you not, knowing all this evidence, as you say you did, lay an information for murder?—Because I would have been obstructed by the Inspector. I am positive of that.

13. *Mr. Poynton.*] Where is George Wakefield now?—A resident of Sydenham, unless he is dead. I do not know the whereabouts of Wood.

14. When did you first complain about this?—I first petitioned Parliament in 1883.

15. *Colonel Pitt.*] Was this matter about Wood referred to in your petition to Parliament in 1883?—In my petition to the House in 1883 was one item, “suppressing a charge of murder at Christchurch.”

16. *The Chairman.*] Now, have you given us the whole of your allegation with respect to Inspector Pender’s conduct in this matter, so far as it is within your own personal knowledge; that is to say, he conducted the case, he had the list of witnesses, he had particulars of the evidence they were able to give and did not call them?—Yes.

17. You say you have a copy of that evidence?—Yes.

18. But we decline to receive it on the ground that the originals probably are in existence; do you wish the originals produced?—Decidedly I do.

19. *Colonel Pitt.*] Did you take these statements referred to in the evidence from the witnesses themselves?—Yes.

20. *Inspector Pender.*] Where do you come from now?—Napier.

21. What are you doing there?—Keeping a boarding-house.

22. When did you come down?—Last Tuesday evening.

23. For the purpose of making this charge against me?—I presented a petition last session to the House, through Mr. R. D. D. McLean, M.H.R.

24. Will you swear you ever mentioned my name in that petition?—I applied for an inquiry before the Royal Commission if it was appointed. The Petitions Committee granted my application under certain conditions.

25. Was my name mentioned in the petition of 1883?—It was mentioned in 1883. I believe I said Inspector Pender, or the Inspector of Police, or the police, had suppressed evidence.

26. You came down for the purpose of bringing this charge against me?—I came down to have the whole of these matters investigated. I have been debarred by the Commission from doing so, and confined solely to one particular charge.

27. Then, you did not come down for the purpose of preferring a charge against me?—I came down expressly for the purpose of preferring a charge against you and others.

28. What motive have you in making a charge against me after fifteen years?—It is not a question of length of time. I have already made a charge against you in 1883. I think that was a short time after the matter occurred; so I have not kept it in reserve.

29. What motive have you in coming down and making a charge against me after a lapse of fifteen years?—Because I considered it was a public duty in the first instance. I would also like to mention, in connection with that question, that I also had a second consideration—that is, that I wanted justice to myself.

30. Did you consult with other people before you left Napier?—No; I consulted myself.

31. Nobody else?—No.

32. There is no one else prompting you?—None whatever. I never consulted a soul in connection with this matter.

33. Is there no one else prompting you to come down here and spend your time for the purpose of performing a public duty?—No; but I know what you want to know, and I will tell you what I did do. When I saw Mr. Taylor coming forward in the way he did, I wrote to him, because I considered it my duty to do so, and I informed him of the case. Mr. Taylor returned the papers to me.

34. Mr. Taylor would have nothing whatever to do with you?—He returned the papers and left the matter with me.

35. You have been very unfortunate while in the Police Force; I believe you were almost continually having rows and charging your officers and non-commissioned officers with crimes of all sorts; is that a fact?—No; if it was so, it was purely done in doing my duty.

36. You first commenced in Invercargill, and charged the Inspector and sergeant there with some offence?—Rather. We have got all the particulars of this case.

37. And they preferred eight charges of insubordination against you?—Oh, he was always drunk.

38. And you were fined £3 15s.?—By a bogus inquiry I was. The case was never gone into, and that was my reason for petitioning the House in 1882 to have my case investigated.

39. Then you came up to Christchurch and got at loggerheads with the sergeants?—No.

40. Did you not report all the sergeants, and say they were working against you?—No.

41. You charged Moore with all sorts of offences?—Yes; and I have a case against him if I could go into it.

42. You also charged me with withholding evidence?—Yes; and with false representation, and obstructing me in the execution of my duty.

43. And the case was dismissed when it came into the Court?—Yes; and owing to your actions it was dismissed.

44. Will you swear I had anything to do with it?—You did not prosecute in the case of a violent assault committed by Barrett, a hotelkeeper, against another man.

45. Did not the man sue Barrett in the civil Court, where it was investigated and dismissed?—Yes, because ten big Irishmen swore positively that Barrett never committed the assault, although Barrett admitted to me having done so, and other witnesses had seen him do it. The case came before Mr. Beetham, and Mr. Beetham cautioned Barrett in connection with his actions.

46. You swore just now you never made any complaint about the police at Christchurch?—I did not say that.

47. Did you write this: “Constable George Neale, No. 1553, respectfully requests Inspector Pender will forward this the constable’s application to the Commissioner of Constabulary, Wellington, for a police inquiry into the obstruction on the part of the police at Christchurch in the violent

assault committed at the Borough Hotel, Christchurch, by a man named John Barrett, landlord of the Borough Hotel, on the 24th March, 1883. The constable begs to request that he may be exempted from further police duty pending the inquiry into charges brought by the constable against the Queenstown police, forwarded to the Hon. Defence Minister in January, 1883. The constable has been subjected to a course of injustice since he has been stationed at Christchurch, and requests that steps be taken that he may obtain some redress to prevent the constable from resorting to extreme measures?"—Yes.

48. And I minuted your letter: "Sergeant Mason.—Please inform Constable Neale that this is the first time I have heard of any injustice having been done to him. Give the constable a defaulter's sheet form so that he may enter thereon any complaints he may have against any member of the Force, and the fullest inquiry will be made at once into his alleged grievances." Did you put your charges on a defaulter's sheet?—I put them on a sheet.

49. Were you invited to put your charges on a defaulter's sheet?—Yes.

50. Did you not refuse point-blank the orders of the sergeant to put your charges on a defaulter's sheet?—I may have done so.

51. Then, you got into communication with the Minister of Defence without letting me know anything about it?—Yes, I forwarded a document to the Hon. the Minister of Defence in 1883.

52. You were discharged or dismissed in Christchurch?—I walked out of the station.

53. You fell out of the ranks and refused to do duty?—Yes, I refused to remain in the Force after the murder case.

54. And you were suspended for insubordination?—Yes.

55. And you were discharged by the Governor?—I was discharged because I refused further duty. I was paid up till the date I was discharged, although I refused duty a fortnight prior to that.

56. After that you managed to be taken on again?—I came down to Wellington to petition the House; and I was taken on to shut my mouth, in 1885. I suppose that was what was at the bottom of it.

57. And you were again dismissed for insubordination?—I will not answer you, and my reason for not answering is that this case of conspiracy has not been inquired into. If the Commission is not going into the circumstances bearing on the other case I am not justified in answering the question.

58. Were you dismissed for insubordination?—I was dismissed through a conspiracy.

59. Was the charge insubordination to Inspector Bullen?—I never was charged.

60. Were you not brought before Mr. Preece?—Yes, but I never was charged.

61. And you opened a detective office in Christchurch, after you left the Force?—Yes, I had to do something for a living.

62. Why did you not, knowing I had committed these offences, go to the Court and lay an information, and so perform your public duty?—Simply because I thought I would wait my time and petition the House.

63. Why did you not lay an information before the Magistrate?—Because I would have been shot, you were so well liked amongst a certain set in Christchurch.

64. You brought a charge against a man named King for arson?—Yes.

65. And you worked up the case?—Yes.

66. And the man was committed for trial at the Supreme Court?—Yes.

67. And I believe a man named Stinson swore on his oath that you had tried to bribe him to give evidence to get the insurance money?—Yes.

68. And you swore you never spoke to him about such a matter?—Yes, I swear so now.

69. Do you recollect the Judge, in addressing the jury, saying that if they believed you they should convict the prisoner, and that if they believed Stinson they should acquit him?—Yes.

70. And they did acquit him?—Yes.

71. And the next day you arrested Stinson for perjury?—I applied for a warrant and you refused it.

72. I could not give you a warrant; did you go to the Magistrate?—You would not give me a chance.

73. Will you believe me when I tell you I wrote a report saying that I did not believe what Stinson said?—I am very glad to hear that.

74. When you were dismissed, would you believe that I wrote and gave you a good character for duty?—You could not have done anything else. I am very glad to hear it, and must thank you for it.

75. You and your wife were ill for some time?—Yes.

76. Did I not treat you and your wife with the greatest consideration, and give you leave on several occasions when you were not entitled to it?—I do not think so.

77. Look at the papers then and see if I did not, and then do you charge me with being harsh towards you?—I suppose you only gave me the leave other constables got.

78. Was I ever harsh towards you, or did I ever do you a wrong?—I considered your actions in some instances wrong.

79. In what instances?—I thought your actions extraordinary in connection with that case of Barrett's.

80. Leaving aside that case: I mean, had you any reason to think that I had a "down" on you?—By what occurred I considered you had a down on me for reporting officers.

81. When the child was found, I think I relieved you from all duty and sent you in plain clothes to hunt the case up?—Yes.

82. You were employed for a long time in hunting up this case?—Yes, and with another one.

83. Then at that time you did not think I was inclined to shield Mrs. Boyd, when I put you specially on this case?—Evidently the police had received information prior to me.

84. Did I not send you and give you a free hand to get up all the evidence you could about the case?—Yes; and I was obstructed by the police as soon as I got on the track of it.

85. Did you report to me you were obstructed?—Yes; I reported to you personally, and in writing.

86. That was after the case was called and dismissed?—Before the case was on. I reported that the man named William Woods had informed me that my private information that had been submitted to you had been taken to a common brothel for the information of Mrs. Boyd, and also of her solicitor, Mr. McConnell; and also that a constable (I will not mention his name) had taken the evidence there, and that the constable was cloaking this common brothel.

87. That is, the whole sum and substance of the charge depends on what Woods told you?—Yes, and what George Wakefield also told me.

88. Are you sure that the Crown Prosecutor did not appear in that case?—He may have been there.

89. Will you swear that I conducted the case; or did the Crown Prosecutor conduct the case? I cannot remember, but I believe it was the Inspector.

90. Whoever conducted, whether myself or the Crown Prosecutor, the case was committed for trial?—Yes, on the concealment of the birth of a child.

91. What became of the case when it went up for trial?—The bill was thrown out, because the evidence was not taken.

92. Did the bill ever go before the Grand Jury?—I was not before the Grand Jury.

93. Then, the case you spent so much time and energy in getting up went to the winds in the Supreme Court?—Through your fault, in not bringing forward the evidence you should have done.

94. If you knew I had been neglecting my duty, why did you not go to the Crown Prosecutor and say, here are four witnesses who can prove so-and-so? The Crown Prosecutor was in the conspiracy I suppose?—It looked very much like it.

95. Does Woods say one word about me in his statement; does he ever mention my name?—No; he mentions Cullen's name.

96. Where did you get these papers?—I got them when I was in the Police Department.

97. Are these originals?—I really could not say. All I know is that they have been in my possession ever since the case. I put in these marked passages, as the original statements made to me, and which I handed to Mr. Pender, and these are the passages which I say suggested a charge of murder.

Christchurch Police Station, 29th April, 1883.

CONSTABLE G. Neale, No. 1553, begs to report in *re* concealment of a dead male child that was found on Easter Monday in Mrs. Boyd's garden.

Jessie Thompson, going by the nick-name of the "Chestnut Filly," states that, on Friday, two days before Amy Dyson died, she told me that she was going to die through a kick that she had received from Mrs. Boyd some time before, saying that Mrs. Boyd had kicked her in the side and had knocked her about, and that she had been bad ever since she was knocked about. I know that Mrs. Boyd was the cause of her death: she was black and blue through the violence received from Mrs. Boyd. I know more, but I will not say any more now.

Elizabeth Mason further states that, before I went to Dunedin, about five weeks ago, the brother of Ada Willet was sleeping with me one night, and he told me that he was at Mrs. Boyd's the other morning, and that he had picked up a dead child in Mrs. Boyd's place. I was in the Criterion Hotel one night before I went to Dunedin. I was in company with two girls called Miller and Nelly Ross. Nelly Ross said, "I will give that Amy Dyson a damned good hiding for taking my bloke away the other night." Miller said, "For God's sake do not touch the girl, she is in bed through Mother Boyd knocking her about and kicking her. Poor thing, she is very bad; she is black and blue, and she has got two black eyes." Nelly Ross did not go up to Mrs. Boyd's. I was in company with Amy Dyson about two months since, before I went to Dunedin, and she informed me on two or three different occasions that she was in the family way—that she was carrying a child.

The constable begs to submit that a violent assault has been committed by Mrs. Boyd, by kicking the deceased Amy Dyson in the side, and other ill-treatment, while carrying a child; also, the child that was found in Mrs. Boyd's garden was Amy Dyson's child; and that Amy Dyson has been in agony ever since she was kicked by Mrs. Boyd, Amy Dyson being in bed on the morning of the child being found. The constable will be able to furnish further evidence in this case by 9 p.m. on the 30th. Mrs. Boyd went to Wellington shortly after the child was found, and did not return until Thursday last, the 25th April.

GEORGE NEALE, Constable.

98. *Mr. Poynton.*] You think that evidence disclosed a murder case?—I do.

99. And you complain that this evidence was suppressed?—Yes.

100. *Inspector Pender.*] How long have you had these papers?—Ever since the Court case.

101. Then, if you sent them in to me, how comes it that you have them now?—You might have passed them on to me for some purpose or the other.

102. If I passed them out to you, how could I have had them in the Court?—They may have been in the Court case.

103. You think I gave them back to you?—Yes; you might have thought I was sore over the matter, and handed them back to me to look over.

104. You did not steal the papers?—I did not steal them.

105. How did you get them?—There comes the issue. I say I have no more idea, if I have any originals, how they came into my possession than a child unborn.

106. Were they not taken off some file; you see they are torn in the same place?—I unfortunately tore them myself.

107. On the report which you have read there is an original note opposite your remarks about Amy Dyson, as follows: "Doctor Doyle found no marks of violence." is that in my handwriting?—Yes.

108. And you cannot give the Commission any idea as to how you became possessed of these papers?—None whatever.

109. Now, this morning, when you commenced your evidence, you were looking at these papers, and I asked you what they were, and you said they were notes taken at the time: why did you say

that, when they were the original reports and statements you submitted at the time?—Do you say I had the originals?

110. You say so yourself?—One of them.

111. Are you able to say if any of these other documents are the originals?—One of them, I presume.

112. You are quite sure of that. We may take it that the report of the 28th April, 1883, which you have read, is the only original document?—Yes.

113. And these others are copies?—They may or they may not be. I always take a copy of my evidence exactly as submitted to my superior officers.

114. Was it not your duty to return this original document to the office?—Well, it might have got mixed up with the various papers, but not in the way of thieving it.

115. Are not these documents originals; are not these marks I would put in the margin to attract attention? Are these marks yours?—I cannot say. That might be some idea that struck me. I would underline them to make a note of any particular point I thought might be of advantage.

116. You say you kept copies of all these reports; did you keep a copy of this complaint of yours, dated the 25th March, 1883, against Sergeant Moore?—I believe I have a copy.

117. Have you got a copy?—I really cannot say at the present time. It is possible I have a copy somewhere.

118. You have not it at hand?—No.

119. You say you thought I had a “down” on you at the time you were discharged?—Well, I did not stand very friendly with you for reasons which are well known, and which I am in a position to prove.

120. What are they?—I had reported Inspector Hickson; and my action against Inspector Hickson followed me up to Christchurch. I was put there to be slaughtered.

121. You would scarcely believe that I wrote rather favourably of you at the time you refused duty?—It is possible that you did.

121A. I wrote in regard to you as follows: “The ex-constable is a man of very nervous excitable temperament. Since I took charge of the district he has been very often on the sick-list. It appears his wife has also been ailing for some time; and I understand he had a great deal of anxiety and trouble for months prior to his discharge. His long service, and his willingness and zeal at times in the discharge of his duties, covered many of his faults and peculiarities.” Does that surprise you now?—No, it does not.

122. You thought I would write that, although I had a “down” on you?—You wrote what was consistent and true; and I wish to thank you for the good opinion that you put at the bottom of that report.

123. Probably had you known I had written that you would never have brought up this charge?—I have not made the charge vindictively.

124. *Colonel Pitt.*] Can you say roughly how many inquiries concerning yourself or concerning charges made by you have been held during the time you were in the Force or out of it?—The first inquiry was held in Queenstown, in 1883, and there was one at Waipawa.

125. Have these inquiries resulted in your favour or against you?—I never heard the result of the inquiry that took place before Inspector Broham in 1881. I was transferred to Christchurch, and got promotion the wrong way—namely, dismantled, and placed on the streets.

126. Who was the Crown Prosecutor in Mrs. Boyd’s case?—Mr. Duncan.

127. Well now, I want you to listen to what I say, and answer straight. I am quoting from some papers connected with you, and from a memorandum in Sir George Whitmore’s handwriting on the 19th June, 1886: “Lastly, at a trial Judge Johnston told the jury that if they acquitted the prisoner it amounted to stating that Constable Neale had committed wilful and corrupt perjury. They did so acquit the prisoner, and the Judge communicated with the department, and Neale was thereupon dismissed.” Is that true?—It is false.

128. Was it true that Judge Johnston told the jury what I read?—It is the first time I heard of it.

129. Is it the first time you have heard the Judge’s remarks?—Yes.

130. Do you know that he made this statement in regard to the jury?—I do not know.

131. *Mr. Tunbridge.*] What was the object of withdrawing yourself from further duty in Christchurch?—After running these two cases conjointly, I was dissatisfied at seeing matters so barefacedly put on one side; my important witnesses being withheld, and no inquiry held by the Inspector in regard to Wood’s statement. There was also the stigma cast upon me by the man Stinson.

132. Was it in consequence of annoyance you felt, owing to these two cases not going the way you thought they would?—I found I had been entrapped. I found there was no earthly use stopping in the department, and that my capabilities, which I have proved since I left the department, were no use in the New Zealand Police Department, and that the sooner I severed my connection with them the better it would be for myself and the department.

133. Notwithstanding your disgust, and so on, you were very soon afterwards endeavouring to get back into the Police Force again?—In 1883, I petitioned the House, and my petition was shelved. The following year I corresponded with the late Mr. Turnbull, and Mr. W. C. Smith, in reference to presenting my petition the following year. A change of Government had taken place in 1883, and the Liberal Government came into power, and Mr. Turnbull was a great Liberal, and Mr. Smith also. I got a letter, which I have not here, informing me that it would be no earthly use my going any further into these cases; and the following year (1885) I came down for the purpose of presenting a petition again. Mr. W. C. Smith, having presented my petition in the first instance, consulted with me, and told me that he thought I had better get into the department again. I made

application to Major Gudgeon. He submitted my papers to the late Hon. Mr. Ballance, and, after consultation, they came to the conclusion that I had been badly treated, and I was taken on to the Force again, which was a certain amount of satisfaction to me. Major Gudgeon was Commissioner of Police. But Colonel Hume, in 1892, said before the Petitions Committee that I got back because I had a starving wife and family.

134. You came back because you thought that the police would be a sphere of usefulness for your abilities?—It was a certain amount of satisfaction to know that I had been badly treated, and that I had received some consideration.

135. You received consideration to the extent of one year, and at the expiry of that year you left the Force again?—In double-quick time.

136. And, of course, when you left the Force again it was not through any fault of your own; it was the fault of the system?—The fault of doing my duty was the cause of it—stopping a woman from opening police telegrams in the station.

137. In withdrawing yourself from duty in Christchurch you said it was because traps were laid for you; do you think traps were laid for you?—Yes.

138. What were the traps?—There was one trap in 1883, when I was on duty at Hereford Street, between 12 and 1 o'clock in the morning. A constable, at present a member of the Police Force, came to me and said, "Why do you not go down to the Crown Brewery, as they have a good barrel of beer on there—just as you go in the door." I had been on the station about a fortnight then. The constable was so persistent in his recommendation about this barrel of beer that, having been forewarned as to traps, I did not go down to the brewery after leading him to believe that I would. I stopped at Oxford Terrace, about half-way on my beat, between the top of Hereford Street and the Crown Brewery. The constable was so anxious that I should go that I was suspicious of a trap. I remained there sufficiently long to have allowed me to become comfortable in this brewery, when the fire-bell gave about three peals. I ran up my beat and saw this constable and a sergeant and two other men go up a side entry in the rear of a butcher's shop. I followed them into the smoke-house. The constable was illustrating in a very elaborate way about flames going out of the window, but I saw at a glance that no such thing as a fire had occurred there. I opened the smoke-house door and there was no fire. I believe they enticed me to go to the brewery, and then rang the fire-bell in order that I might be at the brewery, and therefore absent from my beat when the fire-bell rang.

139. Was that the only trap?—There were a few more, but I shall hold them in reserve for future publication.

140. *Colonel Pitt.*] In reference to the Boyd case, I see there is a paragraph as follows: "The women were tried and committed for trial, but the Crown Solicitor abandoned the prosecution at the Supreme Court through some legal difficulty, over which neither he nor the police had any control." Can you say that is not true?—I say that if the evidence had been brought forward the case would have taken a different turn altogether.

ARTHUR HUME was examined on oath.

141. *Mr. Neale.*] You were Commissioner of the Police Force of New Zealand in 1892?—Yes.

142. You attended before the Petitions Committee in 1892, and gave evidence when I had a petition before the House?—Yes.

143. During your term as Commissioner of Police I was not under you?—No.

144. In your statement before the Petitions Committee you informed them that I was reappointed to the Police Department in 1885 by Major Gudgeon for having a starving wife and family?—I may or may not have said so. If I did say it, I had very good reasons for saying so.

145. You remember, I suppose, Inspector Pender being brought up in connection with this charge?—I do not remember.

146. You do not remember passing a remark that it was a pity Inspector Pender was absent, and that such an assertion should be made against him?—I do not remember passing the remark.

PETER PENDER was examined on oath.

147. *Mr. Neale.*] On receipt of my report in reference to Mrs. Boyd's case, you instructed me to make further inquiries in this matter?—I cannot say as to what I instructed you. I probably gave instructions to the sergeant-major to let you go in plain clothes and do the best you could.

148. Did you ever receive any information through any member of the Police Force concerning the death of Amy Dyson prior to my supplying information to the department?—I do not recollect the death of Amy Dyson. I recollect the case about the child, but do not recollect anything about the death of the woman.

149. Do you know if there was any inquest in regard to her?—I cannot say. I do not recollect her death at all.

150. Do you remember my bringing the decomposed body of a child to the station?—I do not recollect the circumstances.

151. You do not recollect my bringing the body of a child to the morgue?—I do not. I had a large number of cases and was very busy in Christchurch.

152. Of course you know that I brought the body of a child there?—I cannot say whether you did or not. When I say that, I do not mean for a moment that you did not bring it.

153. Do you know if there was a decomposed body at the morgue during the time I was working up this case?—I do not recollect.

154. If there was a body in the morgue which had been exhumed from private grounds would not an inquest be held?—That is the usual course.

155. Was there an inquest on that child?—No doubt there was.

156. You, as Inspector of Police, and in charge of the station, would naturally be acquainted with all the circumstances connected with a case of that kind?—There was never a case at the station in the way of crime that I was not acquainted with.

157. Still, you do not recollect all the particulars in regard to this case?—No; I had more than dozens of cases.

158. Any dead children?—Any number of them.

159. Any exhumed by a constable?—If I could recollect I would tell you; I have no doubt you are right.

160. And, of course, you stated that if a body had been exhumed out of private grounds, and placed in the police morgue, it would be necessary to hold an inquest?—Yes; that is the usual course.

161. You had a report to the effect that this child was supposed to be the child of Amy Dyson?—Very likely.

162. If no inquest was held, would it not be detrimental to the prosecution of the case? By having an inquest it is possible to obtain a great amount of information?—Yes; it is a very good means of obtaining information.

163. Then, if there was no inquest, it would naturally be detrimental to the case of concealment of birth of a child, if the child was supposed to be the offshoot of a woman who died through the treatment she received?—That would be a matter for the Coroner. The case would be reported to him, and it would be for him to decide whether an inquest was necessary.

164. Dr. Symes, medical practitioner, used to attend members of the Force?—Yes.

165. Had you any conversation with him in reference to this child on the morning I brought it to the morgue?—I really cannot answer you. I had frequent conversations with Dr. Symes.

166. Did he state to you that morning that I had brought in a decomposed rabbit-skin?—I do not remember anything about a rabbit-skin.

167. Dr. Symes informed me that he had inspected this decomposed body of a child, and that he had come to the conclusion that I had unearthed a rabbit-skin?—That is a serious thing for the doctor, but I am not responsible for it.

168. What position did Constable Cullen hold under your jurisdiction?—At that time I think he was Court orderly.

169. Had he anything to do with cleaning out your private office in the morning?—I cannot recollect now.

170. Had he access to your office?—Unless he was cleaning it in the morning he would not have access. Captain Lanauze had charge of the office; but I should not have hesitated to leave any number of documents under the control of Constable Cullen, who was a highly respectable man, and one of the best constables in Christchurch. He had been in charge of the station at Phillipstown for a year, and is a very efficient man.

171. If he had access it would be possible for him to get hold of any document if he wanted it for any particular purpose?—It would all depend what stage an important case had arrived at, whether they would be under lock and key in the office.

WILLIAM THOMAS MASON was examined on oath.

172. *Mr. Neale.*] You are a sergeant-major of police at Wellington?—Yes.

173. You were stationed in Christchurch in 1883?—I was.

174. I was under your jurisdiction?—Yes.

175. Do you remember me being connected with a case—Boyd and others, concealment of the birth of a child?—I do.

176. You remember my exhuming the decomposed body of a child in the grounds of Mrs. Boyd's brothel in New Street?—Yes, I have a general remembrance of it.

177. Was there an inquest held on that decomposed body?—I cannot positively state from memory. I believe there was an inquest. There is only one reason that I can urge for an inquest not being held, and that is the doctor may have declared it was an immature child or a fetus. I believe, however, that an inquest was held, owing to the subsequent proceedings.

178. You cannot swear positively that it was held?—No.

179. Do you remember any witnesses being called, if there was an inquest?—I remember witnesses being called, and you submitting their statements.

180. At the inquest?—I cannot say about that. I remember you submitting statements in reference to the child; but whether there was an inquest or not I cannot say.

181. Virtually you had not much to do with the case right through?—All your reports and papers came through me, so I ought to be a little more acquainted with the details of the case than Inspector Pender.

182. Do you recollect how many witnesses were subpoenaed in this case for the Resident Magistrate's Court examination?—I cannot say.

183. If an inquest had been held on this decomposed body of a child, all witnesses at the inquest would have been subpoenaed for the Resident Magistrate's Court examination?—They would be the same.

184. If there was no inquest on the child there would be no subpoenas?—No. Witnesses would not then be necessary. That would account, then, for my remarking, that if it was a fetus there would be no necessity for an inquest.

185. Were you in the barrack-house when I brought in the decomposed body?—I remember being present when we brought the thing out of the ground. There were several there at the time.

186. Do you know this man, William Wood, I referred to; or George Wakefield?—Wakefield I know, but I do not remember him in connection with the case. Wood I cannot call to mind. I think there was such a man.

187. Do you recollect how many subpoenas were to be served on witnesses on behalf of this case?—I do not.

188. You do not know whether William Wood got a subpoena?—I cannot say. I can only say that every facility was given to you to get your witnesses. Nothing was denied you that you asked for.

189. You cannot state, then, whether William Wood got a subpoena, or whether he was examined?—I cannot remember.

190. Who conducted the prosecution at the Resident Magistrate's Court on that occasion?—I am almost positive it was Inspector Pender. He had a general habit of taking all cases of that kind; but I do not remember this particular case.

191. If he was prosecutor in that case, he would naturally know the names of the witnesses to be called?—He had your brief.

192. You remember me informing you on the steps of the police-station that I was not going to do any further duty?—I have a very strong recollection of that.

193. You remember me coming near the station after that?—You did not, until you were discharged. I sent for you by the Inspector's orders.

194. And I received my pay up to date?—Yes, you would be certain to do that.

195. You remember reading a circular to me from the Commissioner bearing on matters that I had forwarded to the Defence Minister?—I cannot say that I do.

196. You do not remember receiving a circular from the Inspector which you read to me?—I cannot say that I do.

197. You have no recollection of my having asked you for a copy of it?—I have not.

198. You have no recollection of the words that, if there was any more insubordinate conduct on my part they would be compelled to remove me from the Force?—I cannot remember such correspondence.

199. If there was a circular sent to that effect I presume it would be in the office in Christchurch?—No, it would be in the Commissioner's office in Wellington.

200. *Colonel Pitt.*] Have you any recollection of these men—Wood and Wakefield—being requested in any way not to give evidence?—Not the slightest knowledge.

201. You say you do not remember them in connection with the case?—I have some recollection of Wakefield. I have not the slightest doubt he had something to do with the case, but so far as any tampering is concerned that must be a hallucination on the part of Mr. Neale.

202. Were you at the Court during the hearing of the case?—That I cannot recollect. The probabilities are that I was there.

203. Have you ever heard, except what you have heard from Neale's statements, that any witnesses were prevented from giving evidence?—Not the slightest notion. In fact, Neale was given every possible facility to work up his case. It is very rarely that any man is given such facility as Neale was given. The Inspector struck him off duty altogether; quite an unusual thing.

204. *Inspector Pender.*] You recollect the case, and that the Crown Prosecutor discovered some legal point?—Yes.

205. Otherwise the case was a very complete one?—Yes.

206. The necessary witnesses were bound over?—Yes.

207. *The Chairman.*] Did you ever hear anything to lead you to suppose there was a charge of murder in the case of Dyson?—Not the slightest. I remember Dyson being very ill.

208. Do you know if an inquest was held upon her?—That I cannot remember. In fact, I am almost sure there was not. She was ill some time.

Inspector Pender: It sometimes happens that witnesses are brought to the Court, and whoever is conducting the case does not consider them necessary. Frequently constables ask prosecuting officers to get witnesses to give evidence when they really have no evidence to give; and constables who are not up in the points of law feel aggrieved because witnesses have admitted matters in evidence which would not be admitted by the Court. That frequently happens up to the present day.

209. *The Chairman.*] I think you said you did not recollect whether the Crown Prosecutor was at the Resident Magistrate's Court; if there was any legal difficulty he probably would be there?—In some cases—in intricate cases—you ask the Crown Prosecutor to be there.

210. Do you recollect Neale coming to Christchurch from the South?—He was in Christchurch before I was transferred back, to the best of my recollection.

211. During the time that you were there, can you say he was treated fairly?—I gave him every consideration, because he was a man who had seen service in the Maori war. I gave him a great deal of latitude.

212. He made a charge against Sergeant Moore, and he withdrew it himself after hearing the evidence?—That is so.

213. That was a charge in connection with Barrett's case?—Yes; with respect to some assault.

214. During the whole time he was in Christchurch was he not continually making charges against sergeants?—Yes; I am afraid Neale was troublesome in that respect.

215. You made a report on the charges he sent to the Defence Minister?—Yes; I made several reports.

216. *Colonel Pitt.*] In regard to the middle paragraph in that statement, in reference to Mrs. Boyd having struck this Amy Dyson with a poker and jumped on her when she was in the family way; did you ever hear anything of the kind?—That is the first report of the constable, and subsequent inquiries must have been made which resulted in the charge not being proved or borne out.

217. There were no proceedings in regard to the death of Amy Dyson?—No. The only case I remember was the charge against Boyd and others of concealment of birth.

WEDNESDAY, 2ND MARCH, 1898.

PETER PENDER was examined on oath.

1. *The Chairman.*] Do you wish to say anything about the cases referred to by Mr. Neale yesterday?—Yes. Neale swore yesterday that no inquest was held on Amy Dyson, that she had been murdered, and that I had burked an inquiry. I now put in a return (Exhibit No. 14) showing that an inquest was held, and that the jury returned a verdict that death was due to inflammation of the lungs.

2. Then, this will be the case to which your note "Doctor Doyle found no marks of violence" referred?—Yes. I may say I was thirty years in Christchurch, and during the whole of that time I took an active part in the work of the place, and the criminal portion I paid special attention to. I was continually at work day and night for many years. When Neale arrived from Invercargill, of course I heard he had had a row in that direction with his Inspector, and I always made it a point when a man of that sort came to a station in my district to give him every chance to alter his way if he got on the wrong track. I was never at any time harsh with any of the men. Neale was a man of very excitable and nervous temperament, and was always very anxious and ready for a row of any description. I always avoided him, and told the sergeants to give him every consideration. I think he became ill shortly after he arrived at Christchurch; at all events he was ill for some time while there. His wife was also ill, and I granted him leave several times when his wife was not well. The sergeant objected to his being absent, or spoke to me about it, but I said, "As his wife was unwell I would not like to interfere." You have already heard how he got dismissed. He fell out of the ranks; and even then, if you look at my reports and letters about him you will see I never came down hard upon him. It was quite the other way. With regard to the Boyd case I have not very much recollection of it. I knew the woman well, but never was in her house that I recollect. She was a very unfortunate woman, and kept girls in the house. I recollect the circumstances of the child being found in a box in some part of the premises, but I think the point on which the case fell through was that the child was a fœtus, and the Crown Prosecutor could not see his way to prosecute. However, it went into the Police Court, and I forget whether the Crown Prosecutor attended or not. At all events all the evidence that was of any value was brought forward, and it was sufficient to procure a committal. I do not say that Neale did not give me the names of other witnesses whose evidence he had collected; but at the Police Court it was my practice, and it is the practice still, and I believe the practice in all the Courts, and solicitors will bear me out in saying that it is the proper practice, not to call half a dozen witnesses to prove the same thing.

3. It is quite apparent that the evidence you did not call, namely, that of Wood and Wakefield, would have nothing to do whatever with the charge of concealment of birth?—Perhaps that refers to the Amy Dyson case. Well, of course, the registration of death will show that any charge of murder must have fallen through. These reports, with several reports on the same subject, were sent in, and I picked out what I considered sufficient, as any other man would do, and I held the remainder over, and invariably after the committal, I sent all these on to the Crown Prosecutor. I have not the slightest doubt every scrap of evidence sent to me in connection with the concealment of birth was sent on to the Crown Prosecutor. It is my invariable rule to do that, and everything afterwards that comes in for or against the prisoner is also sent on to the Crown Prosecutor. There is no mistake about the thing; it is done as regular as clock-work. I think the Commission will permit me to say that I think it is rather a cruel thing to be dragged here on a charge of this kind, by a man who now fails to appear. This thing goes all over the colony in the newspapers, and here am I, lying under a charge that has an effect with the men in the district under my charge.

ARTHUR HUME, examination on oath continued.

4. *Mr. Taylor.*] After I left the other day, Colonel Hume stated in reply to Commissioner Tunbridge that in dealing with Bennett's case at Hokitika he had acted entirely on the recommendation of the Inspector of the Westport district. I will ask you, Colonel Hume, to read the Inspector's reports bearing on the case?—I have read all to the Commission, and it is fully reported in my previous evidence, but I must here say that I do not think I said it was entirely on the Inspector's recommendation. If I did say so, it comes again to exactly what I said the other day. It is the fault of not giving me notice; because after I came to look into the matter I saw what would probably have affected me very much in the matter. And that is, first of all, the man had been in the service since 1881, with a clean defaulter's sheet, in which there was not the scratch of the pen against him; and, second, when I turned up his merit-sheet, which I probably did do then, I found it is recorded in 1894, "Helping to save three persons from drowning in the surf;" and in 1895, "Jumping into the Hokitika River and assisting to rescue three persons from drowning." Those entries probably influenced me very much. He has also four entries, rewards in connection with illicit stills and sly-grog selling. I also told the Commissioners that I may have had some correspondence with the Inspector on this matter, and I thought of writing to the Inspector to ascertain. I have studiously avoided that course, because I know the Inspector will appear before the Commission at some stage of its proceedings, and I wish him to make his own statements. I thought I might prejudice the case by writing to him, and I intend to call him as a witness. I think it is very likely he wrote me some private letter, as very often the Inspectors did. I have no recollection of it.

5. In regard to the case of Constable Russell: after I left the other day, Colonel Hume, under examination by Commissioner Tunbridge, stated that one fact that weighed with him, or that weighed with the Minister in the reappointment of Constable Russell, who was dismissed from Auckland, and in the same year was appointed to and is now at New Plymouth, was that the constable had a large family, and was unfitted for other work: is it not a fact that in the hearing of the case which

necessitated his dismissal he perjured himself deliberately?—I do not think that is shown. I also stated, I think, that he had a clean defaulter's sheet since June, 1890. There is a report here from the *Auckland Star* of the 20th April, 1896, in which the Magistrate, Mr. Northcroft, in giving his decision in regard to the alleged Sunday trading which happened at the Rising Sun Hotel, commented at some length on the fact that Constable Russell was found in the hotel on the night in question. The case was dismissed.

6. *Colonel Pitt.*] Can you say whether the inquiry was an inquiry on oath or not?—There was a trial for Sunday trading.

7. *Mr. Taylor.*] What I want to know is whether the inquiry which resulted in Russell's dismissal was on oath?—The witnesses do not appear to have been sworn.

8. Will you read Constable Russell's statement at that inquiry?—It is as follows: "I would prefer making my statement before the other constables are called as witnesses. With regard to the reported theft from Bennett, it was reported to me by telephone, and up to the time of the arrest of the boy I never saw Mr. Bennett, and never saw him up to the time I saw him in the hotel on the 5th instant, and I did not know his name. I saw the man several times in the street before, but never knew who he was until Sergeant Gamble took his name. With reference to my brother, I was that confused at the time when Sergeant Gamble spoke to me that I believe I cannot tell what I said. My reason for being so excited was Sergeant Gamble accusing me of having drink, which I denied. That is the only thing I can remember. That is all I wish to say.—G. T. RUSSELL, constable.

9. That is his complete statement?—I do not know whether he said anything more or not. He did not give any more evidence.

10. *The Chairman.*] What was the allegation against him?—He was in the Rising Sun Hotel at 11.30 on Sunday night and the sergeant found him there. Well, there was a man in there and the sergeant asked the constable who he was, and the constable said he did not know, and the man turned out to be his brother-in-law.

11. Did he deny the allegation that he was in the house?—No.

12. *Mr. Taylor.*] The question I want to put to you, Colonel Hume, is this: In view of the very responsible duty that a constable has to discharge towards the public, do you think that the reappointment of this man was in the public interest, seeing he had been drinking in an hotel after hours, and had denied his relationship as he did; is it not exceedingly dangerous, seeing the manner he was discharged?—I am not one of those who think a man should never have a second chance. This man had served in the Force without a slip from the 12th June, 1890. He was promoted to second-class rank on the 1st July, 1893, clearly showing he was giving satisfaction then; and I knew that after being dismissed he had taken the pledge and was keeping it. I have known cases where men have been brought back after making a slip and have performed their duties very much better than they did before.

13. Have you the papers of Constable Gantley, who has been acting as plain-clothes constable in Wellington?—Yes.

14. When did he join the Force?—On the 24th August, 1885.

15. What was the cause of his transfer from Wellington to Christchurch?—I considered it in the interests of the service.

16. Will Colonel Hume tell the Commission what the immediate cause of the man's transfer was; I want the actual cause, and I think the Commissioners are entitled to have it?—I will give you one cause; there are several. I thought his tongue was too big for his mouth for a plain-clothes constable. He talked too much.

17. I should like another cause?—Well, I did not know how to deprive him of being a plain-clothes constable in Wellington, that is, to send him back to uniform, so I transferred him, and sent an order down that he was not to do plain-clothes duty.

18. Now, was there not a definite charge made against Gantley that was the real cause of his removal?—There is no charge on the papers.

19. Does Colonel Hume remember that he was charged with exhibiting obscene pictures in a bar in Wellington?—I do not think he was ever charged with it. There was a report; but, so far as I remember, the case was looked into by the Inspector here. There was nothing obscene about the exhibition, but I think Gantley showed the photograph of some criminal in a bar, as he said he wanted to see if anybody there had seen such a person.

20. Was that matter investigated by the Inspector?—I think so.

21. By Inspector Pender?—Yes, it would be Inspector Pender, but I am not quite sure. There may be papers in the office.

22. Did not Gantley object to his removal?—Yes; they always do.

23. In his letter of complaint, does he not refer to the charges made against him?—His letter is as follows:—

Police Station, Oamaru, 22nd June, 1896.

REPORT of Constable James Gantley, relative to his transfer from Wellington to Oamaru:—

I respectfully beg to report that I have been in the police over eleven years, and during the last four years have performed plain-clothes duty in Wellington. On my arrival at Oamaru I was put on street duty. As I was not reported or in any way found fault with, as far as I know, I would respectfully ask if I am to continue at street duty, and, if so, I would ask to be removed to one of the four large centres, as I have a good knowledge of my duties and of the criminal class, and am willing to perform them to the entire satisfaction of my officers. I would also respectfully say that during the time I have been employed in plain clothes I would point out that I have a record which would favourably compare with the work of any detective in the colony, a record of which I append for three years in the City of Wellington, not including Wanganui, New Plymouth, and the Palmerston and Wairarapa districts, and I feel aggrieved at being removed without having committed myself in any way, as my defaulter's sheet will compare favourably with any constable that has had to perform duty in large towns for the length of service. Hoping that this will meet the consideration of the Commissioner, as I am now put to the expense of £7 to procure uniform.

JAMES GANTLEY, Constable No. 479.

24. There is no document referring to his exhibiting pictures?—I will look and see if there are any in the office. I do not think there are any other papers. I may have heard the report and inquired about it, but I am perfectly sure it was not an exhibition of obscene pictures, but the photo. of a criminal.
25. Have you the papers of Constable Florence O'Leary?—Yes.
26. When was he removed to the Wellington district from Ohingaiti?—On the 13th July, 1896.
27. Was there any special circumstances connected with his removal, or a report from Inspector McGovern in connection with his removal?—Yes. I find that for some reason or other I wrote on the 26th June, 1896, to Inspector McGovern, as follows: "I am informed that prohibition orders made by Justices of the Peace at Ohingaiti are not held to be in operation, as they are not ordered by the Stipendiary Magistrate. It is also stated that Constable O'Leary has no books for charges, records, or complaints. Please report on these matters." The Inspector reported as follows: "So far as I can judge, Constable O'Leary is hardly fit to have charge of an isolated station like Ohingaiti. He might do in the suburbs of a town where a sergeant or smart constable would have supervision." On that I removed the constable to the suburbs of Thorndon.
28. Was he given charge of Thorndon?—Yes.
29. Was anybody with him?—No. The station is only a quarter of a mile from headquarters.
30. How long was he kept at Thorndon?—A very short time. I found he was related to a hotelkeeper in Thorndon, so I sent him up to Newtown.
31. He is still at Newtown?—Yes.
32. Were any representations made to you in connection with the man's transfer by Mr. Lawry, M.H.R., of Parnell?—No.
33. You do not remember seeing Mr. Lawry about him?—Which transfer do you mean?
34. I mean the transfer from Thorndon to Newtown?—Mr. Lawry might have told me the constable had relatives in the hotel; but directly I found that out I wanted him removed.
35. Is he in charge at Newtown?—Yes.
36. Do you think, then, that a man who is not fit to take charge of the Ohingaiti Station is fit to take charge of Newtown Station?—Yes; he was not fit to be Clerk of Court at Ohingaiti.
37. He kept no books?—No.
38. Were there any other complaints against him by Inspector McGovern?—Yes. The constable lost some summonses, and I made him pay for them.
39. *Colonel Pitt.*] What was the value of them?—I think it was worth about £11. Here is my minute on the papers; "The constable is solely to blame, and I cannot put the department to expenses incurred through his neglect, and therefore he must pay the expenses." They were witnesses' expenses.
40. How long ago was that?—On the 5th December, 1894.
41. *Mr. Taylor.*] He was a pretty careless man?—I do not think he was; but that incident warmed him up, and he did not lose anything afterwards.
42. *The Chairman.*] Was he Clerk of Court at Ohingaiti?—No. I find there is a memorandum here from Sergeant Cullen, of Wanganui, to Constable O'Leary, as follows: "I herewith forward you four summonses for service upon David Creech for sly-grog selling. If he has not returned to Ohingaiti you will, on receipt of these summonses, start along the road to Karioi or wherever he may be and serve him, and then return to your station and send me a wire stating when and where you served him. I cannot send the summonses to Raetihi for the witnesses till I receive your wire *re* service, and, as steamer goes up river early Tuesday morning, it will be necessary to know by 5 p.m. on Monday evening next if you have served him. Do your utmost to effect service, and send me wire before Monday evening, if you can manage to serve him.—J. CULLEN, Sergeant." Well, the constable did not serve him. Then there is a report from Sergeant Cullen, reporting "Constable O'Leary, of Ohingaiti, for gross carelessness in discharge of his duty, and making false and misleading statements relating thereto."
43. Is not the charge of a station like Newtown regarded as a more responsible position than ordinary street duty?—It is very little different, because it is close to Mount Cook and is worked from there.
44. There is a difference, of course?—He gets a house; that is a pull.
45. This man was fined £11 for negligence, and made false statements in respects to this matter, and subsequently gets this position?—It is the recommendation of the Inspector, who says, "Constable O'Leary is hardly fit to have charge of an isolated station like Ohingaiti. He might do in the suburbs of a town, where a sergeant or smart constable would have supervision." That is the position he was placed in.
46. In placing him in charge of Newtown, can you remember whether you did that entirely on your own motion, or whether it was the subject of discussion with the ministerial head of the department?—No, it was purely on my own motion, because I know a man told me about the constable having a relative in a hotel.
47. When you learned he had relatives at the Railway Hotel you shifted him to Newtown?—Yes.
48. Have you the papers of Detective Henderson?—Yes.
49. Kindly read to the Commission Detective Henderson's defaulter's sheet?—He was made a constable on the 11th February, 1868, and he was made a detective on the 1st June, 1875. He has the following entries on his defaulter's sheets: 12th January, 1869, "Gross impertinence to Sub-Inspector Percy." The punishment was, "to be more careful in future." Signed "BRANIGAN." On the 28th November, 1869, "Using disgraceful language to superior officer. Discharged from the Force." I must look that up, because I do not think he went out of the Force. He was brought back a day or two after that and was made constable, on the 1st December, 1869. It seems he apologised and begged himself on again, and was reinstated. The next is on the 12th

September, 1873, "Absenting himself from barracks without leave from 11 p.m. to 2.40 a.m. Reduced two steps in the list in which his name stands, and if again guilty of such a wilful breach of discipline will be more severely dealt with." On the 4th July, 1874, "Absent from a fire on Mr. Hayes's premises, Princes Street. Constable Henderson's excuse is unsatisfactory." I suppose that means he was reprimanded. On the 24th April, 1875, "Contravening the regulations of the Force by allowing a stranger into barracks and drinking with stranger. Severely reprimanded." On the 30th April, 1875, "Contravening the regulations of the Force, by assembling in Constable Doran's room at midnight and having a bottle of brandy there at the time. Severely reprimanded." On the 22nd November, 1875, "Being under the influence of drink at 8.45 p.m. when required for duty. Severely reprimanded, and but for his previous good conduct would be reduced in rank." On the 17th to the 19th December, 1880, "Committing an error of judgment in carrying out his duties connected with Regina v. J. Connell, charged with larceny from the dwelling of Timothy Hayes, at Kensington. Severely reprimanded." On the 19th January, 1893, "Altering charge of larceny in a dwelling, against Catherine Clifford, to that of simple larceny. Severely reprimanded and cautioned." Then the other and last entry was the one for which he was dismissed. It was on the 5th October, 1897, "Guilty of improper conduct in Provincial Hotel, Christchurch, on the 5th October, 1897. Dismissed." Then there is an entry in his sheet, "Reinstated, second-class detective, with pay as such from the 10th December, 1897." Now, his merit-sheet reads as follows: "30th July, 1870: For arrest of Daniel Mann, charged on warrant with two cases of larceny; reward, £2. 17th December, 1877: Acknowledgment of promptitude and tact displayed by him in the arrest of William Hamilton and William Hayward, convicted of larceny, and recovery of stolen property; reward, £5. 5th June, 1878: Prompt and praiseworthy action shown by him in effecting the arrest of Charles Bilson, sentenced to two years' hard labour, for stealing clothes from Pier Hotel, Dunedin; reward, £2. 4th June, 1879: Recognition of zeal shown in connection with the arrest of William Wallace, sentenced at Supreme Court, Dunedin, to twelve months' hard labour for stealing £128 from the person, and for the recovery of £113 14s. 11d. of the stolen money; reward, £7. 5th November, 1879: For laudable zeal shown by him in connection with arrest and prosecution of William Burnard, sentenced at Supreme Court, Christchurch, to six years' penal servitude for sheep-stealing; reward, £5. 14th July, 1880: For services in recovering Mrs. Louisa DeBeer's jewellery, value £66 10s., which was stolen from her dwellinghouse in Dunedin; reward, £2. 13th December, 1882: In recognition of his services in connection with the prosecution of Robert Provi, James Henry Walters, John Green, and Thomas Burnett, fined £25, £15, and £5 respectively for breach of the Gaming and Lotteries Act; reward, £3. 23rd April, 1884: For arrest of John McDonnell for deserting from the barque "Roman"; reward, £5. 18th March, 1885: In recognition of his services in arrest and prosecution of two Chinese, fined £5 and costs for keeping a common gaming-house, and eighteen other Chinese, fined 1s. each and costs for having been found without lawful excuse in said gaming-house; reward, £5. 1st April, 1885: In recognition of his services in connection with and recovery of gold watch and appendages stolen from Thomas Robert Gardner, and arrest and prosecution of Charles Peterson, sentenced to six months for stealing same; reward, £2 10s. 28th October, 1885: In recognition of his zealous and praiseworthy exertions in connection with the arrest and prosecution of Ah Lee, sentenced to death at the October, 1880, sitting of the Supreme Court, Dunedin, for the murder of Mary Young at Kyeburn; reward, £5. 3rd February, 1886: In recognition of his zeal and ability shown in connection with the arrest and prosecution of Charles Roland and William Wilson, sentenced at Supreme Court, Dunedin, to two years for conspiracy to cheat; reward, £2 10s. 28th April, 1886: For having promptly and effectually arranged for a watch to be kept on property which was supposed would be fraudulently removed and disposed of, belonging to the Colonial Bank; reward, £2 2s. 16th February, 1887: Long service of not less than fourteen years' continuous service, and who has not had any entry in his defaulter's sheet for three years prior to the completion of the above period; long-service medal. 28th September, 1887: In recognition of his services in connection with the prosecution of Margaret Mordin and Ellen Winthrop, fined 10s. and costs each for stealing post-and-rail fencing from Dunedin Town Belt; reward, £5 (from Dunedin Borough Council). 17th August, 1887: In recognition of his very creditable conduct in connection with the detection, arrest, and prosecution of John Atkinson, Daniel Berry, and John Hunter, sentenced on the 7th July, 1887, at Supreme Court, Dunedin—the former to four years' and the latter to three years' penal servitude—for assault and robbery; reward, a record of merit. 29th August, 1888: For arrest of John Davis, Albert Russell, and John Sumpter Land, sentenced to one month's hard labour each for stealing cargo on board barque at Dunedin; reward, £1 13s. 4d. 10th April, 1889: For arrest and prosecution of John Horan, John Cunningham, Andrew Dawson, and James Myall, convicted at Supreme Court, Dunedin, for stealing from person; Horan and Cunningham sentenced to twelve months' hard labour, Dawson to two years', and Myall to three years' penal servitude; reward, £1. 1894: Recovering a quantity of stolen platinum, and conviction of thieves; reward £12 10s. (Kempthorne, Prosser, and Co.)." Those are all the entries.

50. The rewards were given very lavishly?—I cannot say. They were not in my time.

51. You think they were given very lavishly years ago, compared with the way they are given now?—Undoubtedly.

52. I will ask Colonel Hume now to tell the Commission the circumstances connected with an incident that occurred at a hotel in Dunedin, the papers of which are on the file?—There was a sub-leader apparently in the *Tuapeka Times* of Saturday, the 9th May, 1891, as follows:—

It was about the grey dawn of last Sabbath morning in one of our most sumptuous and high-toned hotels. Suddenly the stillness was broken by the sound of feet hurrying through the spacious corridors, and then the voice of mine host was heard in angry altercation demanding admittance into a certain chamber. "Open the door instantly or I'll smash it in." And then the tenants of the adjacent rooms were aroused from their slumbers, and wondering what the unusual tumult could be about, doors were cautiously opened and sleepy-looking heads thrust out. Then more servants came hurrying along the spacious passages to swell the little group that stood round the mysterious

door of No. — room. What could it be all about? Probably a burglar run to earth. But rather queer that he should find his way into the luxurious little dove-cot of the lovely barmaid! Another vigorous attack on the door, threats of police and forcible entry, some hysterical sobbing from within, and then the door was unlocked and—horror of horrors—what a sight. Out marched the tall lithe figure of one of the best known men in town. What a spectacle as he slouched along the passage very airily clad indeed, with head not exactly as high nor as well thrown back as usual, and the spruce bastardised military air entirely missing. Here he was, a married man, father of a family, a prominent Government official, the very man of all others whose duty it should be not only to shun ruffianism and outrage itself but to hunt it down in others;—here he was, trapped under circumstances that should send him to the hulks. In a few minutes he appeared again as a fashionable lady-killer, and was incontinently taken by the neck and thrown down the broad stairs and out into the street, amid a lively chorus of anathemas from the assembled household. It is very questionable indeed whether the proprietor of the establishment in question should not as a matter of duty take measures for exposing this dissolute ruffian, and hunt him out of a position that he has publicly disgraced, and not for the first time either. As for the fair but frail Hebe, her services were quickly dispensed with; but such is the unhealthy state of the moral atmosphere in certain quarters, that the incident, disgraceful and filthy as it is, is not likely to do her very much harm in her profession.

Then, I got an anonymous letter; I do not generally act on them, but I forwarded this letter to Inspector Hickson. It is as follows:—

SIR,—

Dunedin, 12th May, 1891.

It is said that the fact has been reported to you of Police Detective Henderson having recently been caught at night in the ——— Hotel here by Mr. ——— in bed with his servant-girl, and that several cases of robbery were committed in the city about the same time. This is disgraceful; particularly so, Henderson being a married man. The facts are well known, and the people are disgusted.

Colonel Hume, Wellington.

Then the Inspector traced this article as referring to Chief Detective Henderson, and wrote to the latter as follows: "Having heard that the paragraph marked in attached copy of the *Tuapeka Times* of the 9th instant refers to you, I have to request you to report on it.—J. HICKSON, Inspector. 20/5/91." Detective Henderson replied as follows:—

Detective Office, Dunedin, 30th May, 1891.

I BEG to report that with reference to attached memo., and paragraph in the *Tuapeka Times* of the 9th instant, which ostensibly refer to me, while I was making inquiries on the night of the 25th ultimo, about a watch alleged to have been stolen from a man named ——— (since recovered) while sleeping on a sofa in the bar-room at ——— Hotel in ——— Street. A good deal seems to have been made out of the subsequent proceedings, which are easily explained as follows: At a quarter past 11 o'clock on the night referred to, Mr. ——— reported to me that ——— had his watch stolen. The barmaid had just left the bar, and had gone upstairs to her room. As she was the person from whom I hoped to get the best information on the subject, I immediately went up to see her. On reaching the landing at the top of the stairs I saw the barmaid standing in her room, the door being open. I spoke to her, and hearing footsteps coming up the stairs she asked me to come in and close the door. I was not two minutes in the room when a knock came to the door. On opening it I saw Mrs. ——— on the landing. She appeared to be annoyed at finding me in the room, and reproached the girl with allowing herself to be in such a compromising position, when the girl indignantly denied that she had been guilty of any impropriety, and said if she was suspected she would leave the house. At this moment Mr. ——— came up from the bar, and made no comments whatever. It is well known that it is not at all an uncommon occurrence for a detective while making inquiries to be admitted into a lady's room, even her bedroom; and any person with a malicious turn of mind might have made as much capital out of my presence in the bedroom of Miss ——— of the Young Women's Christian Association, on the 16th instant, when making a similar inquiry about a stolen watch.

ALEXANDER HENDERSON.

The next thing I can read to you is the report from Inspector Hickson, as follows:—

Police Department, Inspector's Office, Dunedin, 21st May, 1891.

Re slanderous report published in the *Tuapeka Times* of the 9th May, 1891, re alleged misconduct of a "Government official."

Having heard that Chief Detective Henderson was found in the bedroom of the barmaid at ——— Hotel on the night of the 25th ultimo, I called him into my office and told him of the rumour, when he gave what I considered a satisfactory explanation. But having heard that the story in an exaggerated form had got publicity in the *Tuapeka Times*, I sent for a copy of that paper, and on receipt of it, although no name is mentioned in the article, I called on the detective for a written explanation with a view of forwarding it to you. I now forward it. It agrees exactly with his verbal explanation to me. Mr. ——— of ——— Hotel, not the ——— Hotel, has informed me that a little after 11 o'clock on the night of Saturday, the 25th ultimo, he reported to Chief Detective Henderson that a man had his watch stolen from him that evening while he lay asleep on a couch in the hotel. Soon afterwards he (Mr. ———) at about 11.30 p.m., heard Mrs. ——— and the barmaid having high words, when the barmaid used impertinent language to Mrs. ——— for daring to accuse her of any impropriety. Mrs. ——— states that one of the servants, who had been in the hotel only a few days, came to her about 11.30 on the night mentioned above, and said that a man had gone to the barmaid's room. She at once went to the girl's bedroom, and, on knocking at the door, it was opened immediately by the barmaid and Detective Henderson walked out. Mrs. ——— states that she was taken by surprise, and without waiting for an explanation, she upbraided the young woman, who resented what she considered was an insult to her, and indignantly denied that she had been guilty of any impropriety in admitting the detective to her room, and she became impertinent to Mrs. ——— for daring to imply that she had been guilty of any misconduct. For the impertinence to Mrs. ——— she was discharged next day. Mrs. ——— has further stated that some of the servants were listening, and she felt that if she made no remark then on what she thought was imprudent conduct on the part of the barmaid, they (the servants) might consider that she looked too lightly on the affair. Mrs. ——— also states that she had not at this time heard of the loss of the watch, and therefore did not know that Henderson desired to see the barmaid about it, and she felt so annoyed at the time she would listen to no explanation. Mr. and Mrs. ——— say that the barmaid was dressed as fully as when she left the bar about half an hour previously when she opened the door of her room, and that Detective Henderson was dressed in his usual every-day dress. Mr. and Mrs. ——— say that the young woman had been in their service about twelve months, that they entertained a very high opinion of her, and considered her above suspicion, and but for her impertinence to Mrs. ——— she would not have been discharged. Mr. ——— states that he has given the young woman a certificate of good character. He thinks it must be the servants' gossip that has given rise to the exaggerated and slanderous statement, and that he has thought it beneath notice to contradict it in the press. The man who reported that his watch had been stolen found on going home that he had left it at his home. He was sober when he reported the matter; but having had a doze on a couch, and on awaking missing his watch, he thought it had been stolen from him.

J. HICKSON, Inspector.

I then referred the matter to the Defence Minister, as follows: "The matter is, of course, a very serious one, and must either be overlooked or taken very serious notice of; but, as the detective bears a very high character, and nothing of the kind has ever been previously brought against him, I think he should have the benefit of the doubt, and no further action be taken."

53. Under what circumstances was he transferred from Dunedin to Christchurch, and what date?—The approval is dated the 29th January, 1895. I may state that, previous to that date, I

had a conversation with the Defence Minister about removing detectives, and I said I thought both Chief Detectives O'Connor, in Christchurch, and Henderson, in Dunedin, had been too long in each place; and the Minister said, when making any moves of detectives fix these two up. I think I put a recommendation before him to remove three detectives, and, so far as my memory serves me, he said, "Halloo! you have not got Chief Detectives O'Connor and Henderson here. Why have you not included them?" I said, "I was afraid of bringing a hornet's nest about my ears." He said, "Oh, that is it. I will soon see about that," and he then asked me if I considered the transfers necessary, and I said "Yes; certainly." He then entered the two men in the list of removals in his own handwriting, and said, "Now carry that out." They were carried out.

54. What telegrams passed about these transfers?—There are two on the file in reference to the transfer of Henderson, as follows: "Hon. R. J. Seddon, Premier, Nelson.—Hope Hume will make other arrangements not necessitate removal of Detective Henderson. Not fair to his part take him away, and cruel injustice to man himself by compelling great sacrifice on his and family's part. It means the almost giving away his little freehold home, and actual loss. Surely entitled some consideration.—LARNACH, Dunedin." This was answered as follows: "Hon. W. J. M. Larnach, M.H.R., Dunedin.—I think you will admit that periodical removals tend to promote efficiency in the Force, and it would be manifestly unjust to other members of the Force to move them two or three times whilst other members of the Force, by bringing influence to bear, should remain for years in the one place. Henderson has no reason whatever to complain; and the removals were well considered before being determined upon. To me it is at any time pleasing to meet your wishes, but there are good grounds why the transfers ordered should be adhered to, and though sorry this particular officer's private affairs should be prejudiced, the efficiency of the Force is paramount to all else.—R. J. SEDDON." The next telegram reads: "Hon. R. J. Seddon, Picton.—Re Henderson. Cannot find fault with your reasons. Have nothing further to say.—LARNACH, Dunedin." The next telegram is dated the 2nd February, 1895, as follows: "Hon. R. J. Seddon, Premier, Nelson.—Some friends have requested me to ask you reconsider transfer Detective Henderson. He is not one of my people, but I know him as an obliging and capable officer. His remaining here would give pleasure to many of your friends.—P. LYNCH, Dunedin." The answer was sent on the same day, as follows: "The Rev. Father Lynch, Dunedin.—Henderson is a valuable and efficient officer, but the exigencies of the service demand his going to Christchurch. He has not had a removal for years, and has no good grounds for complaint. To rescind decision would be subversive of discipline and injurious to the Force. The other first-class detectives have been removed several times, whilst Henderson allowed to remain in Dunedin.—R. J. SEDDON."

55. Do telegrams addressed direct to the Defence Minister come to your department, or are they retained by him?—They are all here.

56. I should like to ask Colonel Hume whether Inspector Broham has not reported to him that Detective Henderson is of drunken habits?—Yes, he has.

57. *Mr. Tunbridge.*] Has not Detective Henderson since that date been dismissed from the Force?—Yes.

58. *The Chairman.*] Was he dismissed on account of his drunken habits?—No.

59. *Colonel Pitt.*] Has he also been reinstated in the Force?—He has been reappointed. That is to say, when that report was written he was chief detective. He was afterwards brought back as second-class detective.

60. *The Chairman.*] Have you yourself made an inquiry in respect to that report of Inspector Broham's, to satisfy you as to its justification or otherwise?—No; I only received it just a day or two before I handed it over to Mr. Tunbridge.

61. You have never investigated it yourself?—No. I could never get anybody to say they had seen Henderson drunk. That was my trouble.

62. *Mr. Tunbridge.*] I will ask Colonel Hume to read my memorandum to the Minister, by which Detective Henderson was readmitted to the Force?—It is as follows:—

Police Department, 9th February, 1898.

Memorandum for the Hon. the Minister of Justice.

WITH respect to the case of ex-Chief Detective Henderson, Mr. Beetham, S.M., practically acquits Henderson of all charges except that of failing to report to his Inspector the disturbance between Mohr and his wife at the hotel, in the course of which he was assaulted with a hairbrush by Mohr's two daughters. For this offence simply I think dismissal from the Police Force too great a punishment, and if all other charges are to be eliminated, then reduction from the rank of chief detective to that of second-class detective, and transfer to some other district, would, I think, meet the case. I wish it to be understood that in making above suggestion I am acting entirely on the report of the Stipendiary Magistrate who held the inquiry, without in any way saying whether or not I agree with that learned gentleman's findings.

J. B. TUNBRIDGE, Commissioner.

That recommendation was carried out, and he was transferred to Wellington.

63. *Mr. Poynton.*] Of, course, Mr. Taylor's charge is that by outside interference the Force has been demoralised. Has there been outside influence in this matter, or were you induced as Commissioner to keep this man on, or overlook his conduct?—There was nothing for which to get rid of him.

64. But was there any outside influence?—No.

65. *Mr. Taylor.*] During the seventeen years he was at Dunedin was it never proposed to remove him?—I never saw it on the papers.

66. You never proposed to transfer him before he was finally transferred?—I spoke to the Minister a short time before his removal—about a month or so.

THURSDAY, 3RD MARCH, 1898.

ARTHUR HUME: Examination on oath continued.

67. *Mr. Taylor.*] Have you the papers for Constable William McGill, who is acting as district clerk at New Plymouth?—Yes. I have the defaulter's sheet. He entered the service on the 31st May, 1882, with eighteen months' previous service in the A.C. Force.

68. I would like to ask whether his defaulter's sheet does not contain an entry for allowing a prisoner to escape?—Yes; on the 19th September, 1892, "Allowing Carl Moeller, prisoner, to escape from steamship 'Hauroto.'" He was cautioned to be more careful in future. That punishment was awarded by the Hon. the Defence Minister. The escaped prisoner was drowned, and his body was found next day. An inquest was held, and a verdict of "Found drowned" was returned, with a rider to the effect that Constable McGill took every care of the prisoner, and was in no degree to blame. That inquest was held before Mr. H. W. Robinson.

69. Is there a conviction for drunkenness on the defaulter's sheet?—Yes.

70. What was the date?—On the 9th October, 1883, "Drunk whilst on duty at the Hawke's Bay Jockey Club races at Hastings." He was fined £1 by Colonel Reader, Commissioner.

71. Is there any record there for neglect of duty?—Yes; two. The first is on the 1st May, 1886, "Neglect of duty in not searching lunatic prisoner." He was cautioned by Inspector Bullen; and the other one on the 2nd July, 1886, "Neglect of duty in not arresting Louisa Bredon for using obscene and profane language within his hearing." He was reprimanded by Inspector Bullen. These four entries constitute the whole of the charges on his sheet. There is one entry on his merit sheet, on the 14th February, 1888, "In recognition of tact and energy in connection with the prosecution of Thomas Aitken, fined £5 and costs for sly-grog selling. Reward, £3."

72. When was he made a second-class constable?—He was never a second-class constable.

73. What is his rank now?—First-class; he went from third to first.

74. When was he promoted from third to first?—On the 1st March, 1895.

75. Is it customary to promote a constable from third to first class?—It is not.

76. What were the special circumstances connected with that particular promotion?—This man McGill was transferred from Napier to Wellington as a third-class constable, and after some time he was put into the District Inspector's office here as second clerk. Then I was hard up for a man in my office, and I took McGill into my office. He was a very good clerk. Then, some time ago, and while he was in my office, there was a vacancy for a district clerk at New Plymouth, and he was transferred there as district clerk.

77. Was the fact of his being appointed district clerk at New Plymouth the reason for his promotion?—I do not think so, because I think he was promoted before he was transferred.

78. Do you remember the reason for his special promotion?—I know it had something to do with the work in my office.

79. Are there many instances of constables being promoted from third class to first class?—Very few. Apparently McGill did not ask for promotion to first class but to second class, because I find his application to his District Inspector reads as follows:—

Police Office, 12th September, 1894.

I beg to state that I regret the Commissioner cannot see his way to promote me to second-class constable. I cannot help feeling that it is very hard indeed to see junior after junior in the service (and not for any meritorious conduct that I am aware of) promoted over me. I have marks on my sheet, but I respectfully submit that my general conduct in the police will compare very favourably with any of those recently promoted. Many of those promoted, and almost all of those senior on the roll to me, were transferred to the police years after I joined, and if they had served with the same officers and were placed in similar circumstances it is a question if their defaulters' sheets would have been as clean as mine. I, however, trust the Commissioner will see his way to place my name amongst the first promotions he makes.

WM. MCGILL.

That raises the question which I pointed out to the Commission some days ago, and which I said was bound to crop up. This man evidently thinks his police appointment should date from the date he joined the A.C. Force, and that is what he means when he says juniors are going over his head.

80. You think he added his eighteen months of A.C. service to his service of twelve years in the police in his application for promotion?—That is what I imagine; or it might be that some of those Clerks of Court might have gone over his head.

81. Did you make any note on this application?—Yes, as follows: "Inspector Pender.—I regret I can do nothing for the constable. I have recorded my protest against the way promotions have been made, and hope and believe it will not be repeated. As this constable is now 15 on the seniority list, I hope he may not have to wait very much longer for promotion.—A. HUME, Commissioner." That protest referred to the promotion of Clerks of Court. It was made public in my reports.

82. *The Chairman.*] Six months after that he was promoted from third to first class?—Yes.

83. *Colonel Pitt.*] What is the date of that minute in which you protested against the way promotions were made?—The 13th September, 1894.

84. *The Chairman.*] Who made the promotions?—I was ordered to promote all Clerks of Court to second-class rank, and all men with clean sheets and seven years' service.

85. That was in 1895?—It was before this.

85A. *Mr. Taylor.*] Your protest was against indiscriminate promotions?—That is discriminate promotion.

86. Without considering individual merits at all, they were promoted in batches?—Quite so; but is discriminated to the extent that they must have seven years' service with clean sheets. That is discrimination.

87. *The Chairman.*] You say, "I protested against the way promotions were made, and hoped they would not be repeated"?—Because he wanted to go over men's heads.

88. He complains they went over his head?—But they did not, unless as I say it was in this particular batch that I referred to. In my report of 1894 there is the following paragraph:—

Every man who enters the Police Force of the colony should have an incentive to rise and be made to feel that assiduity and efficiency will meet with due recognition and advancement; but, owing to the higher ranks being in excess of the required numbers, there has been little promotion for some years past, and, in order to relieve the stagnation, I was instructed to promote to second-class rank all third-class constables who had served seven years in the Force with clean defaulter's sheets; and shortly afterwards I was directed to promote to second-class

rank all third-class constables who had seven years' service in the Force with only one trivial entry in their defaulter's sheets, and these promotions no doubt caused some dissatisfaction. In a Police Force the fact of a constable having a clean defaulter's sheet should not be the only qualification for promotion, as there are so many different contingencies which should be taken into consideration. For example, two constables join at the same time; one is posted to a city, the other goes to the country. The city man is open to all sorts of temptations, which are wanting in the country station, while he is constantly under the eyes of his superiors, and consequently more liable to have an entry recorded against him in his sheet which would at once debar him from promotion; while his more fortunate comrade in the suburban or country station, though perhaps by no means so efficient a constable, would be far less likely to sufficiently commit himself to cause an entry to be made against him, and would thereby claim advancement before the one who had been less advantageously situated. Again, the public generally, especially in small communities, are apt to think that their local constable is *par excellence* as near perfection as possible, and ought at once to be promoted, quite forgetting that the police is a colonial and not a local Force. The Commissioner's object should be to make the members of the Force smart, capable officers, well versed in all that pertains to the prevention and detection of crime, instead of as nearly automatic as it is possible to make them; but, unless these matters are left to the independent discretion of him who is appointed to administer the Act, injustice will be done, which can only tend to create dissatisfaction and discouragement generally, and destroy an *esprit de corps* which is so necessary to the well-being and efficiency of a Police Force.

89. *Mr. Taylor.*] Does Colonel Hume still say that these promotions were not indiscriminate?—I say they were not indiscriminate; they were discriminate promotions distinctly. There were certain conditions, and all the men who fulfilled these conditions were promoted.

90. I want to establish the right of a number of men to feel discontented, Colonel Hume?—I say here these promotions caused discontent.

91. They were not made on your advice?—No; and I wanted the men to clearly understand that. Then, I think there was another protest about the promotions of Clerks of Court.

92. Can you remember whether McGill's special promotion from third to first class was gazetted, as is the usual custom?—I do not think it would be gazetted in that way.

93. But, being a special promotion, ought it not to have been gazetted?—It was not for meritorious conduct. It was because he was employed in the Commissioner's office. I am quite sure it would not be gazetted in the way you mean, and I am sure his promotion was not for meritorious conduct, else it would be in his record of merit.

93A. Can you remember any public man approaching you on McGill's behalf?—I cannot remember.

94. You do not remember who his friends at court were?—No. [Evidence in reference to Constable McGill continued later in this day's proceedings. (See p. 94).]

95. Have you the papers in connection with Sergeant Paul Shirley; what rank does he hold?—Second-class sergeant.

96. Where is he stationed?—At Dunedin.

97. When was he made second-class sergeant?—On the 1st May, 1884; and he is still a second-class sergeant.

98. He was passed over when the promotions to first-class sergeants were being made?—Yes.

99. What was the reason for his being passed over?—I did not like the way he was performing his duty. I thought him very slack, and there was also a divorce case pending against him.

100. Was that case prosecuted?—I do not know whether it is over. It was put off for some time. I did put him in charge of Mount Cook Station as soon as I had opened it, and as it was an important station where young constables on joining were trained, I did not think he was training them as well as I cared about, so I transferred him down to Dunedin.

101. Was there not some special reason over and above that general one for his transfer?—I do not think so.

102. Of your own knowledge, did you not know he was living a grossly immoral life at Mount Cook Station?—No.

103. Was it not reported to you?—No; I do not think it would be possible.

104. What difficulty in the training of young constables did you refer to?—I wanted to make Mount Cook Station a depot, if possible, and I wanted one of the best sergeants I could get to take charge of it.

105. Could Shirley not attend to his clerical duties?—Yes.

106. Did he know his drill?—He was not training the young constables properly; he was not taking the trouble. He was simply slack, and was not the sort of man to take over the work.

107. What was his reputation so far as his sobriety was concerned?—I do not think there is any charge against him.

108. Do you not regard him as a man of loose habits?—Not so far as liquor is concerned.

109. So far as women are concerned?—I cannot prove anything against him. That is a question you should put to Mr. Pender, because the man was under him.

110. Under what circumstances was he retransferred from Dunedin to Wellington or Christchurch, I am not sure which?—I cannot say till I see the papers. I am referring to when he went from Wellington to Dunedin, and he is in Dunedin still.

111. He is in Dunedin now, but he was away from Dunedin for a year?—He came up to Mount Cook Station from Dunedin, and was then sent back to Dunedin.

112. *The Chairman.*] What date was that?—Roughly speaking, about a year ago.

113. *Mr. Taylor.*] Do you remember what were the circumstances connected with his transfer from Dunedin to Wellington to take charge of the Mount Cook Station?—Because he was a bachelor sergeant when the station was opened.

114. I would like the correspondence that passed between the Dunedin Inspector and the department on the occasion of his transfer back to Dunedin?—I will get it.

115. Have you Sergeant Henry McArdle's papers?—Yes.

116. What communication did the department receive in regard to Sergeant McArdle's connection with a fruit-stealing case; how did the matter come before the department?—There are a lot

of extracts here, from the *Wairarapa Daily Times* and the Masterton correspondent of the *New Zealand Times*. The *Wairarapa Daily Times* of the 2nd September, 1895, has the following: "The Queen Street burglar is a humorist. Last night he selected for his scene of operations premises adjacent to the police-station. He evidently thought that if the police would not keep an eye on him he would keep a watch on them. The new night-duty is somewhat a fiasco. What is wanted is a thorough change in the police staff. The present members of the Force are well known to everybody, their little habits are familiar to all, and the well-informed burglar cannot be surprised by them. The town is not safe; it is simply at the mercy of certain night-prowlers, and the sooner this state of things is brought to an end the better."

117. Did the Inspector of the district send a report to the Commissioner?—No. The Inspector of the district, Mr. Thomson, got an explanation from the sergeant and filed it. The sergeant's reply is dated the 5th September, 1895.

118. Who first brought it under the notice of the Commissioner?—That part of the business never came under my notice.

119. When did the matter come under your notice?—When petitions were sent in to the Minister of Defence. One is dated the 17th September, 1895, as follows: "We, the undersigned residents of Masterton, respectfully approach you *re* the police organization of this district, having reason to believe that a petition is being forwarded to you complaining of their inability. The diminution of crime in this centre of the Wairarapa proves the police staff is efficient and fully alive to their duties. At the same time we are aware they have recently had occasion to prosecute certain persons whom they considered had been guilty of violating the law. We confidently leave this in your hands, knowing that justice will be done." This has 106 signatures. There is another petition in the same direction, which was forwarded by Mr. A. W. Hogg, M.H.R., on the 27th September, 1895, with the following letter: "Dear Sir,—The memorial enclosed from the ladies of Masterton has been forwarded to me, with a request that I should present it to yourself. It is signed by eighty-six residents, and is intended as an expression of confidence in the present police staff." The petition reads: "The Hon. the Minister of Defence, Wellington.—Sir,—We, the undersigned ladies of Masterton, having reason to believe that a petition is being circulated for presentation to the Defence Minister, with a view to reorganizing the Police Force in the township, would point out this injustice, and we would beg to further point out that the morality of our town at the present moment is entirely due to the strict attention that the police have taken to suppress this great vice. We do not consider there are any grounds for such a petition, for we have reason to know that the petition in question is being promoted by a few interested parties. Recognising how manifestly unfair it would be to perform such an act, which would be calculated to shake the confidence of sober, right-minded, and order-loving people, we humbly pray that you will attach no importance to the petition in question." Then, there is another petition in the opposite direction, which is forwarded by a gentleman named J. Payton, who, I think, is editor of the *Wairarapa Daily Times*, and who writes on the 28th September, 1895: "The Commissioner of Police, Wellington.—Sir,—On behalf of a number of Masterton householders, I have the honour to enclose you a petition in favour of reorganizing the local police staff." The petition referred to reads: "To Lieut.-Colonel Hume, Commissioner of Police, Wellington.—The undersigned householders of Masterton respectfully request that the police staff of the town be reorganized, it being inefficient as at present constituted." This has eighty signatures. I minuted on this: "The Hon. the Defence Minister.—These two petitions are forwarded for your information. One is from eighty male residents at Masterton, asking that the police be reorganized in Masterton, it being inefficient as at present constituted—a very bald and general statement, giving no particulars. The other petition is signed by eighty-six female residents of Masterton, asking that the police at Masterton as at present constituted be not interfered with, as they are giving general satisfaction. I recommend that the male petitioners be asked for particulars as to how the Masterton police are inefficient, and that I visit Masterton at an early date and make personal inquiries into these matters." The Minister said, "Accordingly."

120. Did you go to Masterton in connection with these matters?—Yes. Then, on the 3rd March, 1896, Inspector Pender sends up to Sergeant McArdle the following memorandum:—

I FORWARD herewith a newspaper report of a case, *Police v. Urquhart and Fitzsimmons*, fruit-stealing, heard at the Magistrate's Court, Masterton, on the 28th February last, and trust you will be able to give some satisfactory explanation of the very serious imputations made against yourself and the Police Force at Masterton in connection with the case. From the report of the proceedings it would appear as if the police and Mr. Tucker, the hotelkeeper, got up a case against the defendants, who a short time previously gave evidence against Mr. Tucker when charged with a breach of the Licensing Act.

P. PENDER, Inspector.

Sergeant McArdle reports as follows:—

Police-station, Masterton, 4th March, 1896.

I RESPECTFULLY report that this is one of the most extraordinary imputations that has ever been attributed in the hearing of a Court of Justice to any members of the Police Force that any one possibly could conceive. Some complaints of orchard robbery have been made to me of late, but on Sunday, the 23rd instant, I had information given to me that further robberies would likely take place within the next couple of nights. This I determined to counteract and detect if possible, and accordingly myself, Constables May and Lawler, scattered ourselves through the various streets in order to watch and detect such practices as orchard-robbing. Soon before or about 12 o'clock on the night of the 24th ultimo, being calm and mild, we heard a loud sing-out of "Thieves! thieves!" and "Police!" We all made in the direction from whence the cries came, and found them to emanate from the back of Tucker's Prince of Wales Hotel, each of us having come from different streets. After some difficulty in getting over fences, we got in the garden—only myself and Constable Lawler—where we found Fitzsimmons. Constable May, coming running along a back street, saw a man crash over a thorn-fence out of Tucker's orchard, to whom he gave chase, and arrested him. This man turned out to be a young man named Hector Urquhart. They were both locked up and charged separately on two charges—first, under "The Police Offences Act, 1884," section 28, subsection (9); and, secondly, under "The Indictable Offences Summary Jurisdiction Act, 1894," section 44, subsection (1), Part C. I may here add that both prisoners, when at the watchhouse, were asked by myself and Constable May if there was any other person with them in the garden and assisting them in any way to rob the orchard. They declared there was not (see their evidence). When brought before the Court on the 25th the first person called was Urquhart. The charge was

read to him, and he pleaded guilty. However, Mr. Beard, solicitor, interfered, and said he would not allow the plea of guilty, and asked for a remand till the 28th. The Court at once acquiesced, and the remand was granted. It will be observed in the evidence that a person named Harris figures prominently before the Court. This person was boarding with Fitzsimmons (the prisoner) and his father, and immediately the two accused were released on bail Mr. Beard had Harris brought to his office. This was on the 25th ultimo. Immediately after this interview Harris disappeared, and has not since been seen or heard of. This man Harris is only partially known to the police here, and we had no knowledge that such imputation would be made or we should have detained Harris. However, the police here defy the imputation for either Harris or Tucker or Mr. Beard to prove, which I challenged him to prove when the case was before the Court, and which he signally failed to do; and, in the face of my challenge and Mr. Beard's inability to show any proof of his false accusation, yet the Court seemed inclined from the very first to assist the defence, which the general public here can and will prove. Under the circumstances the police here court the fullest inquiry, on the grounds that, if such false accusations can be levelled at myself and the two members at present on this station for independently doing our duty without a shadow of evidence to prove it, then no man is safe. Please see the leading article of the 29th ultimo taken from the *Wairarapa Star*.

HENRY McARDLE.

I may state that that was forwarded to the Commissioner, and he recommended that Sergeant McArdle should be transferred from Masterton.

121. Was he transferred?—Yes.

122. Straight away?—I cannot remember, but it must have been very soon afterwards, any-way. In June, 1896, the Minister writes, "The sergeant has been transferred to Nelson."

123. He is now in Nelson?—Yes, in charge of the sub-district.

124. Was he removed as a result of those petitions?—Yes, as a result of my report after I went up.

125. Why did you think he should be removed?—For the same reason as Mr. Pender. I thought he was too old for Masterton, for one thing.

126. He is not too old for Nelson?—Oh, no; the Nelson people are delighted with him.

127. Was that the only reason why you recommended the man's removal? As a matter of fact, was he not a common frequenter of hotel bars at Masterton?—No, I do not think so. I do not think he is a drinker.

128. *Mr. Taylor.*] I think I will put in a copy of the *Wairarapa Daily Times* dated the 29th February, 1896, containing a full report and the judgment of the Magistrate in connection with the fruit-stealing case. I would like to ask whether anything more was done with regard to the suggestion that Sergeant McArdle had acted improperly. Sergeant McArdle was asked to report on his own conduct, and I would like to know whether any fuller inquiry was made?—No other inquiry was held. Of course, as I pointed out before, Inspector Pender will know more about the matter.

129. Have you the papers of Constable Poland?—Yes.

130. When did he join the Force?—On the 17th April, 1894, from the Permanent Artillery, and he joined the latter Force on the 19th August, 1893. He was promoted to second-class rank on the 1st July, 1897.

131. Was that promotion in order, or was it an irregular promotion?—It was for saving life; it was for meritorious conduct.

132. Was it made by virtue of seniority or for special reasons?—For special reasons.

133. What district does Constable Poland come from?—He comes from Auckland.

134. Why was he promoted?—I sent the following recommendation to the Minister: "I have much pleasure in recommending third-class constable J. H. Poland to be promoted to second-class constable, with effect from the 25th instant, for his bravery in jumping off the wharf between 3 and 4 o'clock a.m. and rescuing Dr. C. W. Martyn from drowning. During the present year the constable has on two occasions stopped runaway horses, and certainly in one of these cases more than probably saved life. He has been in the Force since November, 1894, and previously served one year and eighty-two days in the Permanent Artillery. I intend taking steps to bring his conduct on the 25th instant to the notice of the Royal Humane Society of Australasia, with a view to obtaining a medal for him.—A. HUME, Commissioner.—30th June, 1897." This is minuted, "Approved.—T. THOMPSON.—1st July, 1897." I may say that Mr. Pender recommended his conduct to me for promotion. I wrote to the Royal Humane Society, and a bronze medal was presented to Constable Poland.

135. Was it customary to promote officers who had been the means of saving life?—Yes, when it is clearly proved to me. I must say that all sorts of dodges have been tried on, but when cases have been proved to me the men have been promoted. Some may have been overlooked.

136. Take the case of a man named Ryan: he was given £3 as a reward for saving life?—Yes.

137. Was he promoted?—I cannot say, but I will find out. I know a case where I found a man went down on the stringer and pulled a woman out of the water. I did not think much of that. He saved the woman's life, but he did not risk his own.

138. *Mr. Tunbridge.*] Will you kindly read paragraph 61 of the Police Regulations?—"Where any member of the Force has shown exceptional merit, or performed any specially valuable service, his promotion to a higher rank without regard to seniority, if recommended by the Inspector of the district, may be authorised, but on such occasions a notification will be published in the *Gazette* setting forth the circumstances of the case."

139. Was Constable Poland's promotion irregular?—No.

140. Is it not in accord with the police regulations?—Yes.

141. *Mr. Taylor.*] Was it gazetted?—Yes, I imagine so.

142. As a matter of fact, we had three cases of promotion which were not gazetted?—I explained those cases.

Colonel Hume: I should like to clear up the promotion of Constable McGill, about which I was in some doubt this morning. I find that the Accountant to the Police Department, Mr. Gold-

finch, died in February, 1895. I asked the Chief Clerk, Mr. Evans, the best way he thought of filling up the vacancy in the office, and he wrote me the following letter:—

SIR,—

Police Department, Wellington, 19th March, 1895.

Referring to the recent death of Mr. J. M. Goldfinch, in compliance with your request that I should make a suggestion as to how the work of this office can in my opinion best be carried on, I beg to make the following remarks: (1.) That I should take over the accounts, the duties lately performed by Mr. Goldfinch, receiving the same salary as drawn by him. (2.) That Mr. Tasker, who efficiently edits the *Police Gazette*, continue to do so, receiving the salary attached to the position of second clerk, in addition to which he will assist me with the accounts and general work of the office. (3.) That a member of the Police Force who has had experience in a district office be attached to this office, with an allowance, to take up the record work under my supervision. The length of service of Mr. Tasker and myself, enables me to place these suggestions before you with every confidence.

I have, &c.,

JOHN EVANS.

On receipt of that letter I addressed the Hon. the Defence Minister as follows:—

SIR,—

Police Department, Wellington, 20th March.

With reference to the vacancy for Accountant in this department, through the death of the late Mr. Goldfinch, I have the honour to recommend that Mr. Evans be appointed on a salary of £240 per annum. This officer has served in the departmental office since the 15th September, 1881, and has always given entire satisfaction. He is steady, thoroughly reliable, and painstaking, and feels himself competent to undertake the duties recently performed by Mr. Goldfinch. Mr. Tasker, the junior in the office, is, I consider, well qualified for the position of second clerk, and I recommend he gets Mr. Evans's present salary—viz., £225 per annum. Mr. Tasker has been in the office since the 16th April, 1882, and gives every satisfaction, and the manner in which he compiles the *Police Gazette* is most commendable. As regards filling Mr. Tasker's vacancy, I recommend that third-class constable William McGill, now employed as assistant in Mr. Pender's office, be appointed, and that he be granted first-class constable's pay so long as he is employed in the office. These arrangements to take effect from the first instant.

That is minuted, "Approved.—R.J.S." Now, it was perfectly correct not to gazette Constable McGill's promotion; he is merely first-class so long as he is in the office, and if he was to leave the office to-morrow he would revert, I imagine, to his position in the third or second class, whichever it is. He is now district clerk at New Plymouth.

143. Was he not appointed to the Commissioner's office in Wellington?—Yes; and transferred from there to the New Plymouth office.

144. He is not now in the office to which he was appointed?—No; but he has first-class pay so long as he is in the office.

145. As a matter of fact, he was only recommended for a first-class constable's pay; has he not been gazetted a first-class constable?—No. He gets a first-class constable's pay; he is in the roll of first-class constables.

146. Is that roll the basis of further promotions?—I should say that is a matter for consideration when he goes out of the office.

147. *The Chairman.*] He ranks in the Force as a first-class constable, and gets first-class pay?—Yes; but if he left the office to-morrow I imagine he would revert to his old place.

148. *Mr. Taylor.*] Was he absolutely efficient to be appointed a first-class constable; had he been discharging clerical duties before?—He had been doing this work in Inspector Pender's office before this, and he received extra pay when coming into my office.

149. Why?—He had a great deal more work thrown upon him, and I did not expect him to go into my office and do the work required of him there on the pay of a third-class constable.

150. You mean his salary was insufficient?—I mean, otherwise he would have had no increase in my office.

151. What prospect is there of him reverting to the rank of third-class constable?—I cannot say.

152. Is there any prospect at all?—I should not think so.

153. The idea you threw out that he would revert to a third-class constable does not apply?—He is only a temporary first-class constable.

154. *The Chairman.*] Do the clerks in the offices all rank as constables, or is he the only one?—Several rank as constables, and in one or two offices they are sergeants.

155. They do not draw any pay as clerks in the offices?—No. Their pay is based on their rank as constable.

156. *Mr. Taylor.*] Take the district clerk at Dunedin or Christchurch?—In Dunedin he ranks as sergeant, and in Christchurch as a first-class constable.

157. Was he promoted when he took charge as district clerk?—I think he was a first-class constable before that.

158. Would this promotion from third to first class be gazetted?—McGill's was not; but his probably was gazetted, because he was made a district clerk straight away. This man was not.

159. Do you gazette all ordinary promotions?—Yes.

160. And in any out of order there is a special reason given for it?—Yes.

161. Was McGill gazetted as having been promoted to the rank of first-class constable?—No, because he was not promoted to first-class constable. "I recommend that third-class constable William McGill, now employed as assistant in Mr. Pender's office, be appointed, and that he be granted first-class constable's pay." That is what was done, and thus he goes to the first-class list because he is getting first-class constable's pay. It is certainly not gazetted.

162. You cannot disrate him to rank of third-class constable unless he commits some offence?—That is right.

163. When Constable Staunton was told off to do district clerk's work did he receive any additional pay?—He was made first class.

164. You did not ask that he should have sergeant's pay?—No. The man here does not get sergeant's pay. He was only promoted the other day.

165. *Colonel Pitt.*] Do I understand he was a first-class constable when transferred to Christchurch?—Yes.

166. *Mr. Taylor.*] Well, this whole transaction in connection with McGill was a most unusual one?—I never had occasion to take a constable into my office before. It was unusual in that way. However, there is the whole transaction from start to finish.

167. Of course, he did not cease to be a constable when he went into your office?—Certainly not.

168. *Mr. Tunbridge.*] Does not Sergeant Bell, at Dunedin, get extra pay in addition to his rank as sergeant?—I cannot say. He is an exception altogether. He was a Civil servant, and was taken over from the Provincial Government.

169. *Mr. Taylor.*] Have you Constable Treanor's papers?—Yes.

170. Will you read the correspondence connected with a charge of cattle-stealing against a man named Gower, in which Constable Treanor was concerned?—A gentleman named Leslie M. Monckton wrote to me as follows:—

SIR,—

Woodville, 25th July, 1895.

There are certain circumstances connected with a recent cattle-stealing case in this district which I think it necessary to apprise you of. You are no doubt already in possession of information as to the lifting of about twenty of our cattle from Mr. Gaisford's paddocks at Matahiwi, and their sale in Abraham and Williams's yards in Palmerston, by a man named Gower. We first learned for certain the facts on Sunday last. On the next day, as soon as we learned who the vendor was, we saw the constable here, and laid an information against Gower. I swore an information. A warrant was made out for Gower's arrest, and I, at Treanor's request, went up with him to effect the arrest. Gower was not at home. Treanor asked me to come up with him next morning. When I went up to his (Treanor's) office he said he had since consulted with Mr. Motley, J.P., and that that gentleman thought that issuing a warrant for Gower's arrest was too drastic a measure, and that it would be better to proceed by way of summons. He would therefore do this. I warned him that if he did it was quite certain that Gower would clear out of the district, as he had not the smallest chance of escaping conviction. He (Treanor) insisted that it would be best to proceed by way of summons. I said, "You must take the responsibility in the matter. If you say that that is what must be done, then do it." A fresh information was laid accordingly, and a summons was taken out. Gower subsequently met me in the town, and offered to make full payment for the cattle if proceedings were stayed. He also sent another person to me with a similar offer. Mrs. Gower also came down to our house, and made a similar offer on her husband's behalf. We, of course, refused to listen to any of them. Seeing that Gower was still at large, my brother and I, and my brother-in-law (Mr. Carlile) went up last night to see Treanor, and again warned him that unless he acted with promptitude it was quite certain that Gower would clear out. He said in the presence of us all that it was on Mr. Motley's advice that the warrant had been withdrawn; that he now felt that the case was one in which the man should have been arrested; and that he would have him arrested at once. As you are aware, when he did go to arrest him he found he was not there.

Yours, &c.,

LOUIS M. MONCKTON.

171. What action did the department take in regard to Treanor's conduct?—The Inspector held an inquiry, and his report is as follows:—

Police-station, Napier, 3rd August, 1895.

In accordance with your instructions I proceeded to Woodville, accompanied by Detective Kirby, on the 29th ultimo, and on the following day made full inquiries relative to cattle-stealing case, and, as result of same, I am of opinion there is a clear case of stealing Monckton's cattle against Gower. I took the statements of Messrs. L. M. Monckton, Gothard, and Constable Treanor, which are attached hereto. These papers will show, I think, that Mr. Monckton wished to proceed against Gower by summons. Mr. Monckton also informed me that he told the Magistrate and constable that he would not be responsible in any way for offender's arrest. In my opinion, Constable Treanor should have used every effort to effect arrest from the time he received the warrant, and that it was an error of judgment on his part in holding over execution and countenancing issue of summons. I am rather astonished at his action in this respect, as he is an intelligent, active, and good policeman. He no doubt acted in this case to the best of his ability, and thought what was being done was in the interests of justice. He, with Mr. Motley, J.P., no doubt took into consideration the fact that the accused had resided in the district for twelve years, and had borne a good character, and considered by all as an upright man.

The Commissioner of Police.

JOHN EMERSON, Inspector.

Then I went up to Woodville after that myself. I made some inquiries there, and then I wrote to the Minister of Defence,—

Since writing my minutes of the 9th and 10th instant I have visited Woodville, and from all I could learn there I do not think the constable is much at fault. He certainly did not at once execute the warrant, as he should have done; but, on account of the standing and general character of Gower, I believe had he arrested Gower and taken him to the lockup there would have been a general local outcry that unnecessarily harsh treatment was being used towards Gower. One and all the respectable inhabitants of Woodville, speak in high terms of the manner in which Constable Treanor performs his duty. He has upwards of twenty-one years' service, and has no entry against him in his defaulter's sheet.—A. HUME, Commissioner.

This is minuted, "Seen.—R.J.S." The constable is not now at Woodville, but in Auckland.

172. Do you think that any officer, after twenty-one years' service in the New Zealand Police Force, should be ignorant as to what his duty is in regard to a charge of cattle-stealing when an information has been sworn?—I think constables have always to be guided to a certain extent by what Justices of the Peace say.

173. Do you think all Justices of the Peace are qualified to guide your constables?—In some cases; no, not all.

174. Do you think Mr. Motley was a man qualified to guide a policeman?—I would not say he was or was not. I do not know anything of him.

175. Do constables understand they are to go to the local Justices of the Peace to discuss their duties?—In this case the Justice of the Peace went to the constable.

176. Do you think, after an information had been sworn and a warrant issued for the man's arrest, that the constable has a right to enter into a conversation or discussion with a Justice of the Peace as to what his duty is?—I think exactly as stated in my minute: "I do not think the constable is much at fault. He certainly did not at once execute the warrant, as he should have done."

177. I want to enlarge your expression of opinion, in which you refer to the general standing and character of the man in the community: Would you treat him differently to a poorer man?—No.

178. In this case why should it apply?—If I wanted to arrest you, or some one wanted to arrest me, they would know where to find me in Wellington, and I have no doubt they would know where to get you in Christchurch.

179. Take the case of Gower. Was he arrested?—No, he got away.
 180. In that case the discrimination did not work?—No; two heads were not better than one.
 181. Was this constable shortly afterwards promoted to the charge of the Waipawa Station?—
 It was not promotion; it would be the same rank.
 182. Has he been promoted since?—He was promoted to the rank of third-class sergeant on the 1st January, 1898.

183. Do you remember whether Mr. Hall, the then member for Waipawa, saw you about Treanor, and interceded on his behalf?—I do not remember any verbal conversation. There is a letter from Mr. Motley to Mr. Hall, who apparently sent it on to the Minister. It is as follows:—

DEAR SIR,—

Woodville, 25th July, 1895.

When writing you to-day there was a certain matter which I should like to have mentioned, but scarcely thought the circumstances warranted my doing so. Since then, however, events have transpired which render it necessary that I should place you in possession of full particulars, which are these. It appears some time ago Monckton Bros. lost some cattle from Oringi, and the other day discovered some of them in possession of J. Harris. Monckton questioned Harris as to how he came by them, and was informed that they were bought at the Monteith Sale-yards. On further inquiry it was discovered these cattle were put in the sale-yard by Mr. A. Gower, of Victoria Block. Monckton fully acquaints Constable Treanor of the particulars, with the result that an information is laid and a warrant issued, both brought to me for signature (and duly signed). But I remarked that to issue a warrant was taking the most extreme measure upon what might probably be slight information. However, the complaint and warrant were handed to Constable Treanor, and I afterwards saw Treanor and expressed myself in similar terms that I had done to Monckton, and he decided not to act until further particulars were obtained. From further information which Monckton got it left no doubt that Gower had stolen the cattle. I subsequently saw Treanor, and during a conversation with him said it was discretionary as to whether he arrested or proceeded by way of summons. (See Johnston's Justice, Vol. I., page 207, No. 677.) That considering Gower was a settler and a man of fair repute, and had his family here, a summons would answer the purpose, as he was not likely to abscond. The result being that a summons was issued and served for him to appear at Court to-day before the S.M. In the meantime Gower has disappeared. And I am informed that Carlile, as well as Mr. Williams, of Williams and Abrahams, Palmerston North, is reporting the matter to the Defence Minister, with a view no doubt of having Treanor punished in some way. Now, the true position is this: A warrant is a mandatory document, and probably Constable Treanor should have executed it upon becoming satisfied that Gower had committed a felony; but at the same time, looking at it from all sides, I believe he was partly influenced by my remarks in delaying the execution of the warrant, and at the same time he concurred in these remarks, and thought a summons would answer the purpose. Had Gower been arrested he no doubt would have applied for bail and got it; there would still have been a possibility of his absconding, although had he have done so the constable would have been relieved of all responsibility. The question now arises that, assuming that the Defence Minister considers Treanor has shown a remissness in his duty, and he deems it necessary to inflict a punishment, I sincerely trust that you will use your best endeavours in placing before the Defence Minister matters which have come under your own observation respecting him, and which may tend to mitigate the punishment, so as not to inflict a hardship greater than necessary. It cannot be denied that Treanor is a good man, and carries out his duties conscientiously, and the fact ought not to be lost sight of that he has been injured in the service, which to a certain extent incapacitates him from starting life afresh. That to think of discharging him for an error of judgment would be inhuman, after eleven years' of faithful service. And if the Defence Minister decides to remove him, I do not think the confidence would be misplaced if he gave him charge of an out station. He feels his position keenly, hence my writing you.

I remain, &c.,
 J. MOTLEY.

Mr. C. Hall, M.H.R.

184. Mr. Hall would in all probability see the Defence Minister?—Yes.
 185. *Mr. Tunbridge.*] As a matter of fact, the constable did go out that night?—Yes.
 186. But did not find Gower?—No, but he should have stopped there.
 187. Will you kindly read paragraph 45 of the Police Regulations?—"Officers in charge of districts will, as far as practicable, act in accordance with the wishes of the Benches of Magistrates, for which purpose they will frequently communicate personally with the Magistrates to ascertain whether their lawful orders are duly carried out by the members of the Force, and whether they are active, diligent, and efficient in the prevention of crime or the pursuit of criminals, and orderly, respectful, and steady in their conduct."
 188. That means a constable in charge of a sub-district?—Yes.
 189. Do you consider that in a measure places constables under the direction of Magistrates?—That was what I was trying to explain to Mr. Taylor.
 190. *Mr. Taylor.*] Surely that regulation 45 will not bear any such construction; it was surely never meant that a Magistrate or Justice of the Peace, who may have no legal knowledge whatever—and the majority of them have not a fraction—is to overrule the judgment and plain duty of a constable?—I do not say it is.
 191. *Colonel Hume:* In regard to Sergeant Shirley, whose name came up earlier in the day, I find I sent the following memorandum for Inspector Pender on the 14th December, 1893: "As soon as the new police-station at Mount Cook is handed over by the Public Works Department, you will be pleased to take it over and open it. Second-class Sergeant Shirley will be transferred from Dunedin and placed in charge of Mount Cook Station. It would be well to arrange for the grey cob 'Waverley' to be kept at the central station in future as an emergency, and the constable told off to ride him could patrol round the suburbs at uncertain hours after dark.—A. HUME, Commissioner." Sergeant Shirley was accordingly transferred.
 192. *Mr. Taylor.*] When did the transfer take place?—On the 19th April, 1894.
 193. And when was he retransferred from Mount Cook to Dunedin?—On the 1st February, 1897.
 194. Have you any complaints against him on the Inspector's file?—It will be recorded here on his defaulter's sheet if he has been punished. He entered the service on the 24th June, 1872. The first entry is on the 4th January, 1873, "Neglect of duty in not examining the Union Bank, the door having been found open at 5 a.m. Cautioned to be more careful in future." On the 18th September, 1873, "Absenting himself from his post when on reserve duty, and gross insubordination to Sergeant O'Neill when spoken to on the subject. Severely reprimanded." On the 26th October, 1874, "Absenting himself from barracks without leave. Cautioned." On the 3rd November, 1874, "Neglect of duty in not finding out and reporting that the office door of

Captain Hutchinson's, Crawford Street, was left open during the night. Reprimanded, and if it had not been for the constable's previous good conduct he would be reduced in the service." On the 23rd April, 1875, "Contravening the regulations of the Force by allowing a stranger into the barracks and drinking with the stranger. Severely reprimanded." On the 17th June, 1875, "Neglecting to deliver a letter addressed to the Commissioner of Police, handed to him by a messenger of the Resident Magistrate's Court on the 15th June, 1875. Cautioned." On the 20th February, 1881, "Neglect of duty, and insolence to Michael Moriarty. Reprimanded." On the 2nd December, 1881, "Misconduct as a member of the Force, in George Street, Dunedin, by endeavouring to annoy and bring John Dupree into public contempt. Case not proved." He has only got one entry in his merit-sheet—viz., medal for long service and good conduct.

195. Have you any complaints from his Dunedin Inspector as to his habits of sobriety?—No.

196. Had you none when it was proposed to send him down there again from Mount Cook?—No, most certainly not.

197. Have you had no complaints from the Inspector at Dunedin in regard to the man's neglect of duty?—If it was proved it would be on record in the defaulter's sheet.

198. Do all the offences of policemen get on to their defaulters' sheets?—If they are punished they do.

199. Suppose he was generally incapable; would that get on the defaulter's sheet?—No.

200. Has he ever been the subject of special discussion between yourself and his Inspectors?—I really cannot say. I told you he did not give satisfaction at Mount Cook Station, and I probably spoke to Inspector Pender on the subject.

201. Do you recollect having a similar discussion with the Inspector at Dunedin?—I do not remember. He has different duties altogether to perform in Dunedin.

202. *Mr. Tunbridge.*] While you were Commissioner you passed Shirley over for promotion?—Yes.

203. You were not satisfied with his conduct, and you passed him over?—Yes, and explained to the Minister why.

204. As a matter of fact he has been in his present rank since the 1st May, 1884?—Yes, as a second-class sergeant.

205. *Mr. Taylor.*] Have you the papers of Constable O'Rourke, who was promoted, but was not gazetted as he should have been?—Yes. I should like to refer to that gazetting once more. I do not think I have ever yet explained to the Commissioners that I am responsible, and, of course, take the responsibility, for what passed in the office; but there is no doubt the omission referred to by Mr. Taylor happened in this way: A large batch of promotions was made at the time, and there were only two special men amongst them. The clerk naturally did not notice these two special men, and consequently, when he gazetted them, he gazetted them in the batch. That is to say, they were in the *Gazette*, but were not specially mentioned, as they ought to have been, according to this paragraph.

206. I should like to ask when O'Rourke was ordered for removal from Otaki?—He is at Otaki still.

207. When was he ordered for removal from Otaki to Stafford?—It was some time in December, 1890.

208. Who would be Defence Minister then?—Captain Russell.

209. Did he leave Otaki?—Yes.

210. What were his movements?—He went to Stafford. There is a telegram signed by me, I was in Auckland at the time, to the clerk in charge of the office at Wellington, as follows: "Constable O'Rourke should have gone to the West Coast long ago, but if his wife's confinement is so near, he can remain at Otaki for seven days from to-day, and then must at once start for West Coast.—A. HUMB, Auckland." It seems that Acting-sergeant Hannan had arrived at Otaki, and complained that there were no quarters, as the following telegram will show: "Constable O'Rourke, Otaki.—Acting-sergeant Hannan complains by wire that he cannot obtain possession of police quarters, and must keep his family at hotel. If Mrs. O'Rourke is not too ill to remove, try and remove her into another cottage before you leave to-morrow morning. If this cannot be done, assist Hannan to secure a cottage till your wife is able to travel. Should neither course be adopted, department may charge you with his hotel-expenses.—J. BELL THOMSON, Inspector."

211. As a matter of fact, did he vacate the police premises at all?—Mr. Thomson reports, on the 27th January, 1891, in reference to Sergeant Hannan's complaint: "Forwarded for the information of the Commissioner, with the request that I may be instructed as to the best course to pursue in the present difficulty *re* the Otaki police quarters. Constable O'Rourke, on the day of his departure for the West Coast, assured me positively that, on the day before leaving Otaki, he was getting his wife up for the purpose of removing her from the police-station, if possible, when she fainted with pain and fell back on the bed, and he was reluctantly compelled to forego his intention of removing her then. There is at present but one cottage in Otaki that can be rented, and that has only three rooms.—J. BELL THOMSON, Inspector." I minuted that back to Inspector Thomson as follows: "Constable O'Rourke has had ample time to have vacated his quarters long ago, and therefore I think the incoming constable has a fair cause for complaint, and he should be allowed to occupy the station forthwith. Of course, if Mrs. O'Rourke is unfit to move, Constable Hannan will have to remain at an hotel."

212. Did Sergeant Hannan do duty at all in Otaki?—Yes.

213. Did he get possession of the station premises?—I wrote to Mr. Thomson, on the 4th February, 1891, as follows: "The Hon. the Minister of Defence requests you will proceed to Otaki to-morrow and ascertain the condition of Mrs. O'Rourke, and, if she is fit to be removed, will see that she at once moves either into the hotel or the three-roomed cottage, and hand over the station to the acting-sergeant." On the Inspector's report I wrote the following minute to him: "There

now seems to be no other alternative but for the acting-sergeant to take up his quarters at the hotel until Mrs. O'Rourke is fit to move." Of course, Sergeant Hannan was in charge all this time.

214. As a matter of fact, did not Constable O'Rourke refuse to give up possession on some excuse, and Sergeant Hannan never secured possession of the police premises?—Apparently, the unfortunate woman could not be taken out. I will read this report:—

For the information of the Commissioner.

Police Department, District Office, Wellington, 7th February, 1891.

In accordance with the instructions contained in the attached memorandum, I have the honour to state that I proceeded to Otaki on the 5th instant, and saw Mrs. O'Rourke on the subject of her removal from the police quarters there. As her sister-in-law informed me that Mrs. O'Rourke was in bed, and unable to see me in another room, the interview had to take place in her bedroom, where I found her apparently ill and in a nervous excited state, owing to the anxiety caused by her approaching confinement and the illness of one of her children, whose leg was some short time since seriously injured, and the doctors decided to amputate it. They however eventually saved the leg, but it had now broken out again. She declared to me she would be quite unable to move out of the quarters until her confinement was over, owing to her illness and helpless state. I subsequently called upon the nurse who is to attend her, and she warned me most emphatically that any attempt to move Mrs. O'Rourke and her furniture now would probably bring on premature labour, and with the attendant worry and anxiety, increased of course by her husband's unavoidable absence, might possibly cause her death. The nurse is of opinion that the confinement is close at hand. Under these circumstances I am glad to be able to state that I have secured for the temporary use of Acting-sergeant Hannan and his family, at a rental of 9s. per week, a six-roomed cottage, which has just been put into thorough repair, and which is only a moderate distance from the police-station and Courthouse.

J. BELL THOMSON, Inspector.

On that I wrote, in reference to the cottage at 9s. per week, "Approved."

215. Did Constable O'Rourke make application to be sent down to Otaki again?—The next thing on the file appears to be the usual sort of document which we get on the occasion of transfers, and is as follows:—

SIR,—

Otaki, March, 1891.

We the undersigned, Justices of the Peace of Otaki district, have the honour to direct your attention to the fact that the removal of Constable O'Rourke is in our opinion an ill-advised proceeding, and for the following reasons we respectfully ask you to keep him at Otaki, and allow his successor Sergeant Hannan to return to Stafford: 1. This is a large district, with a scattered population about half Native and half European; the means of communication to the various settlements and most of the settlers' homesteads is almost entirely by horse-tracks difficult to find, and at times dangerous on account of the rivers which have to be forded. Constable O'Rourke has during the short time he has been stationed here made himself acquainted with the district, and is now able to go to all parts of it without the assistance of a guide. This, of course, his successor will be unable to do for some time. 2. The district being a newly-settled one, bounded on the north and south by much older settlements, and situated on the main line of communication between Wellington, Wanganui, and Napier, a great number of criminals come here, and are, unfortunately, encouraged to remain, as they find it easy to make a living amongst the Natives. Constable O'Rourke, from his four years' service as a watch-house keeper in Wellington, has had a good opportunity of becoming acquainted with the class of criminals who are usually sent in from the country districts, and therefore specially qualified to be stationed in this district, and we are therefore without hesitation unitedly of the opinion that the ends of justice would be materially furthered by your granting the request herein made.

We have, &c.,

JOHN KEBBELL.

ALEXANDER SMALL.

MORGAN CARKEEK.

ARTHUR DRAKE.

W. H. SIMCOX.

Hon. R. J. Seddon, Minister of Defence, Wellington.

216. As a matter of fact, had he been at Otaki many years prior to his removal?—No; he was shifted to Otaki as soon as I was Commissioner. I minuted that letter to the Defence Minister as follows: "I would respectfully point out that Mr. Simcox and four residents at Otaki not only ask permission to select their own constable for Otaki, but they also provide for Stafford, where they have probably never been or do not even know where it is. Comment is needless." On that Mr. Reeves writes "Seen."

217. In May, 1891, Constable O'Rourke was removed to Otaki. What were the circumstances?—I see there is a departmental memorandum from me dated the 13th April, 1891: "The following transfers are made, with effect from this date: Acting Third-class Sergeant Hannan, Otaki to Masterton; Third-class Constable O'Rourke to Otaki, *vice* Hannan." O'Rourke was apparently in Wellington again at that time. Then, there is the following memorandum: "The Under-Secretary, Justice Department.—Constable Timothy O'Rourke has been placed in charge at Otaki, *vice* Acting-sergeant Hannan transferred."

218. Then, he was away from Otaki altogether under six months?—Yes.

219. *The Chairman.*] Did he go to Stafford during that time?—Yes; he went there and came back on leave, on account of his wife's illness.

220. *Mr. Taylor.*] He returned, then, to Wellington?—Yes; apparently he got to Wellington. It is not shown very clearly here. There is a memorandum, "Noted and returned to Commissioner. Constable O'Rourke passed through here a few days since on leave of absence.—J. BELL THOMSON. 24/2/91." I find here that I telegraphed down to Inspector Goodall on the 3rd February, 1891, "Leave granted to Constable O'Rourke."

221. With regard to Constable O'Rourke, did he as a matter of fact vacate the police premises at Otaki at all; did he not carry on intrigue after intrigue to retain the use of the station premises until ultimately he got back to Otaki?—I cannot say there was any intrigue about the boy's leg being taken off, and his wife's confinement.

222. Have you the papers I mentioned this morning in respect to the awards?—Yes. One man Mr. Taylor complained had not been promoted was Sergeant Mackay, now in the South. This man belonged to what was known in Auckland as the Water Police. It was the only place where there were Water Police, and it was run as a separate branch, and they had a boat of their own. There are two cases of life-saving I see, in his merit-sheet. One is in 1891, "Saving a woman from drowning; reward, £3." The other in 1892, "Saving a boy, Joseph Barber, from drowning; reward, £5." In the first case Constable Mackay reported the matter to Inspector Broham, who sent the report to me with the following memorandum: "Forwarded to the Commissioner, with a recommendation that a gratuity be given to Constable Mackay for his intrepid conduct

in jumping into the harbour to save the life of this woman." On that I noted: "Constable E. Mackay is granted a reward of £3 in recognition of his bravery and presence of mind in jumping into the water to save a drowning woman." In the case of the boy named Barber the statement of Constable Mackay was sent to me by Inspector Broham, with the following minute: "Forwarded to the Commissioner, with a recommendation that a substantial reward be granted to Constable Mackay for his intrepidity in jumping into the harbour and saving the life of the boy Joseph Barber. On the 19th October last Constable Mackay also jumped into the harbour and saved the life of a woman who was drowning, for which he received a gratuity of £3. He likewise saved the life of another person in a similar manner some years ago. This is, therefore, the third time he has saved life in the Auckland Harbour." The Inspector did not recommend him for promotion, but for a substantial reward, and he got £5. Then, Mr. W. Kelly recommended him for promotion, and I wrote the following minute to the Defence Minister: "Constable Mackay belongs to the Water Police in Auckland, and was specially selected for that particular branch on account of his powerful physique and his being a good swimmer. He saved a boy's life by jumping into the water at about 2.30 o'clock in the afternoon, and was helped by the third officer of the s.s. 'Mamari.' The boy was only nine years old. I rewarded Constable Mackay by giving him £5 and a special mention in his merit-sheet; but he thinks he should be promoted, and quotes three other cases in support of his request, but they were all entirely different. Sergeant Stagpoole received promotion for swimming out and saving life when a boat was upset in Tolaga Bay; Sergeant Kelly jumped off the ferry-boat and saved a man's life; while Constable Grey jumped off the wharf at 3 o'clock in the morning, when it was dark, and where there was a strong tide running, and saved a boy fourteen years old. None of these men belonged to the Water Police, but happened to be on the spot when their services were required. Constable Mackay has been exceptionally lucky, having risen from third-class to first-class constable in six years. He had also had the chances of making a considerable number of rewards by being in the Water Police, as his reward-sheets show. I cannot recommend him for promotion, as I think the pecuniary reward sufficient.—A. HUME. 20/5/92." That was submitted to Mr. Seddon, and he said, "Accordingly," on the 25th May, 1892, and Mr. Broham was written to to that effect on the 26th May, 1892. That was the reason Mackay was not promoted. The next man referred to was Constable Johnston, of Wellington. A row occurred on the wharf here between sailors belonging to two American ships, and the mate of the "Doris Eckhoff," one of the ships, shot the other man. The mate then retired armed on board his ship, and Constable Johnston went and arrested him, and for that he was promoted to second-class rank.

223. Has he no record for saving life from drowning?—No.

224. Have you got Constable Oliphant's sheet there?—Yes. There are two entries on it: "1896—Plucky conduct in rescuing a woman from drowning; £5 reward." "1897—Stopping runaway horses; £3 reward." The former was apparently a case of attempted suicide, and the following report was forwarded to me from the Auckland *Herald*:—

Shortly before 10 o'clock last night a young woman named Margaret Parnell made an attempt to drown herself in the harbour. She went down Queen Street Wharf with a male companion, with whom she was heard disputing, and suddenly left him and jumped over the wharf into the water. Constable Oliphant noticed the woman go over, and at once took off his coat and waistcoat and sprang in after her. The tide was strong ebb at the time, and before Oliphant could reach her she was carried almost to the ferry-steamer jetty, and had gone under the water more than once. Oliphant, however, managed to grasp her, and after a somewhat hard struggle brought her to the steps, where he was assisted by several of the bystanders, and taken up on to the wharf. The woman was quite unconscious, and it took some time to bring her round. She was taken to the police-station, and then on to the hospital for treatment. Constable Oliphant deserves great praise for the plucky manner in which he rescued the woman.

The constable applied for compensation, for damage to his uniform. The application was forwarded to me with the following minute by the Inspector: "Recommended for favourable consideration. I also recommend for special consideration the gallant conduct of this constable in rescuing the woman by jumping into the harbour at night and saving her. I have deferred forwarding this until the charge against her of attempted suicide would be disposed of, but she is still on remand." I returned the papers with this minute: "Constable Oliphant is granted a reward of £5 for his plucky conduct in rescuing this girl, and £3 to replace his clothing."

225. Was he promoted?—No, and he was not recommended for promotion. In the case of Constable Douthett the following entry appears in his merit-sheet: "1897—Meritorious conduct, jumping into harbour and rescuing woman from drowning; £5 reward." The constable forwarded his report, as follows:—

I respectfully report that while on duty on Saturday, the 5th instant, on the Auckland Wharf, at about 6.15 p.m., a woman named Mrs. Clements, wife of a gumdigger at Riverhead, fell overboard from the western Devonport Jetty. I did not see or hear her fall, but I heard some one singing out, "Man overboard." I went over and could not see any one, it being so dark. I threw off my shako and mackintosh, and I no sooner had them off than I heard her voice saying something about being an Irishwoman. I then dived in the direction of the sound, about a dozen yards out, and caught her by the hair. She was lying face downwards, so I first turned her on her back to keep her face above water, and then made for the shore. Somebody then threw a lifebuoy with a long rope attached. I made the buoy fast to her, and sung out to the men on the wharf to pull in on the rope, which they did. They pulled in the rope until she was straight under the wharf, and held us there until a boat picked us up. After getting her on the wharf I took her straight to the lock-up, and charged her with drunkenness, as she was in an intoxicated state. I got my trousers slightly damaged with shells and mud, but the rest of my uniform was very little the worse for its wetting. Mr. McKewan, baker, in Queen Street; Mr. Watts, night-watchman; and Mr. Baker, of the Devonport Ferry Company, can corroborate the above statement. How she got over the wharf I do not know, unless in her drunken state she walked straight over; but she would have been drowned had she been in the water many seconds longer. She was vomiting water all the way to the station in the cab. She had to be taken to the hospital during the night.

Inspector Hickson forwarded this to me, and minuted it, "I recommend Constable Douthett's conduct to favourable consideration."

226. Was he promoted?—No. I minuted the papers, "Please report this paper to the Town Clerk, with a view to Constable Douthett's conduct being brought before the Royal Humane Society of Australasia. Constable Douthett is granted a reward of £5."

227. I want to contrast Constable Poland's promotion. When was he transferred to Waitotara?—On the 23rd October, 1897.

228. So that he took charge of the station; is not that rapid promotion?—Yes.

229. He joined in 1894, and got charge of a station in 1897; is not that very rapid promotion?—Yes, but he was promoted for saving life.

230. Are there not any second-class constables doing street duty?—No; second-class constables who are qualified to have charge of a station are not on street duty. Single men, however, do street duty. Poland went over any number of constables on account of saving life, but I think I can swear he did not go over one in getting charge of a station.

231. As a matter of fact, was he not fined £50 for a wrongful arrest?—He was fined, but I do not remember the amount.

232. Have you Sergeant O'Grady's papers?—Yes.

233. Can you tell the Commission how long he has been at Oamaru?—Since the 9th February, 1887.

234. Has he been reported for drunkenness whilst there?—No.

235. What is the nature of his defaulter's sheet?—He came into the service in 1891, and the entries are: 1897, "Gross neglect of duty in allowing offender, Edgar Bastings, charged with forgery, to leave for Wellington per s.s. "Wakatipu" without arresting him. Cautioned to be more careful in future." On various dates between the 1st and 21st April, 1887, "Neglect of duty in not parading the 9 a.m. day-duty reliefs, and falsely certifying that he had paraded the foregoing reliefs. Severely reprimanded." About April, 1884, "Circulating false reports regarding the Greymouth Irish National Land League, and general mendacity as officer in charge of police at Greymouth, and making certain false statements regarding one Samuel Gilmer and one Felix Campbell in his explanation of the above." (Remarks: Major Keddell, R.M., at Greymouth, was appointed Royal Commissioner to investigate these charges, and a large number of witnesses were examined. The report was duly forwarded to the Government, but the decision is not made known yet.—JNO. EMERSON, Inspector A.C., 21/9/85.)" 6th September, 1886, "Being untruthful, unreliable, negligent, and careless of his duties. Reduced to the rank of second-class sergeant." I may say that the Inspector who reported him on the latter charge was a very extraordinary man, and afterwards died in an lunatic asylum. Then we get to Oamaru: Between 20th March and 20th April, 1890, "Neglect of duty in withholding a knowledge of crime reports from the constables under his charge. Reprimanded." 13th January, 1891, "Absenting himself from the night-duty relief parade without permission. Cautioned, and warned against a repetition of the offence. (Sergeant O'Grady appealed against this decision, but his appeal was dismissed.)" 28th February, 1891, "Not reporting Constable Bell for being under the influence of liquor. Severely reprimanded." The merit-sheet of the sergeant shows: "5th December, 1888: In recognition of his services in connection with the prosecution of Daniel Brown, fined £2 for selling trout without a license, and of Edward Pickett, fined £1 for offering trout for sale; reward £2. 1890: In recognition of his services in connection with the prosecution of W. D. Esther, fined £2 and costs for the illegal sale of liquor; reward, £1. Conviction of Mary Cunningham for sly-grog selling; reward, £1. Convictions under the Beer Duty Act; reward, 10s. Conviction of Florence Garvie for sly-grog selling; reward, £2. Conviction of Margaret Andrews for sly-grog selling; reward, £2. Conviction of J. Newland, poaching trout; reward, £5. Conviction, Mary Gallagher, for sly-grog selling; reward, 10s."

236. When was Constable Donovan transferred from Coromandel to Tolaga Bay?—On the 15th February, 1897.

237. When was the general election, do you remember?—In December, 1896. If I remember aright I had been up there, and he asked me to shift him out of that as his house was very bad indeed. In fact, I think they have since built a new one. He also said the work was too hard for him, and that the Warden's Court was giving him a great amount of work.

238. You removed him for that reason?—I think so. It was a verbal arrangement.

239. Was it an ordinary visit of inspection that took you to Coromandel?—Yes.

FRIDAY, 4TH MARCH, 1898.

ARTHUR HUME, examination on oath continued.

240. *Mr. Taylor.*] Have you Sergeant O'Grady's papers in connection with certain reports from his Inspector?—There are no distinct reports from the Inspector, but there are the Inspector's minutes on Jackson's report.

241. I would like that report read?—It is as follows:—

Police Station, Ashburton, 23rd November, 1895.

REPORT of Constable David Jackson, relative to going to Oamaru re sly-grog selling at the Oamaru Cattle Show.

I beg to report that I proceeded to Oamaru on the 20th, and saw Sergeant O'Grady that night. He informed me that the booth at the Cattle Show had been bought by a man named Richard Orr, and that an attempt would most likely be made to sell liquor, and instructed me to go out to the grounds and try to purchase some liquor next day, the 21st, which I did, arriving about 11 a.m. After a time I visited the booth, which is a long building with part of the shutters up, so that any person could go in and be supplied without being seen by the outside public. I asked for a drink of whiskey. The man behind the counter said that all he had was ginger-ale, ginger-pop, and lemonade, so I had a glass of ginger-ale. At the same time, I could see a large number of bottles on the shelves, but was unable to say what they contained. Soon afterwards, from what I could hear on the ground, there was liquor in the booth. Orr used to stand outside the booth, and when two or three of what I took to be his friends would come along he would take them into the booth. I watched him for some time, then got another man, and we went and had a drink

of ginger-ale to see if I could detect any liquor exposed. I then noticed what I took to be a bottle of whiskey on one of the shelves. From what I could further hear, he intended to get hold on the following day. I then went into the luncheon-booth, which is attached to the booth just referred to by a trap-door in the wall, which was open. The table was laid for lunch, and on it was five bottles of what I took to be beer, in bottles marked "pale ale." All the corks appeared as if they had been put in the bottles. I purchased a sausage, at the same time asked for a drink out of the bottle. The woman in charge said that she could not sell it, as it was for the stewards, so I took a cup of tea. I made no further attempt that day in case of arousing suspicion. At 9.15 p.m. I went to the police-station, and saw Sergeant O'Grady, and verbally informed him of what I had done, and said I did not think I would be able to prove a sale, but that I was sure we could get him for exposing liquor. At the same time, I referred to a case in Ashburton where a conviction was obtained under similar circumstances. I said, if he liked, I would lay information for the exposure, and get a warrant. Sergeant O'Grady then instructed me to go to the grounds next morning, the 22nd, and, if I could not be able to prove a sale of liquor, to try and see if I could be able to see the same exposed. He would have the warrant, and we would seize it. I proceeded to the grounds as instructed at about 11 a.m. After being there a little time, I visited the booth and asked for a drink, and was supplied with ginger-ale. I then noticed three bottles standing on the counter, one a whiskey bottle about three parts full, one square gin nearly full, and a black bottle full, but could not say what it contained; four glasses, and towel. Behind the counter was a ten-gallon keg of beer on tap with the stamp defaced. At the time four men came in. They passed me, and went up to where the bottles were standing on the counter; at the same time I got behind a case that was on the counter and lit a cigarette, and tried to see if any money was passed, but could see none. Then I went out, in case I should arouse suspicion, and the liquor was removed before Sergeant O'Grady arrived with the warrant. He arrived about 2 p.m. I at once informed him of what I had seen, and that I was sure persons were being supplied. He told me to get the constables for him, which I did, thinking he was going to make a seizure. Later on he told me he had put the men to the door, to see that he did not sell any. Shortly afterwards Orr put up the shutters and left.

DAVID JACKSON, Third-class Constable 622.

That was sent up by the sergeant at Ashburton to the Inspector, and then Mr. Broham evidently asked about this Ashburton case that had been quoted, as follows: "Sergeant Moeller.—What was the defendant at Ashburton fined for? Was it for selling or for exposing for sale, or did you prefer both charges. If the latter, which charge was he fined upon?" The sergeant replied, "The defendant was fined for exposing for sale and also with selling. I withdrew the latter charge, and he was fined for exposing for sale. The facts were admitted—viz., that two 10-gallon kegs of beer were on the top of the stand, one on tap and glasses alongside. Defendant had bought the right of admission to this stand, and charged 1s. to each person who went there, and the persons thus admitted could help themselves to the beer or leave it alone. I saw several persons pay and afterwards help themselves to the beer. It was argued for defendant that no sale took place. I contended that there was a transaction in the nature of a sale, because if the person did not pay the 1s. he could not get the beer; and the Stipendiary Magistrate upheld my contention and fined defendant £5 1s. Notice of appeal was given but not carried out." The papers were then sent on to Sergeant O'Grady for a report, and he replied as follows: "Police Office, Oamaru, 29th November, 1895.—Report from Sergeant O'Grady relative to the Inspector's memorandum on attached correspondence.—I beg to state that Richard Orr, the person who supplied the luncheon, made arrangements or entered into an agreement with the stewards of the North Otago Agricultural Association to supply dinner for 2s. 6d., a glass of beer or a cup of tea to be provided for that sum. This Orr agreed to do, and did not think he was doing wrong. The persons partaking of the dinner did not pay individually. The amount was paid to Orr by the association in one sum. I am quite satisfied that Orr acted in good faith and did not think he was doing wrong. If summoned I have no doubt he will at once say what he did." Here is another memorandum from the Inspector to Sergeant O'Grady, dated the 2nd December, 1895: "Please state the facts with regard to payment for the meals. Who did the persons pay who had the meals and beer? Did they pay at the time or have they paid since? Who paid Orr? Please mention the names of the persons through whose hands the money passed until it reached Orr. Also the position of those persons in the association." On the 6th December, 1895, the sergeant writes: "Mr. Orr agreed with Mr. John Church, Secretary to the North Otago Agricultural Association, some days previous to the show, to provide ninety-five luncheons, to include a cup of tea, lemonade, or beer, for the sum of 2s. 6d. This amount will be handed to Mr. Orr by Mr. Church in a few days, or as soon as the accounts are passed. Mr. Church will let me know when this money is paid to Orr, and I will inform the Inspector." Then there is another memorandum from the sergeant to the Inspector on the 13th December, 1895, as follows: "I had no evidence of the sale of liquor, or a transaction in the nature of a sale. The latter phrase, I think, would refer more to licensed persons than to sly-grog sellers, and I feel sure that such evidence as was given in the Ashburton case would not obtain a conviction for me at Oamaru." Inspector Broham replies: "Sergeant O'Grady.—If you ever have such evidence in any case as was given in the Ashburton case, your course is to bring the case into Court. If such a case were dismissed, steps would be taken to appeal. Stronger evidence could not be given." It was at this stage that Inspector Broham apparently inquired for the particulars of the Ashburton case, for there is this last minute in regard to Sergeant Moeller's statement: "Sergeant O'Grady.—The Court must have convicted of exposing liquor for sale upon such evidence as above. I presume you had no evidence of the kind in this case? So far as I can see you could not have sustained a charge of exposing for sale.—T. BROHAM, Inspector.—10th December, 1895."

242. What was the outcome of it, Colonel Hume?—That is what I am trying to ascertain, but I cannot see the finish of it here. However, as it is a case where Sergeant O'Grady appears to have neglected his duty, he should be here when it is investigated, and, as you will presently be calling Mr. Broham, he will be able to tell you more about it.

243. Have you Constable Potter's papers?—Yes. This case is altogether subsequent to my handing over charge of the Police Department. Mr. Tunbridge has handed over the papers, and I can, no doubt, answer any questions where they are shown on the papers.

244. He has been dismissed for being under the influence of drink recently?—Yes, on the 26th February, 1898.

245. Have you the papers of Constable Henry Patrick Kennedy, of Auckland?—Yes.
246. When was he appointed?—He was transferred from the Permanent Artillery on the 26th October, 1895.
247. What is his position in the Force now?—He is a third-class constable.
248. Is he doing plain-clothes duty?—I would suggest that that, again, is a question for the Inspector in whose district he is stationed.
249. As a matter of fact, cannot you tell whether he was taken on as a plain-clothes constable immediately on joining the Force?—No, I cannot.
250. Is that a matter for the Inspector to say?—Yes.
251. What Inspector did he serve under—at Wellington, or Auckland?—At Auckland.
252. Have you got his application form there?—Yes.
253. Who does he refer to for character?—James Allen, M.H.R., and Mr. A. Morrison, M.H.R. He is a coachbuilder by trade.
254. Have you the papers of Constable Hollis?—Yes.
255. When did he join the Force?—On the 22nd June, 1896.
256. Who does he refer to for character?—Mr. E. M. Smith, M.H.R.; Mr. Poole, Normanby Street, Wellington; and Mr. Warwick, Normanby Street, Wellington. He was in the Permanent Artillery.
257. Can you tell me if he has done street duty?—No; the Inspector can tell you.
258. Is he at Auckland?—Yes, I think so.
259. Have you the papers of Detective Herbert?—Yes.
260. What were the circumstances attending his removal from Invercargill?—The Inspector told me that they did not want a detective there; that the place was too small for him, and that Herbert was a very intelligent man, and would do better in a big place.
261. Was there no public petition asking for his removal?—No.
262. No request from any citizens?—No.
263. No documents on that file asking for Herbert's removal?—No.
264. Have you ever had any complaints about the man's moral character?—No.
265. You have not received any correspondence at all affecting the man's character?—No.
266. Is Constable Michael Green still in the Force?—Yes.
- 266A. Have you got a conviction against him for striking a superior officer?—Yes. The Inspector reported as follows:—

The Commissioner of Police, Wellington.

Police Office, Dunedin, 3rd March, 1890.

Re Acting-Sergeant Michael Green, No. 178, charged with absenting himself without leave from Maclaggan Street Police-barracks from 10 p.m., 28th February, 1890, until 2.20 a.m., 1st March, 1890, and with being under the influence of drink at 2.15 a.m., 1st March, 1890, in Rattray Street, Dunedin; also with having assaulted Second-class Sergeant M. J. Geerin, No. 110, at 2.15 a.m., 1st March, 1890, while performing night-duty in Rattray Street, Dunedin, by striking Geerin in the breast with his clenched hand, and biting the small finger of his left hand (*vide* defaulter's sheet and correspondence attached).

SIR,—

Having very carefully investigated the above offences, I have the honour to submit for your information the whole of the correspondence as per margin relating thereto, and to state that I find that Acting-sergeant Michael Green, No. 178, is guilty of absenting himself without leave, being under the influence of drink, and of having committed a most unprovoked and cowardly assault on Sergeant Geerin in the public street while in the execution of his duty, and most strongly recommend Acting-sergeant Green's dismissal from the Force to the end that discipline may be maintained. He is under suspension since 9.30 a.m., 1st instant. I most respectfully ask that you may be pleased to send as soon as practicable a sergeant here to replace Acting-sergeant Green, who will discharge his duties fearlessly, which is very much needed.—I have, &c.,

S. MOORE, Inspector of Police.

At first, Major Gudgeon minuted the papers, "Sergeant Green to be dismissed the Police Force.—6/3/90"; but he evidently changed his mind, for on the following day he took the papers to the Defence Minister with the following minute: "Hon. Defence Minister.—Am not quite satisfied that this man ought to be dismissed." Then, there is the following minute: "As the last record against Acting-sergeant Green dates so far back as 1879; and as the offence committed was not when on duty, and not in uniform, I think reduction to third-class constable and removal to another district will be sufficient punishment.—W.R.R." Constable Green sends in a very long report, dated the 21st January, 1891, in regard to his case, and asking for a rehearing. This was forwarded to me with the following minute: "Forwarded to the Commissioner of Police. Constable Green has been stationed at Invercargill ten months, during which time his conduct has been satisfactory.—J. HICKSON, Inspector. 22/1/91." I replied, "Inspector Hickson.—Please inform Constable Green that his case was very fully gone into and considered by my predecessor, and therefore I decline to reopen it.—A. HUME. 27/1/91." This was indorsed, "Noted and returned to the Commissioner." Then, there is a letter to the Defence Minister from Mr. J. W. Kelly, M.H.R., as follows:—

SIR,—

Wellington, 29th June, 1891.

I have the honour to bring under your notice the case of Constable Green, who was reduced some time ago from that of an acting-sergeant to third-class constable. I have perused all the evidence in your office relating to his case, and I think no impartial person can come to any other conclusion than that the reduction was unjustifiable. The then Commissioner, Major Gudgeon, as well as Captain Russell, seem to have swallowed the advice of ex-Inspector Moore, and so disgraced the constable. I beg of you to review the case, and I am certain that after you have done so your conclusions thereon will be the same as my own.

I have, &c.,

Hon. Minister of Defence.

J. W. KELLY.

I then wrote to the Honourable the Defence Minister: "I have read these papers very carefully and am not satisfied that there was a clear case against Acting-sergeant Green. Many of the late Inspector Moore's decisions were to my mind unsatisfactory, and this is one." This was submitted to the Minister, who wrote: "Reinstate as first-class constable from 1st July, 1891.—R.J.S. 18/7/91." This was done.

267. When you wrote in reply to Green's application for reinstatement you said then the case had been fully gone into. Did you not study the case up then?—I probably read these papers. I had a long conversation with the man, and he put a very different complexion on things; and then I think I saw Sergeant Geerin afterwards, and had a talk with him about it. I cannot remember how I got my information, but I got it.

268. Did the fact that Mr. Kelly wrote to you about it have an influence on the matter?—Undoubtedly. He had been all through the papers, and it naturally made me go through the case again.

269. When was he reinstated?—On the 1st July, 1891.

270. Who was Defence Minister?—Mr. Seddon.

271. He was reduced by Captain Russell and reinstated by Mr. Seddon?—Yes. But it is clear to me that Captain Russell had some doubt, because he would not even carry out the Commissioner's recommendation.

272. Was Green's promotion gazetted?—I should think so.

273. Can you tell me?—I cannot tell you right off. I will let you know.

274. Have you Constable Ramsay's papers?—Yes.

275. Was he convicted for drunkenness in Christchurch?—Yes, on the 9th April, 1894; "drunk in barracks." I should like, in justice to this man, as this case of drunkenness has come up, to explain his case. On the 9th April, 1894, Sergeant-major Mason reports: "I beg to report that I found second-class Constable William Ramsay, No. 488, drunk in barracks at 2.20 p.m. this day. This constable is on night duty, and had been attending Court this morning as evidence against a female prisoner for using obscene language." The Inspector minuted this: "Let the constable be suspended from duty." The constable reported: "I plead guilty to being drunk owing to ill-health. I produce a doctor's certificate to prove it. I attended Court that morning and gave evidence. I brought a prisoner named Hutton to Madras Street South. I got his fine. I went from there to Dr. Prins. I was suffering from a severe attack of diarrhoea, and told the doctor so. Dr. Prins ordered me to get a couple of glasses of brandy and go home. I went into the Zetland Arms Hotel and got two glasses of brandy, and came straight home, and was in barracks at 1.15 p.m. On account of being on night duty and having no breakfast that morning, and weak from diarrhoea, and not being used to drink, the brandy took effect on me." This was forwarded to me by the Inspector, and I minuted the papers: "The constable is fined 10s., and cautioned not to take too much liquor in future, even if ill.—A. HUME, 16/4/94."

276. Was he removed for that?—I do not think so.

277. Is he still in the Force?—Yes.

278. I should like to ask, Colonel Hume, what has been your general policy during your term of office in regard to the "tote-shops" in the principal centres?—Try and catch them if you can.

279. Do you think the men have been fairly successful in coping with the evil?—I think so, as the law stands.

280. What is the law?—They stand in Christchurch in front of the Empire Hotel, and in Wellington in front of the Empire Hotel, and you can go there and make your bets; and if a constable comes along you have only to step off into the street, and you cannot possibly touch them.

281. I do not refer to the "walking totes," as they are called. I refer to the tote-shops, such as tobacconists, &c. Do you know there are such places existing?—Yes. We have raided them on several occasions, but we cannot get at them. They keep no books.

282. Did you not get some in Dunedin while the session was on?—We raided two men, but we could not get at them.

283. That is to say, they are superior in acumen to the Detective Force?—I did not say that.

284. You cannot get at them?—Not as the law stands.

285. The law says "any place or building used for the purpose of carrying on betting"?—The places are not used for the purpose of carrying on betting; they are used as hairdressers' shops, and so forth.

286. Were you in office, Colonel Hume, when a man named Scott, a tobacconist in Christchurch, was charged with keeping a gambling-shop within the last four months?—I rather fancy I was in office.

287. Do you remember whether Scott was ostensibly a tobacconist?—I think he was.

288. You have never taken any special steps, as Commissioner, with a view to collecting evidence necessary to convict the proprietors of these shops?—I have spoken to every Inspector, and asked them to make a raid. I said to them to make a raid on a day when the telegraph office was closed, so that warnings might not be sent to different places. We tried it, but we could not catch them. We got convictions here and there, but every difficulty was put in the way. I think we have tried to put down the evil as well as it can be put down.

289. Practically, the police are powerless?—I do not say that; I think they have got a fair number of convictions.

290. Do you think an occasional conviction is dealing with the evil effectively?—I think so long as people have money they will get drink and gamble.

291. That is a very dangerous principle for the Commissioner of Police to hold?—I am not Commissioner of Police.

292. Generally speaking, you think it is almost impossible to effectively administer the gaming laws?—You can put it down that way if you like.

293. As a resident in Wellington, do you think there are more of the spieling fraternity in Wellington than any other town in the colony?—I do not know. I think, for the size of it, Hastings comes first, and next to that Christchurch, and next to that Dunedin. That is only my idea; I have really nothing to go on.

294. Do you think, Colonel Hume, in regard to the spieling classes, that it is the duty of your officers to prosecute them if they are known to be spielers?—It all depends on what evidence you have against them.

295. Suppose they are known to be nothing but walking totes, do not you think it is the duty of policemen to know them thoroughly, and to prosecute them?—If they have sufficient evidence to go on, but not if they are going to lose the case. It does more harm to lose a case than to win ten cases.

296. There were no special instructions to the Force to deal with this evil?—No.

297. They know their duty?—Yes. Police Regulation 46 says: "Every person whom he shall find playing or betting in any street, road, highway, or other open and public place, at or with any table or instrument of gaming or pretended game of chance."

298. Do not you think, taking that regulation and the legal power in the hands of the Detective Force in this colony into consideration, that they ought to be able to deal with the walking totes?—I do not say they are not; but I say this, that so long as I was Commissioner I used every exertion to get them to deal with the evil.

299. *The Chairman.*] In the face of this, you still repeat that statement, that as the law now stands it is practically impossible to put it down?—Yes, I should be inclined to say that.

300. *Colonel Pitt.*] Can you make any recommendation as to the alteration of the law on that point?—I would rather answer that question later on. I think I have some suggestions to make.

301. *Mr. Taylor.*] Have you the papers of Constable Edwin Murray?—Yes.

302. When did he join the Force?—On the 8th February, 1897.

303. Who recommended him?—Mr. H. J. McKenzie, Wellington. He was one year in the Permanent Artillery.

304. *Colonel Pitt.*] Was any inquiry made into that case of Sergeant McArdle, which was before us yesterday, in reference to the Magistrate's remarks in his judgment?—No, I think not.

305. Never done anything at all?—No; I do not think there was any official inquiry.

306. Do you think that was fair to McArdle?—Well, he was moved from there shortly afterwards.

307. I know; but no inquiry was held as to whether he was guilty or innocent of what the Magistrate alleged, or the counsel alleged, against him?—If we inquired into everything that was caused by remarks made by the Bench we should be incessantly inquiring.

308. When an Inspector is moved from one district to another has it been the custom for the sergeant-major of his former district to be moved to the new district with him?—No.

309. It is in some cases, I suppose?—No; I do not think it has ever been done. I think in one or two instances they have been allowed to take their district clerks with them, but that is all.

310. Are you sure you are correct about Inspector Moore's age? You told us he was sixty-three or sixty-five when he retired?—I explained to the Commission that was an error, and I have corrected my evidence. He was fifty-seven.

311. *The Chairman.*] With regard to promotions in the Force: Your reports referred to the stagnation of promotion, and I asked if there was no limit to the classes?—There is a limit, a financial limit.

312. Perhaps you will be able to explain how it is that sixty men were promoted within a year from the time you resigned office. What was done to remove the stagnation?—For one thing, I would not promote first-class constables in charge of stations to be third-class sergeants, because I believe a man loses £60 or £80 a year by it. I wanted third-class sergeants wiped out all the time, and I would not fill vacancies.

313. *Mr. Tunbridge.*] The fact that you were not making first-class constables to be sergeants caused stagnation in the ranks of first-class constables?—That is right.

314. *The Chairman.*] That accounts for the first class, but what about promotions from third to second, and from second to first class?—When I handed over the Police the authorised establishment of sergeants-major was 2, and we had 2; of first-class sergeants, 22, and we had 19; of second-class sergeants, 22, and we had 12; of third-class sergeants, 12, and we had 8; of first-class constables, 122, and we had 120; of second-class constables, 116, and we had 113; of third-class constables, 216, and we had 221.

315. Practically you had your complete strength of first- and second-class constables, but not third-class sergeants?—Yes. I was in hopes that the third and second ranks of sergeants would be done away with, and that the scheme I had in view would be carried out. Of course, every man I promoted made my scheme the more difficult to carry out. I may also state that, of course, I knew my successor was coming out, and naturally I did not make any appointments just before he came.

ARTHUR HOBBS WRIGHT was examined on oath.

316. *Mr. Taylor.*] How long have you been in the Force?—Sixteen years next August.

317. What districts have you served in?—Invercargill, Dunedin, and Wellington.

318. You have never served under Inspector Emerson?—No.

319. What is the practice, supposing a complaint is made against a constable, is it immediately recorded in writing in some book?—Not necessarily in a book. It would be taken down if a person came to the station and reported a constable for any offence.

320. Is that a permanent record?—Yes.

321. What becomes of it?—If a trivial matter, it would probably be sent to the constable for an explanation.

322. Then what becomes of the document?—It would probably go to the Commissioner, or be filed, according to the gravity of the offence or the result of the inquiry.

323. Have you files of documents in the Inspectors' offices that have never been to the Commissioner?—Yes.

324. Do you remember the case of Constable Gantley: was that in your time?—He was doing plain-clothes duty since I was here.

325. Do you remember correspondence in which a charge was made against him, just prior to his removal to Oamaru?—In connection with what?

326. Do you remember any charge made against him? What was the cause of his going to Oamaru?—I cannot tell you what was the cause of his going to Oamaru.

327. Do you remember if there was a charge made against him for an offence of some kind?—No, there was no proper charge made.

328. What do you call a proper charge?—No one charged him. I believe there was some inquiry made in regard to his showing photographs in the bar of some hotel. I think he was called upon for some explanation by Colonel Hume.

329. Would a matter of that kind be conducted verbally?—It ought not to be, but I cannot find any documents. I was looking yesterday, but I cannot find any record. My recollection is that Colonel Hume wrote a memorandum asking why Constable Gantley was showing a photograph in a public bar; and the constable explained that it was the photograph of a criminal, and the matter dropped.

330. Was it not that he was showing French cards in the bars in Wellington?—I am positive it was not that.

331. Was he not showing obscene pictures?—I do not remember such a thing.

332. Do you remember that he was shifted very suddenly—on the very day that the complaint was made?—I do not think so for a moment. It was some time after that. At any rate, no reason was given for his transfer; we simply got a memorandum that he was to be transferred, and he went.

333. Do you remember Sergeant Shirley being removed from Mount Cook to Dunedin?—Yes.

334. Do you remember whether any complaint was made against him in connection with his conduct?—I do not recollect anything.

335. If there was a complaint, would not that record be in your office?—It might be, or it might be in the Commissioner's office. If a complaint was proved against any member of the Force it would certainly go to the Commissioner's office for permanent record. If there was nothing in the complaint, the Inspector would mark it "File," and it would be filed in the district office.

336. Do you remember Constable McCormack?—Yes; he was here in Wellington.

337. Was there an order in connection with an affiliation case passed through your hands in connection with that man?—I do not think there was while he was in Wellington.

338. Do you remember it being sent to Dunedin after him?—I believe there was an order made in the Court.

339. Was it an order for imprisonment for the non-payment of the maintenance of an illegitimate child of his?—I believe there was a warrant of commitment sent down, and he paid the money. In fact, I think he paid the money before the warrant reached Dunedin.

340. What is your rank now?—Third-class sergeant.

341. When you were appointed to do clerical work were you promoted?—I was eight years third-class constable doing clerical work without getting any promotion.

342. Do you remember Constable McGill? Was he not promoted to be a first-class constable on being made district clerk?—He was promoted to the rank of first-class constable because he was taken into the Commissioner's office to replace a man who was getting £240 a year.

343. Do you consider that a fair promotion, from your standpoint?—I do. I think he was worth more. I was very sorry to lose him; he was an excellent man.

344. Do you know that the district clerk at Christchurch has not received any promotion?—I know he received promotion to the extent of £44 a year. He was promoted from third-class to first-class constable, and got 10s. a week house-allowance.

345. Do you know what happened to the Dunedin man when he was appointed?—Sergeant Bell has been there over thirty years.

346. Do you know if he gets any special pay?—Oh, yes; I think so. Sergeant Bell's salary is about £246 a year.

347. Referring to the documents about Gantley: you expected to find the document, or you would not have looked for it yesterday?—I expected to find a record in our minute-book.

348. I suppose the Commissioner's office sometimes sends to your office for records?—Yes.

349. Do you keep a record of what goes from your office to them?—Yes.

350. So if any document went from your office to them, you would have a record of it?—Yes.

351. *Mr. Tunbridge.*] In regard to Constable McCormack: Can you say whether this was a case of bastardy that occurred before the constable joined the service, or otherwise?—I cannot say.

352. Is McCormack a young man?—Yes.

353. Probably it was a case of bastardy before he joined the service?—It might have been.

354. *Colonel Hume.*] What position did you hold when you were made district clerk?—I was a third-class constable.

355. Where?—At Invercargill.

356. And you were specially brought to Wellington to be district clerk?—Yes; from Dunedin.

357. Were you told before you came what pay was to be given?—My telegram said that I was appointed district clerk, with rank of first-class constable.

358. Did you get any allowance at all on coming here?—I got an allowance of 1s. a day that I had been drawing for years in Invercargill and Dunedin struck off me. In fact, I had 17s. per week knocked off me when I came here.

359. When were you made a first-class constable?—On my transfer from Dunedin to Wellington.

360. Then, you were first-class when you were appointed district clerk?—Yes.

361. Then, you did get a rise on coming here?—It was an Irishman's rise, because you gave me 6d. per day and took away 1s. per day.

362. I made you a first-class constable?—Yes.

363. And promotion is what most men seek after?—I like the cash best.

364. You have the pay now?—I have just got the pay now I had when I came from Dunedin.

365. Do you get any special allowance at all here?—I get the same allowance here as they all get—10s. per week house-allowance.

366. *Colonel Pitt.*] What was the 17s. per week that you lost?—When I came up here I drew the ordinary allowance of district clerks in the four centres—namely, 10s. per week house-allowance, and 1s. per day clerical allowance. After a short time it was accidentally brought under the notice of Colonel Hume, and he said I was not entitled to any allowance at all, and struck off both allowances.

367. *Mr. Taylor.*] Is it customary, Mr. Wright, for citizens to send presents to members of the Force at Christmas time?—I have never known of such a thing.

368. Have you never known of such a present as grog being sent to the Wellington barracks at Christmas time?—I have never known of such a thing here or anywhere else.

369. *Mr. Poynton.*] What is the procedure of making a complaint against a constable; is the custom uniform?—I think so.

370. Suppose a constable is charged with being under the influence of liquor, or some other offence, is a record of the offence kept?—Yes, in all cases. Nothing is destroyed.

371. Is the evidence written by the Inspector, or the clerk?—By the Inspector as a rule.

372. Of course complaints that are dismissed do not appear on the defaulter's sheet?—They have been put on in some districts. It is not the rule, and they should not be there.

373. The defaulters' sheets in many cases do not contain all charges which have been dismissed, and generally nothing goes on the defaulters' sheets unless there is a conviction, so that the defaulters' sheets will show all convictions?—Yes.

374. *Mr. Tunbridge.*] Following up Mr. Poynton's questions, I should like to go a little deeper into the system of inquiry into complaints: Is it a rule that all witnesses who testify for or against a constable are examined in the presence of the constable?—Certainly. The same procedure is carried out as in any Court, except that witnesses are not put on oath.

375. And the constable is given an opportunity to cross-examine each witness?—Yes.

376. Are the questions and answers taken down?—Yes.

377. *Mr. Poynton.*] Under what circumstances may a constable demand the right to have his case heard before a Magistrate?—It is a matter for the Inspector.

378. Do you know if there is any dissatisfaction amongst the Force as to the procedure about complaints?—I do not know that I have ever heard of any. I have heard it said sometimes that the regulations seem to be rather one-sided.

JAMES ARMISHAW was examined on oath.

379. *Mr. Taylor.*] Are you working in Wellington as a labourer now?—I am a brick-kiln man in Tonks's brickyard.

380. When were you working in Christchurch?—I left last June, in 1897.

381. Whilst you were in Christchurch were you working at the Al Hotel?—Yes.

382. Who was landlord then?—Mr. George Collier.

383. What was your position then?—I was assistant barman, and I did anything else there was to do.

384. What was the custom at that house so far as Sunday trading was concerned; were any of the employes on duty on Sunday, watching, so that the house should not be surprised?—I used to get 5s. every Sunday when on the watch.

385. *The Chairman.*] What was your weekly wage?—£1.

386. *Mr. Taylor.*] Was that as a safeguard against the police?—Yes; the police were getting too smart, so Mr. Collier thought of getting electric bells put on, and they were put on outside the door and on the gates.

387. Was the provision made by way of electric bells about the building to enable you to alarm the landlord?—Yes; they had a bell under the window-ledge on the street, at the corner of Cashel Street and Colombo Street, connecting with the house, and if a sergeant or constable came along on Sunday, I touched the button to warn the people inside.

388. Did the instruction apply to all the policemen; did you take the same notice of any police officers, or did you know any of them?—I knew all of them.

389. Did you give the alarm for all policemen?—For any new policeman I gave the alarm, or if I had doubts about a policeman I gave the alarm; but in the case of those we knew properly we knew it was all right.

390. What do you mean by those you "knew properly"? Did any of the men frequent the house?—Oh, yes, a lot of them.

391. What for?—They used to come in at 6 o'clock, and have beer and whiskey, or whatever they liked. I was always told to give the constables what they wanted, but not in excess, and never to charge them for it.

392. Was this during the day-time?—Yes; I was not on in the night-time.

393. Was that at 6 o'clock in the evening?—No, in the morning, when they came on relief, after I opened the doors.

394. What was the period when this was going on?—I cannot remember the exact dates, but this was in September, 1896, and until I left there in June, 1897.

395. Do I understand that the visits of these police for the purpose of getting liquor were particularly about 6 o'clock in the morning?—Yes, when they came on relief.

396. On an average, how many police constables used to frequent the house?—Sometimes two and three in the morning, and sometimes one.

397. I mean the average during the whole time you were there; would there be a dozen different coming for refreshment?—I cannot say exactly.

398. You know the names of some of them?—Yes.

399. Do you say there were six different men during the whole time you were there?—There were six.

400. You are certain there may have been six; but may there not have been more than six?—There might have been.

401. Can you remember six names, if you were called upon to do so?—Yes.

402. Why was that electric-bell installation made?—To give notice inside when the police were coming.

403. At whose request?—The landlord; and he asked me where I thought it would be best to put it, and I told him.

404. The window you mention commands two streets?—Yes; it is at the corner.

405. Which way did the men come in as a rule, by the front door or by the back door?—They used to come in by the back door, and by the right-of-way.

406. Did they come up a right-of-way from Lichfield Street?—Sometimes they did on Sundays.

407. You must have done a good deal of trading on Sundays to necessitate all these precautions?—We did a pretty good trade sometimes.

408. Do you remember if at any time when the police constables visited the premises there were ordinary citizens in buying liquor?—No, because they used to ring the bell so that the customers might clear out when the policeman went in for a drink, so that the police should not see them, and the police should not be seen by them.

409. *The Chairman.*] How did you know the police had drink?—Because I used to follow them in and see them drink.

410. *Mr. Taylor.*] Have you had any experience in connection with hotel work except in Christchurch?—I was in Timaru as second waiter in the "Grosvenor."

411. Was anything similar carried on in the "Grosvenor"?—No, it was shut up on Sunday.

412. *The Chairman.*] When those men went in, you say you followed them in?—Yes.

413. And what then?—And give them what they wanted. This was on Sundays.

414. Then this ringing of the bell did not apply on ordinary mornings?—No, because the doors were open. I have seen one constable sit down in the small tap-room in his uniform.

415. *Mr Taylor.*] It was on Sunday you rang the bell, before they went in?—Yes; for Sunday work only.

416. *Colonel Pitt.*] And you say constables went in on Sundays and had something to drink?—Yes, if they wanted it.

417. If a constable would do that, what was the object in ringing the bell to give notice to the people inside?—Because you cannot trust a policeman any more than anybody else.

418. You trusted him; what did you give him drink for?—To keep his mouth shut.

419. Suppose he went and lodged an information against you?—That was the landlord's lookout. I should like to say that I do not think it is the fault of the police altogether. Whenever a policeman comes on a beat the first thing a publican does is to try and get friendly with him. I have seen a lot of people in the bar, but not lodgers. They had boarders in busy times, but depended on the bar-trade, unless it was holiday time.

420. *The Chairman.*] Since you left this hotel have you been employed in any other hotel?—No.

421. Have you changed your habits in life, or your opinions on these matters?—I was in the hotel because I could not get work, and I had to take what came along.

422. You were assistant waiter at the "Grosvenor"?—Yes.

423. What was the interval between that and taking work at the A1 Hotel?—Seven years.

424. And was the A1 Hotel the only house in which you were employed as barman?—Yes.

425. What is your age now?—I am twenty-eight.

426. *Colonel Pitt.*] When did you first speak to any one of this practice being carried on at this hotel?—I cannot say.

427. Is it long ago?—Everybody knew of it in Christchurch. They always used to flock down there on Sundays. They knew they could get drink there.

428. *Mr. Poynton.*] How did you leave the hotel; did you leave of your own accord?—It was through a watch being stolen there from a man, and the publican thought I knew too much about it, and said he did not want any damned private detectives in the house. There were a man and woman who had been in the house, and who had no money in the day-time, but they had money at night, and I accused one of these of stealing the watch. That was what led to the landlord saying he did not want any private detectives in the house, and he told me I could go. Then I left, and came to Wellington.

429. *Mr. Tunbridge.*] Were there any barmen in the house besides yourself?—Yes, one.

430. Give me his name, please.—A barman named Stewart, an old gentleman. He is there now, I believe.

431. Was he there the whole time you were there?—Yes.

432. Any other barmen?—No; there were two barmaids.

433. What were their names?—Miss McCrae and Miss Stevens.

434. Would any one be serving in the bar at 6 o'clock in the morning besides yourself?—Yes, Mr. Stewart would be there.
435. Were no proceedings taken against this house while you were barman?—They had one indorsement, and were fined £10.
436. Was that for Sunday trading?—Yes.
437. Were you a witness in that case?—No.
438. You were not called?—No.
439. Who was watching on the outside on that day?—I was at the gate watching.
440. Did the police get inside then while the private persons were inside?—No; there were no police in at all. The conviction came about through a £5 note having been stolen in a brothel and cashed in the bar on Sunday night. This came out in a Court case.
441. Of course you knew you were a party to breaking the law on the Sunday?—Well, I did not know that, although I thought I was.
442. Did you know that serving drink during Sunday was a breach of the Licensing Act?—I did not serve on Sunday.
443. *The Chairman.*] What did you go in on Sunday for?—I went in after them and locked the door, and let them out again when they had their drinks. Mr. and Mrs. Collier served them.
444. *Mr. Tunbridge.*] You say you did not know it was an offence for people who were not *bond fide* lodgers to go in and get drink on Sunday?—I knew that was.
445. Were you not then assisting the landlord in breaking the law by acquainting him immediately the police came in sight?—Yes, I was helping to break the law right enough.
446. On the Sunday you were not watching, what were you doing?—I was either out, or in bed asleep.
447. Did you never serve in the bar yourself on Sundays?—No.
448. Then you will admit your action at that time certainly was very questionable?—Yes, but I was paid for it. If I did not do that it meant the sack for me.
449. You also gave the landlord the benefit of your experience, and told him where to fit the electric bell?—Yes.
450. You gave him that experience honestly?—Yes.
451. And you thought the place where you recommended the bell to be fitted to be the best place?—Yes.
452. When did you first make any statement in reference to this?—I do not remember.
453. Can you tell us about the time?—Everybody knew of it.
454. You did, more than everybody; you knew where the electric bells were. When did you first make any statement with reference to what was going on, more particularly about the bells; when did you tell Mr. Taylor?—I told Mr. Taylor when he came to Wellington.
455. When was that?—Last session.
456. Then the first time you made any statement to Mr. Taylor, or as far as you know to any other person who might have told Mr. Taylor, was some time during last session?—Yes.
457. Can you say the early part of the session, or sooner than that?—No.
458. I suppose you were not very kindly disposed towards the Colliers after the way you left?—They treated me right enough, except in regard to that watch affair. I did not like that. I always got on well with them.
459. Were you in any way put out at being compelled to leave at a moment's notice? I was going to leave, because the work and me did not agree.
460. Are you a teetotaller?—Yes; and have been nearly all my life. But you could not call me a teetotaller when I worked in a hotel.
461. You did not drink yourself, although engaged in dispensing drink?—No.
462. Was it not a fact that you were induced first to make these statements to Mr. Taylor in consequence of his speech made in the House?—I thought I would like to help him. He was battling all by himself, and I thought I would like to give him a hand.
463. Then your statement to Mr. Taylor was the outcome of Mr. Taylor's statement in the House?—Yes.
464. You say the house was visited by a good many private people on Sunday?—Yes.
465. From what time in the morning would that be?—Commencing about 9 o'clock.
466. And continuing till when?—Up till 10 o'clock on Sunday night.
467. You said that when police were about to enter the house private persons were always got out of the way?—Yes.
468. Then the police on entering would not see any evidence of Sunday trading?—No.
469. The police who visited the house would invariably, I believe, consist of a sergeant and constable?—Yes; that is, when they came round visiting. We generally used to find out beforehand when they would come round.
470. By use of the telephone?—Sometimes, and sometimes we used to get it from the constable himself.
471. How did you get it by telephone?—One hotelkeeper would telephone to another.
472. What constable do you mean: the man who was coming round with the sergeant?—No, the constable on the beat. We just used to try and find out when the sergeant was coming. Some sergeants are stricter than others.
473. You found out from the constable on the beat when the sergeant was going to visit?—Yes.
474. Do you suggest that the sergeant and constable who came visiting to this house would be treated with drink?—No.
475. You did not mean your statement to apply to all police entering the house?—No, not to sergeants. If the constables acted the same as the sergeants there would be no trouble at all.

476. You say you knew most of the policemen in Christchurch?—Yes.
477. Speaking roughly, how many policemen are there in Christchurch?—About fifty.
478. And you say that out of that fifty you can remember six who were in the habit of going to this house and getting drink?—Yes.
479. You do not wish the Commission to understand that the whole of the police in Christchurch were in the habit of being bribed with drink?—I would not like to say that.
480. Then, the policemen who were served with drink would be men on the beat?—Yes.
481. Or might they not be men off duty?—They might.
482. *The Chairman.*] In uniform?—Yes, they might have been relieving police, or police coming off night duty.
483. *Mr. Tunbridge.*] I mean, used the men to come in on Sundays and during prohibited hours?—Yes.
484. That would be the man on the beat, or it might be the man off duty?—Yes, they all used to sit down and go out again.
485. Did they pay for drink?—No, we were told to take no money.
486. Now the men who came to the house at 6 o'clock in the morning might have been men off duty?—Yes.
487. *Mr. Taylor.*] When you say they might have been off duty, you do not mean to say they were all off duty; you know some of them were on duty?—I cannot swear whether they were on or not.
488. But were they in uniform?—Yes.
489. *Mr. Tunbridge.*] You say you were paid £1 per week; were you paid weekly?—Sometimes I had to wait a month for it.
490. You told us you were told to leave at a moment's notice; can you say the day of the week?—I think it was a Sunday night.
491. Did you consider Sunday to be the end of your week?—I did not care so long as I got my money.
492. Were you paid a week's wages in lieu of notice?—Yes.
493. This was to get rid of you, for the reason you have stated?—Yes.
494. *Colonel Hume.*] Were you in the hotel at the time this man was fined £10 and had his license indorsed?—Yes.
495. Was that the only conviction recorded against him?—I cannot say. He only had the one while I was there.
496. You do not know whether he had one since?—Yes; he has been put out since.
497. You say this conviction was not brought about by the police?—It was brought about by the police in a roundabout way.
498. The police laid the information?—No; two young fellows from Napier lost a £5 note, and it was cashed for drink on Sunday at the hotel, and it was through this that the charge was laid.
499. Is it not a fact that this £10 fine and the indorsement on the license arose from the steps the police took?—Yes.
500. Then you cannot tell us about the next conviction?—No.
- 500A. But you know the police were the means of the landlord being fined £10, and having his license indorsed?—Yes.
501. And he is now out of the hotel altogether?—I believe so.
502. *Mr. Poynton.*] You say the police were told this £5 note was cashed, where?—In the hotel, and it was traced to the parties.
503. *The Chairman.*] You do not say that these men who went in the early morning went in to get liquor?—No; they had tea or drink, whichever they wanted.
504. *Mr. Taylor.*] Which did they take most frequently, liquor or tea?—A lot of them used to drink more tea than liquor; a lot of them preferred tea to liquor because it warmed them better.
505. *The Chairman.*] Used the police in uniform to go in on Sundays?—Yes.
506. For the purpose of visiting the house and for the purpose of liquoring?—For both. The sergeant and constable used to come in to visit, and the constable on the beat used to come in for liquor, or sometimes he would come in before the sergeant and constable.
507. Did you leave the street and follow him in?—Yes.
508. What hours did you stand outside for your 5s.?—From nine in the morning until ten at night.
509. With the exception of meal-times you were outside the house at these hours?—Yes.
510. *Mr. Poynton.*] Were you paid by cash or by cheque?—By cheque.

SATURDAY, 5TH MARCH, 1898.

ARTHUR HUME: Examination on oath continued.

Colonel Hume: I wish, sir, to correct some of my previous evidence. I would like to point out that you asked me the other day when the police were given the franchise, and I find I made a mistake in my answer. I was under the impression that Mr. Guinness brought a Bill forward for this purpose; but it was the Permanent Artillery I was thinking of, and not the police. If you turn to the Armed Constabulary Act of 1867, clause 26, you will find that members of the Police Force are prohibited from voting. Then, if you turn to "The Police Force Act, 1886," you will see that the Armed Constabulary Act of 1867, No. 37, is repealed. Consequently there was no further restriction to vote, and the police have voted since then. To show that that is correct, the police regulations which were issued in January, 1887, mention that, "Every member of the Force will studiously observe neutrality in political matters, and will rigidly abstain from the

manifestation, other than voting themselves at elections." So that clearly shows they had the right to vote at that time, and that is how they got it—by repealing the Act of 1867. Then, a member of the Commission asked me how it was this Armed Constabulary pay counted for the long-service medal, and I was under the impression it was by a circular; but you will find that it is provided for under Regulation 65: "Long-service medals are awarded to members of the Force of not less than fourteen years' continuous service in the Police or late Armed Constabulary Force, provided that for the last three years they have not been entered in the defaulters' book"; and I will now put in the circular doing away with the long-service pay. [Exhibit 17.] This, of course, will affect another answer I gave you. I was asked, "Then, more than half of the Force came in knowing they had the franchise?" and I said "Yes." But of course there will be a great deal more than that, since the Act was passed in 1886. I suppose I may correct my evidence in these particulars.

MONDAY, 7TH MARCH, 1893.

PETER PENDER examined on oath.

1. *Mr. Taylor.*] You said it was the exception for men enrolled from the Permanent Artillery to make good police-officers?—That is my experience.
2. When they are once enrolled in the Force do they usually remain there—I mean those men who are such indifferent policemen. I suppose it is very difficult to get rid of them?—If they misconduct themselves, of course they have to go.
3. The men to whom you referred, Inspector Pender, I suppose, with a few exceptions, are still in the Force somewhere?—I really cannot say. I could not point out any particular man. I am speaking generally in regard to the artillerymen. As a rule they do not make as good police-officers, in my opinion, as outsiders.
4. Well, now, take the case of a man named Gantley, do you remember him?—Yes.
5. Was he taken from the Permanent Artillery?—Well, I could not tell you exactly. He was here in the Force when I came from Christchurch. I think he did come from the Permanent Artillery.
6. Do you remember the exact circumstances connected with his removal from Wellington?—Yes, pretty well; I think I recollect.
7. What are they?—Well, he was employed as a plain-clothes constable, and he was not giving satisfaction.
8. What was the particular offence that was charged against him that was the immediate cause of his removal?—None that I recollect.
9. None within your recollection?—No particular charge.
10. You do not remember whether he was charged with exhibiting indecent pictures in a public-house in Wellington?—He was not.
11. No particular charge of that kind made against him?—Colonel Hume wrote a confidential memorandum to me, or spoke to me. I think he spoke to me. I had inquiries made by Detective Campbell, and I think it was found to be altogether a groundless report—no foundation whatever for it—and no charge was made against the man.
12. Are there no records of the incident?—That would be the only record—the confidential memorandum from the Commissioner to me—that is, if Colonel Hume wrote a confidential memorandum to me.
13. Have you got it?—No; I would send it back. I am not sure, although he did speak to me as well.
14. Was it immediately after that matter was dealt with that he was removed?—I think he was moved about the time.
15. Was he not moved within twenty-four hours of the matter being investigated?—Oh, no. That had nothing whatever to do with his removal.
16. Well, now, do you know what Colonel Hume said about the man—that he was dissatisfied with the way the man was doing his duty—was that the reason for removing him?—Yes; I think I was dissatisfied as well.
17. What was he guilty of—what were his faults?—You may be dissatisfied with a man, but still you are not able to bring a charge against him. A man doing plain-clothes duty may be lazy, or he may be inefficient—not working as you would like. We at the time considered that Gantley was not doing his work as he should have done it—doing his work properly, making himself efficient; and I am not sure whether I spoke to Colonel Hume about it—very likely I did—and he ordered his removal; but the report about the pictures had nothing to do with his removal, as far as I know.
18. There was no charge made against him to the effect that he was exhibiting these pictures?—We found there were no grounds for the charge; and there was no charge made. I mean there were no grounds for the report.
19. Would not Detective Campbell report?—He may have done so; but he would see me personally, probably.
20. Not make a written report?—Well, if I saw him he would not.
21. Do you take verbal reports on a matter of that kind?—Frequently, in a thing of that sort. I heard about it, and asked him to make inquiries and see if there was anything in it.
22. You receive a constable's complaint, and instruct a detective to make inquiry, and you take a verbal report?—Well, not as a rule. I sometimes do.
23. It is the exception to do so?—Well, I do not know that it is the exception. I often do it. If I hear anything in the town, for instance, I have inquiry made, and hear the report about it. I tell Detective Campbell to make inquiries and see if there is anything in it. If there was anything in it he would report, and then we would deal with it.

24. Did you recommend Gantley's removal from Wellington?—I think I did. I think I told Colonel Hume he was not doing his work properly.

25. What do you do with the men who are detected in drunkenness, or who are lazy—what do you generally do with them?—Well, if a man commits himself—gets drunk, or is under the influence of liquor, he is brought before me. I seldom deal with cases of drunkenness. Latterly I have not done so at all here; I send it on to the Commissioner. But a man may still be conducting himself apparently all right, but not doing his work efficiently.

26. Is it not the practice, as a punishment, to shift them to some other station—almost the invariable rule?—No, I cannot say that. I do not know that is the rule.

27. Well, is it the rule to dismiss them?—For a first offence, no.

28. But for inefficiency?—Well, as to inefficiency, if you are in a position to prove it; and it is very difficult to prove. You must prove your case clearly. It will not do to suspect. You must prove your charge against him.

29. Take Gantley's case; there was nothing proved against him, and yet he was removed to Oamaru. Why?—Of course he was in plain clothes here in Wellington, and Colonel Hume thought perhaps it was doing him an injustice to put him in uniform, having been some time in plain clothes, and he sent him off to Oamaru.

30. Take the case of Sergeant Shirley; do you remember him?—Yes.

31. Was he a very efficient officer?—Not very efficient.

32. As a matter of fact, was he not very inefficient?—I would not say that. Shirley was not what I would call an inefficient man.

33. Was he a sober man?—I think so. I never saw a sign of liquor on him.

34. If he was not very efficient, and not inefficient, what was he?—He did very well for some time, but the place was getting large and more important, and I found that Shirley was not quite up to the work. I do not think he was a good Police Court man, to begin with, which is very important; and I do not think he thoroughly understood the getting up of cases.

35. How long had he been in the Force—do you know when he joined?—No, I do not.

36. The register shows he had been a second-class sergeant since 1884?—I do not know.

37. Do you not think that between 1884 and 1895 a sufficient time had elapsed for him to become efficient as an ordinary police-officer?—Yes, I should say so; but there is a good deal to be said about Sergeant Shirley. I believe he was not in charge of stations during the most of that time. I think he was second at one of the head stations in Dunedin, and in that capacity they do not learn much—that is the sort of work I have been speaking of, having practice in the Courts.

38. Now, as to the question of tote-shops in Wellington: are there any tote-shops in Wellington?—It is not long since I wrote to Chief Detective Campbell on the same subject, and he assured me there was not a single tote-shop here to his knowledge.

39. *The Chairman.*] Not a tote-shop?—Not a tote-shop; not a gambling-place.

40. *Mr. Taylor.*] How long ago is that?—Probably a couple of months ago. It may be, I am not quite sure.

41. Within the last six months?—Oh, yes.

42. And Detective Campbell declares there is not a single tote-shop in Wellington?—He wrote to me that he did not know of one.

43. Did you believe that report?—I had no reason to believe otherwise. I do not know one myself.

44. Do you know Shotlander's place in Willis Street?—No.

45. *Mr. Poynton.*: Near where the Empire Hotel is situated.

46. *Mr. Taylor.*] Right opposite where the *Evening Post* used to be?—Yes, I know that place.

47. Did you know Shotlander when he was in Christchurch?—No, I do not recollect him.

48. You do not remember his being there in the book-making class?—I do not think I recollect him.

49. And you definitely say you do not think there is a tote-shop in Wellington?—I do not know of one—what I would call a shop. They come out on the streets. I do not think they do anything in shops. They come out on the streets and meet people, and make bets there.

50. Did you do anything to suppress that evil?—We had the principal man up not long since for loitering on the footpath, and he was fined £2; and I have had a man out in a sort of disguise trying to catch them.

51. And so far you have failed?—Well, in getting what I would call a case.

52. Do you think Wellington is practically free from the gambling evil so far as tote-shops are concerned?—So far as betting in shops is concerned. They go back and forward from the shops into the streets, but I do not think there is any established shop.

53. *Colonel Pitt.*] You think they are still betting in the streets?—Yes; we cannot stop them. They have a way of evading the law by betting "straight out," as they call it. A man has a book, and you go up and say you want to put 5s. on a horse. He puts down your name; but, instead of putting it down as a tote-bet, he puts it down as a "straight-out" bet, as they call it. It is understood, of course, amongst these people that as soon as the race is over, and you have won, you may go and draw your money according to the totalisator odds.

54. That is all done on the street, as far as you know?—I do not mean to say there is a crowd on the street, but they are doing it.

55. *Mr. Taylor.*] Colonel Hume said he thought gambling was worse in this order—Hastings, Christchurch, Wellington: do you confirm that?—I have never been in Hastings. It is not in my district, and I know nothing about it. Christchurch I know of, five years ago, and I do not think that at that time tote-betting was as rife in Christchurch as it is here.

56. *The Chairman.*] In 1892?—In the beginning of 1893. But there is no concealing the fact there is betting going on, and we try all we can to put it down.

57. Do you think the law is defective?—Yes.
58. On what points would you suggest amendments?—I think the Commissioner would give you more information than I could.
59. You really approve of anything the Commissioner says in that respect?—Yes. I may say the difficulty is in establishing a “place” in regard to this question.
60. *Colonel Pitt.*] It has been decided at Home that betting on a racecourse was not betting on a place?—Yes, it has been decided again and again. A man can move about in the street and you cannot do anything at all to him.
61. *Mr. Taylor.*] You have Detective Broberg in Wellington?—Yes.
62. And Nixon and Cox?—Yes.
63. And do you say they are not equal to the detection of any gambling shops that may be run in Wellington?—Well, of course, there is Detective Campbell as well.
64. Detective Campbell cannot do anything, because he says there are none here. Are not those three detectives equal to the detection of any gambling shops?—First of all, the moment they go into a shop they are known.
65. But do they not sometimes get their evidence from other people?—We have been trying to do that.
66. But have failed so far?—We had a raid on a betting-house a year or so ago, and a number of men were arrested and brought to the station, and they were all fined.
67. Do you think since you made that raid the thing has been absolutely suppressed?—No, I do not think so. We have been trying the whole time.
68. Trying the whole time and failed to get a conviction?—I forget whether there was a conviction within the year or not. Mr. Tunbridge has spoken to me two or three times about it.
69. Do you find it difficult to enforce the licensing law?—Yes, rather difficult.
70. Very difficult?—Yes.
71. Do you think Sunday trading is carried on to any great extent in Wellington?—Not to a very great extent. There has been a check on it for some time past.
72. Have you been more active during the past six months than usual?—Yes, I think so. We have had more cases. We have one on this morning, of Sunday trading.
73. What is the explanation of the increased activity—have you had discussions with the Minister of your department, or the Commissioner, about Sunday trading?—I never have any communications whatever with Ministers.
74. Have you had any communication with the Commissioner on the subject?—Yes.
75. And what was his instruction?—I do not think I ought to say that. There is nothing to conceal—but on principle.
76. Before a Royal Commission there is nothing to conceal?—I have always understood that anything that passed between myself and the head of my department is privileged.
77. What was the nature of the communication between the Commissioner and yourself in regard to the enforcement of the Sunday-trading clauses of the Licensing Act?—I need not give the exact conversation, but generally the conversation was as to how we could manage to detect it—put a stop to it.
78. And have you taken special steps since the conversation?—I do not think that we have taken special steps. For some considerable time—a couple of years, at all events—we have sent out men every Sunday, and they make reports.
79. I simply want to know whether, as a matter of fact, the enforcement of the licensing law has not been the subject of special communication between the Commissioner and the Inspector?—I do not know that it has been special. The Commissioner has spoken to me about other matters as well from time to time.
80. *The Chairman.*] Have you received any further instructions within the last three months as to the enforcement of the liquor law?—The Commissioner is anxious that the law should be enforced.
- 80A. *Mr. Taylor.*] If there had been no laxity prior to Mr. Tunbridge arriving, was there any necessity for the Commissioner’s interference on that point?—Laxity on my part?
81. No; not on your part, but on the part of the department generally in regard to that particular law. If there had been no laxity, why was there need for special communications on the matter?—I do not know that there was anything very special. The Commissioner arrived here new from Home, and he inquired from me how things were going on from time to time.
82. What did you tell him about the licensing laws?—I told him we had great difficulty in enforcing them.
83. And he wished?—He wished me to do all I could.
- 83A. *Mr. Tunbridge.*] Briefly, did I not say to you it was my intention, as Commissioner of Police, and being held responsible for carrying out the laws of this colony, that the law should be carried out as far as it was possible, whether it be against publican or prohibitionist?—Yes.
84. Is that not the stand I have taken?—Yes.
85. It was a matter of indifference to me whether it was publican or prohibitionist who broke the law; if the law was broken, by whoever it might be, proceedings should be taken against them?—Yes; you told me that—that we should enforce the law independent of every one—do our best as the law stood.
86. *Mr. Taylor.*] Did you make strenuous efforts to enforce the licensing law?—We have made efforts. Men visit the houses every Sunday.
87. And what have their reports been—that there has been no trading on Sunday?—No. There have been several convictions.
88. How many do you think in the year?—I really could not tell you.

89. Have there been a dozen in this district during the year?—More than that in the district, I think. Of course, my district extends to Palmerston.

90. *The Chairman.* You could state how many prosecutions you have brought?—I could not from memory. There would be no difficulty in getting the number.

91. *Mr. Tunbridge.* You can say that within the last two months you have had seven prosecutions, can you not?—Yes. There is one this morning also.

92. *Mr. Taylor.* Is not that rather larger than the average—seven in two months in Wellington?—Yes.

93. What is the custom in connection with these hotels on Sundays—are you aware that they make special provision for watching the police?—Yes; it has been reported to me so. I have no doubt it is the case. In one case we discovered a bell at the door which we traced to a bell in the bar. That is probably two years ago.

94. What hotel was that?—The Metropolitan. I went and examined it myself.

95. Was that the only hotel where a similar arrangement existed?—I have heard there are similar means used at other hotels, but that one I saw myself.

96. In conducting licensing prosecutions, what is your experience of the evidence on the other side—the witnesses for the defence?—In a great many cases it is not satisfactory. I do not speak in a general way at all, but a great many of the witnesses are opposed very much to what we believe to be correct.

97. To put it very plainly, do you not think that perjury is frequently indulged in by witnesses for the defence?—I am afraid there are cases where perjury has been committed. On more than one occasion I have pretty well said so; but that is the exception, not the general rule.

98. You do not find the evidence of the police is supported in the Courts by the witnesses for the defence?—No; but a man may be giving his own version of the thing, and stating what he believes to be correct, and not agree with the police version. In some cases I think they go too far in the opposite direction.

99. In that class of prosecutions do you think they are as careful in their statements as persons connected with other cases before the Courts?—Well, some people are careful always when they are on their oath.

100. Yes, but I am speaking of that particular class?—Well, generally—

101. Do you remember a remark made by Mr. Beetham, Stipendiary Magistrate of Christchurch, to the effect that there were two classes of people who perjured themselves without any hesitation before him, and they were men mixed up in gambling cases and hotel cases?—I think I have some recollection of it.

102. Generally speaking, do you think that censure was deserved?—I do not know that I could say generally—now and again we find a man giving evidence in a licensing case or a gambling case that appears to be false.

103. Take those two classes, and your experience goes to confirm the opinion expressed by Mr. Beetham, under whom you were in Christchurch?—To a great extent.

104. Do you know whether tradespeople are in the habit of sending presents at Christmas time to any of the men at the barracks?—Not that I know of.

105. It has not come under your notice?—No.

106. In regard to the constables doing plain-clothes duty; do you always make the selection of plain-clothes constables yourself?—I have always done so here, and I think in Christchurch too.

107. You always make the selection?—Yes.

108. Take the case of Nixon, did you of your own motion put him on plain-clothes duty?—I did.

109. Did you consult with any one about that?—No one, not even the Commissioner.

110. The same with Cox?—The same with Cox.

111. The same with Broberg?—No, Broberg came to me on transfer from some place—I do not know where.

112. You select the men for plain-clothes duty on you own motion?—All my own men.

113. You know nothing whatever about political interference in connection with police-officers?—I have nothing whatever to do with politics, and no one has interfered with me in connection with the Government in regard to my duty since I came here—never in the slightest degree.

114. As far as you know there is no political interference in the Police Force in regard to transfers, promotions, and so forth?—I have heard of such things in the street, but I do not know of any particular case. The men are transferred to me and sent away, and I know nothing more about it.

115. Do you decide on the men who are to be sent away?—No. The men have frequently been transferred without consultation with me.

116. You are not consulted as to transfers?—Mr. Tunbridge has consulted me.

117. But prior to Mr. Tunbridge coming you were not consulted about transfers?—I think I was, in some cases. I have nothing to do with Ministers or members, and I never go near them. I think Colonel Hume consulted me about some cases. He would probably ask me if such a man was suitable for a station; but as a rule transfers were made without my being consulted.

118. *Colonel Pitt.* What are the duties of the mounted constables?—Mounted constables in Wellington are employed in serving summonses. There are a large number of summonses to serve. They also patrol the suburbs at night, and do other duty. For instance, if a man reported a case out at Karori, a mounted constable would be sent. In the country, of course, the mounted men have to do various duties—acting bailiffs, Clerks of Court, and so forth. I think one man holds ten appointments.

119. Rapidity of locomotion is their chief use—getting about quickly from one part to another?—Yes.

120. *The Chairman.*] You have not used bicycles for the Force at all yet?—No. Men have bicycles of their own.

121. *Colonel Hume.*] I would like to ask Mr. Pender if he recollects Constable William McGill being transferred into my office?—Yes.

122. Do you remember if I consulted you before I took him in?—I have some recollection of it. I think you did; I am not sure.

123. Do you recollect me saying to you one day, “I want a good man for the office; can you give me one”?—There was something of the kind. I could not recollect what it was, but it is more than likely that is what would be said. On taking a man into the office you would be almost sure to consult me. I have some recollection of it, but I am not certain.

124. You have no reason to suppose that he was not a good man?—No; he was a very good man—a very good constable and a good clerk.

125. Then, of course, you cannot tell whether there was any political influence about it or not?—No; I know nothing about it.

126. Do you recollect a circular being issued about non-commissioned officers lecturing the men, and the Inspector lecturing the men?—Yes.

127. Has that been carried out in Wellington?—Yes, as far as it is possible. I have paraded the men every month, and lectured them, and sometimes at night. I always speak to them about their duties, giving evidence, and other things; and when they are going out at night I speak to them very often.

128. *The Chairman.*] Do you consider this system of training sufficient for the purpose of training them as constables?—No, I do not.

129. *Colonel Hume.*] Do you think there is a single constable in your district who has abstained from interfering at any point where he ought to have interfered, from want of knowledge of his duty?—I think we have had some small things—small matters, nothing that came before the public. There were some small things, but very few.

130. Nothing of any great importance, you think?—I do not recollect anything.

131. In choosing these plain-clothes constables I suppose you would not consider for a moment whether a man was junior or senior if you thought he was the best man for that duty?—Sometimes it is on account of his being a junior man—a man recently taken on, a stranger—that he is selected for plain-clothes duty. For instance, there was a sheep-stealing case about the time that Cox was sent to me, and, he being a stranger, I thought he would be a good man to send up country. Of course, I instructed him before he left.

132. And if you had a big case on, I suppose, if you considered the junior detective or the junior plain-clothes constable would deal with the case better than the chief detective, you would send the junior plain-clothes constable?—Yes. You must use discretion in all these things. In connection with the police, as in everything, discretion is a great thing.

133. Do you remember the Satherley case, at Blenheim?—Yes.

134. Whom did you send over for that?—I first sent Cox. Then Cox became known, and I thought I would try Broberg, who was a stranger up here; and then I went myself.

135. Was it not a fact that the Blenheim papers wrote, after Cox had been over there for a week or so making inquiries, finding fault with the department for not sending a detective over?—The papers were abusing the department for not sending a detective over, while Cox was there all the time. Cox was living there at a boarding-house. Then the papers stated that they had been misrepresenting the matter; that they had discovered that Cox was there.

136. That would tend to make you think he was making his inquiries in a satisfactory manner by proving that he was not known over there?—He is a very energetic good man is Cox. He is not well up in evidence, but he is getting to learn it now, and he is an honest, straightforward man, in my opinion.

137. Have you any reason to regret having picked out Nixon and Cox for plain-clothes duty since they have been at work?—No, I have not. Nixon is a good man; he is turning out very well. You must get steady men for plain-clothes duty—sober, steady men, that is the great thing.

138. Do you know in your district anywhere of any constables occupying subordinate positions who have served with ability and distinction, while others with nothing to recommend them but political influence are placed in positions which they are utterly incapable of fulfilling?—No, I do not know of any case.

139. Do you know of any disorganization in the Force in your district?—No. I am quite certain there is no disorganization.

140. I suppose you have got men with grievances, have you not?—We always have them. They are in every Police Force. There are “black sheep” too, in spite of all you can do. The same remark applies to every Force in my experience in the world.

141. You were recently in England?—Yes.

142. I suppose you saw a good deal of the London Police, and discipline of that Force?—Yes, and of the Irish Constabulary.

143. Do you know if there are any men in those Forces who have got grievances?—Oh, men always have in every Force.

144. *Colonel Pitt.*] Do you know of your own knowledge?—Not during my Home trip, but I was in the Irish Constabulary myself at one time.

145. *The Chairman.*] You did not hear any complaints from them while you were in England?—No, I do not think so. I would not be in the way of that sort of thing.

146. *Mr. Poynton.*] When you were serving yourself in the Irish Constabulary there were any amount of grievances?—Oh, yes; and in Victoria too. This sort of thing is always occurring amongst police, soldiers, and everybody else.

147. *Colonel Hume.*] You stated that Shirley was an ordinarily efficient sergeant? Was it not a fact that you and I, after consultation, came to the conclusion that Mount Cook wanted an extraordinarily efficient officer?—Yes. That is exactly what we did talk about. Sergeant Briggs was appointed.

148. I think you mentioned Sergeant Briggs to me, did you not?—Yes; I knew Sergeant Briggs in Christchurch.

149. You stated you did not think there was more gambling in Christchurch than here?—Yes, I do not think there is.

150. Do you know the Empire Hotel in Christchurch?—Yes.

151. Have you ever seen such a crowd standing outside an hotel here as stand outside the Empire Hotel in Christchurch?—Perhaps not such a crowd at one particular place.

152. And it was always there—from the morning, all day till 9 or 10 o'clock at night?—Yes; the police tried to move them, and it was a great nuisance.

153. Do you know the Grand Hotel in Dunedin?—No.

154. When I was Commissioner, did I ever give you any particular instructions about suppressing Sunday trading?—You have spoken to me on several occasions about it, I have no doubt.

155. Did I ever tell you this: "The Minister says if Sunday trading is not suppressed you will have some changes"?—I do not recollect that.

156. *The Chairman.*] You have no recollection of that?—I cannot recollect.

157. *Colonel Hume.*] On the other hand, did I at any time say, or could you infer from anything I have ever told you, that anybody in authority desired that the liquor law should not be strictly carried out?—No; you never told me anything of the kind.

158. And you could not infer anything of that sort from anything I have ever told you—any remark I have ever made to you?—No.

159. *Mr. Tunbridge.*] The police can only act according to law?—Of course you must keep within the law.

160. Is it an offence under any law in this colony for a man to stand in the street and receive money from anybody for the purposes of a bet?—No.

161. Unless it causes an obstruction?—Unless it causes an obstruction.

162. Therefore, a constable has no right to interfere with a man who is receiving money as a bet in the public street unless he causes an obstruction?—Unless he causes an obstruction.

163. And the constable would have equally as much right to interfere with a Salvation Army officer who is preaching the Gospel, if he caused an obstruction, as he would with a man who is receiving money for bets?—Certainly, unless they obstructed.

164. And that is under a by-law of the city, is it not?—Yes, under a City by-law; and the Police Offences Act would also cover the case.

165. You do not question the statement that there is betting going on in the street in Wellington?—No.

166. What you do say is, the law does not allow a constable to interfere unless an obstruction is caused?—Yes.

167. I believe there have been cases, and there is one now pending, for betting in the streets?—Yes, the principal man was fined £2 for obstructing the footpath.

168. And steps have been taken to endeavour to detect the causes of obstruction by these people?—Yes.

169. As regards tote-shops: are you not continually instructing the men to keep this matter under notice?—Oh, yes, I have written to Detective Campbell frequently.

170. It is one thing to know this evil is going on—and it is admitted to be an evil—and another thing to be able to procure evidence?—It is indeed, Sir. If Mr. Taylor had to get up prosecutions he would agree with us.

171. Unless you are able to prove absolutely that a place is being kept for the purposes of betting, can you take any action?—Oh, no, you must prove it.

172. And then you must substantiate that evidence by seizure of documents, and so on?—The books are the principal thing—the principal evidence. Without the books and the entries in them you generally fail.

173. Books and memoranda going to corroborate any evidence that the police may have?—Yes.

174. It is suggested the detective officers might get statements from other people. Do you find the people who go and put money on racehorses with these tote-runners anxious to come and assist the police?—No, they clear away and escape from you.

175. And are they not equally as anxious to obstruct the police as the man himself who runs the tote-shop?—You will not get evidence from people outside.

176. *The Chairman.*] Have you reason to suppose that the people who make use of these shops, or walking-totes, are of one class in the community?—Of course we call them betting men. They are well-known to us.

177. There are a large number of private citizens who do business through these people?—Oh, yes.

178. There is a large amount of betting?—An immense amount of betting going on?

179. And it is run principally in the street?—The respectable people do not go into the street.

180. Is it done by letter?—I do not think it is done by letter.

181. How do you suppose it to be done then?—By street betting—going up to the man.

182. But that is in the street?—In the street, or wherever they meet them. There is no law to prevent betting in the street.

183. I want to know whether these men go to the shops to do it?—If we could find them in the shops we would have a chance of establishing a "place."

184. Do you expect ever to put down gambling?—I am afraid not. It seems to be getting worse.

185. *Mr. Tunbridge.*] As regards incompetent men: You were asked whether incompetent men were not kept in the Force. Is it a fact that in cases where men commit a neglect of duty, and such offences as that, that they are overlooked?—Certainly not by me.

186. You report those men whose cases have to be reported?—I watch them sometimes.

187. If you think men are neglecting their duty you take special precautions to see that they do not neglect them?—If I find they are doing so I have them taken into the office, and there deal with them.

188. Do you find it the rule that where men were neglecting their duty they are simply transferred, and not in any other way punished?—No. Those in the country are generally brought into Wellington for neglect of duty.

189. Where they are under more supervision?—Yes; I have had several brought in for better supervision.

190. For punishment a fine is inflicted?—Sometimes.

191. You spoke about the Metropolitan Hotel having an electric bell?—Yes.

192. Was not the late licensee before the Court?—He was.

193. And fined?—He was fined £7 or £10; I am not sure which.

194. Within six weeks?—Within two months.

195. And has now left the hotel?—He has left the hotel; but he was not the man who had the bell.

196. I am only speaking of the late licensee?—Oh, yes.

197. With regard to mounted constables: when the Governor is here they are engaged considerably on escort duty?—Yes; they escort the Governor to different places.

198. With reference to young men being appointed to plain-clothes duty: when you appointed Constables Nixon and Cox to plain-clothes duty had you any other object in view than for the benefit of the service?—No, Sir, I had no other earthly object.

199. And you had no previous knowledge of these men?—Not a bit.

200. They came to you as other recruits come—entire strangers?—I did not know anything about them.

201. You appointed them to plain-clothes duty because they were new men—unknown men?—Yes.

202. And then you discovered they possessed what you considered detective ability?—Yes.

203. And you kept them as plain-clothes constables?—Yes.

204. And you had no other reason?—No other reason.

205. Have these men received one penny extra remuneration for the work they have been doing during that period?—Only ordinary travelling-expenses.

206. The same as any other constable in uniform. They have been in no way benefited in the way of pay by being appointed to plain-clothes duty?—Not as regards pay. I think they got some slight rewards.

207. But, I mean, have the men been benefited in the way of receiving additional pay?—No.

208. *The Chairman.*] How do they rank, then, these men, Cox and Nixon?—They are both third-class constables yet.

209. *Mr. Tunbridge.*] Do you not know, as a matter of fact, these men are very considerably out of pocket through being on plain-clothes duty?—Very often.

210. Money they have spent, and cannot get back?—Oh, frequently.

211. *The Chairman.*] As to this plain-clothes branch: it is considered the best branch of the service—a sort of probationary rank for the Detective Force?—Yes; it is a stepping-stone to the detective branch.

211A. *Mr. Poynton.*] There seems to be a lot of jealousy about it?—I do not think so. I am not aware of it.

212. Do you not think that betting should be made illegal if it is desired to stop this street-betting that you speak of?—Well,——

213. If it is becoming such an evil as you say it is?—I dare say it would be better in the end for the community. The worst of it is, the young people, I am afraid, are taking to it.

ARTHUR HOBBS WRIGHT examined on oath.

214. *The Chairman.*] What is your position in the Force?—Sergeant, and district clerk at Wellington. I was appointed district clerk at Invercargill in November, 1882. In 1888 I applied for the usual allowances—10s. a week house-allowance and 1s. a day clerical allowance. I had heard that these allowances were granted at the four centres, and I applied for them at Invercargill, and was refused. I was told then it was only granted at the four centres. I may mention, then, that at the four centres the district clerks were first-class sergeants, in addition to these allowances. In January, 1889, the Commissioner, who at that time was Major Gudgeon, granted me the 1s. a day clerical allowance. In 1890 I was promoted to second-class constable at Invercargill, for passing the examination at the head of the list. I drew this 1s. a day allowance at Invercargill till 1891, when I was transferred to Dunedin as second clerk, the Invercargill district being merged into the Dunedin district. I drew the allowance, 1s. a day, all the time I was in Dunedin, and in 1893 I was transferred to Wellington, to replace Sergeant Bulford. On arriving at Wellington I went on drawing my 1s. a day clerical allowance, and I also drew 10s. a week house-allowance on the original authority.

215. *The Chairman.*] Did you get that 10s. a week whilst you were at Dunedin?—No, Sir. That 10s. was only granted at each of the four centres to the chief clerk. In Dunedin I was only second. I came here as chief clerk. In May, 1893, it was accidentally brought under Colonel

Hume's notice, and he cancelled both allowances. I had drawn the allowance for a month before it was accidentally brought under Colonel Hume's notice, and he cancelled them both.

216. *Colonel Pitt.*] What do you mean by being brought accidentally under his notice?—It was accidental. It was not brought under his notice by me. It was another constable who had been acting district clerk for a short time between the retrenchment of Sergeant Bulford and my arrival. He applied for compensation for doing the work during that time, and he pointed out that if Sergeant Bulford was worth 13s. 6d. a day, and I was worth 10s. 6d. a day, surely he was worth 7s. a day. Colonel Hume noticed this, and wanted to know why I was getting these allowances, and stopped them both. In June, 1893, Colonel Hume granted house-allowance of 10s. a week to all the district clerks in the colony, including Greymouth, Napier, and New Plymouth.

217. *The Chairman.*] You drew it in April; it was stopped in May, and you drew it again in June?—Yes. At that time, on the 18th May, when Colonel Hume stopped these allowances, I first of all saw him in the office, and represented to him the hardship it was to bring me up here as chief clerk, with additional responsibilities and work, and deduct my pay at the same time; and he promised then I should not be a loser in the matter—that he would try and make it up. I indorsed the correspondence at the time, that, in view of his promise, I was quite content to leave the matter in his hands. I saw him several times after that, and he always promised to see what he could do for me up till 1895. In 1895 he told me he could not do any more—that I was getting as much as he could give me, so I let the matter drop. What I could never see, and what I cannot see still, is why I should be picked out from the others.

218. *Mr. Poynton.*] Are the others getting 1s. a day?—Sergeant Bell is drawing 1s. a day. Sergeant Ellison drew it up till he left, last year; and why I should have been picked out I cannot understand.

219. *The Chairman.*] As to Christchurch?—Stanton was a new appointment, and he never had an allowance. After drawing it at Invercargill and Dunedin, and then being brought up here as a chief, I could never see the fairness of it. Up to date I make it that I am £88 out of pocket through the allowance being cancelled.

220. That is, through the loss of the 1s. a day?—Yes. The only reason given to me for cancelling it was that mine was a new appointment. Of course, I pointed out that if it was cancelled all through the Force I should have had no more grievance than the others, but that mine was especially cancelled. Then, it was pointed out to me that mine was a new appointment, but I could not see the force of that.

221. What was the new appointment?—I was transferred from second to first here; and I could never see that that was a new appointment which should result in the docking of my screw. Of course, I do not wish it to be understood my pay was not increased by coming to Wellington, because I did not get 10s. a week house-allowance at Dunedin. In Dunedin my pay was £173 7s. 6d. a year; and in Wellington, after getting the 10s. a week back, it was £190 5s., an increase of £16 odd. Sergeant Bulford, whom I replaced, got £235 7s. 6d. Stanton, the man who was appointed to Christchurch at the same time that I was appointed here, got a rise of £43 5s. a year. I got £16 17s. 6d.

222. Was that his first appointment as clerk?—He had been clerk at some small places in the North, but he never had any allowance at all.

223. And what is he getting now?—He is getting the same as I am. That is all I have to say about that.

224. *Colonel Hume.*] In your experience of the service generally, when an order comes out for doing away with an allowance, or anything of that sort, have you generally found they cut it off from everybody, or only cut it off from the new appointments?—I do not know exactly how to answer that. Of course, if an allowance is stopped in the service everybody is made aware of it by circular: but in my case I never got any intimation at all to that effect when I was transferred to Wellington. Your telegram to Inspector Pardy did not say a word about the pay being stopped.

225. Did it say you were to get the allowances?—No.

226. What did it say, then?—There is a copy in the office.

227. Did not it say this: that you were transferred to Wellington as district clerk, with the rank and pay of first-class constable?—No, sir, it did not. There was not a word in it about pay.

228. And nothing about first-class constable?—The telegram said, "Constable A. H. Wright is appointed district clerk at Wellington, with rank of first-class constable."

229. I thought the pay was mentioned in the telegram?—No. In any case, if it was, it would not make me think you were going to cancel the allowances.

230. You said the other day you got "an Irishman's rise" coming here?—Yes.

231. And you consider going from £173 to £190 an Irishman's rise?—You forget you cancelled 17s. a week, which brought my pay down to £160.

232. *The Chairman.*] The £173 you got in Dunedin was the full thing?—Yes, the full thing; and when I came to Wellington Colonel Hume gave me 6d. a day, bringing it up to £182; and then he deducted £18.

233. What about the 10s. a week house-allowance?—You gave that afterwards.

234. You got it the first month, lost it for about half a month, and then got it afterwards?—You cancelled the two.

235. Quite so, for about half a month, and then you got it back?—Yes.

236. You say that is an Irishman's rise, going from £173 to £190?—You gave me 6d. a day rise, and took away 1s. a day, and you afterwards gave me 10s. a week. That is the long and short of it. You did not give me the 10s. a week as soon as I came.

237. But you were only out of it for about half a month?—That is so. I got the same as the others got. You granted it to all the district clerks in the colony, but you never gave me back the 1s. a day.

238. Do you think the district clerks in one place should get house-allowance and the men in another place should not, or should all get alike?—It was the rule of the service.

239. I ask you, do you think it a fair way to treat men—to give the district clerk in one place house-moneys and not give it to a district clerk in another place?—Decidedly I do. It depends on the place. For instance, I do not think it would be fair to give the men in Napier and New Plymouth the same pay as a man in Wellington.

240. You would have a sliding-scale?—As far as the granting of house-allowance is concerned I agree with you. What I mean is you should not put a man in a small place on the same footing as the man in a large place.

241. I am talking about house-allowances?—I maintain that the man who has to pay 16s. or 17s. a week is entitled to more than the man at New Plymouth, who only has to pay 10s. a week.

242. Did I not offer you a house to live in when you were shifted here?—You offered me a shanty where no decent man would live.

243. Did no one live in it after that?—No one lived in it after that.

244. Did a man live in it up to that time?—Yes; and one of his children died of typhoid. You know the place was not fit for any one to live in. I say you promised continually to do what you could, and you kept on promising till 1895, when you informed me you could not do any more. I do not say you did not do what you could. All I say is, I am my 1s. a day out ever since.

245. One of the men whom you remarked had the 1s. a day was transferred to the Civil Service from the Police Force? He was. He was transferred to the Civil Service at a salary of £275, as district clerk.

246. He was specially transferred on a special rate of pay?—Yes.

247. And he has been on that rate of pay ever since?—No. He was transferred, first of all, to the Civil Service from the police, at a salary of £275, in 1887, I think it was. He was retrenched from the Force as district clerk, and he was then reappointed as first-class sergeant, and these allowances were given, and they were given to the four centres at the same time.

248. You say he was not on the same pay?—He was not, because the allowances and all only make him up to the £240.

249. Any way, he was an exceptional man, because he was brought from the Civil Service?—He was; but Sergeant Ellison was not.

250. *The Chairman.*] What was the name of this man?—That was Sergeant Bell.

251. *Colonel Hume.*] You know Sergeant Bell could not do police work now?—I do not know that he could not.

252. He has been rather rusty?—I do not see how a man can possibly be rusty in the District Police Office.

253. Does he ever go into Court?—Court work is not the only work.

254. Is it not very important for a sergeant to be able to conduct cases in Court?—If he has the knowledge he will very soon pick up Court work.

255. The other man you name was Ellison, and he has been a very long time in the District Office has he not?—I forget how many years, not much more than myself.

256. How did he get this rank of sergeant?—They were all sergeants. There was never such a thing heard of as a constable in a District Office until I was transferred to Wellington.

257. He was transferred into the District Office as a sergeant?—I could not say that. I do not know when he was transferred. He may have been made sergeant after he got into the District Office.

258. Then he was afterwards sent to his duty was he not?—Last year he went out, transferred to Wanganui.

259. Your grievance is that he was not deprived of this 1s. a day?—It is not my grievance. I do not begrudge Sergeant Ellison getting it. My grievance is that I was deprived of it.

260. Ellison was the "last of the Mohicans," there was nobody else?—Well, Sergeant Bell.

261. There was nobody else but these two?—That is so. The others died.

262. *The Chairman.*] What about these suggestions you refer to in your letter to the Commission?—The first I would like to refer to is the pension scheme.

263. *Colonel Pitt.*] Have you got a pension scheme formulated?—I think the scheme formulated by Mr. Hutchison in 1893 is an excellent scheme. It was freely canvassed at the time amongst the men, and they all seemed to be pretty well pleased with it.

264. *The Chairman.*] And you think it necessary to have some such pension scheme?—I think so. I think they have a pension system in pretty well every Police Force in the world. The scheme promoted by Mr. Hutchison is practically self-supporting after the first grant.

265. You say that has been canvassed amongst the the men. Do you mean any particular body of men, or right through the Force?—I think all through the Force. I can speak for the men in the Christchurch and Dunedin districts, and I think also in Auckland. I think Mr. Hutchison went round to the four centres at the time. I am not sure about Wellington. There was some difference, I believe, here. There was another scheme on foot at the time, and there seemed to be a division of opinion.

266. Have you anything to say yourself in support of this scheme—any argument you can use other than those put forward by Mr. Hutchison?—I do not think so, Sir. I think Mr. Hutchison has pretty well thrashed it out. As to the figures, they were carefully worked out at the time as far as we could work them out; and at the end of the tenth year, after paying about one hundred pensions, the pension-fund would have increased to something like £80,000. The interest on the £80,000 and the annual contributions from the men would have paid pretty well all the pensions that would be likely to be chargeable.

267. You do not suggest at present any further argument in support of it than we find here in Mr. Hutchison's pamphlet?—I do not think so. There is one thing in connection with that scheme

which is cleared up in that correspondence. It is a matter of some importance to the police—that is, the question of long-service pay. There seems to have been an idea, which ought not to have been allowed to gain ground, that the long-service pay was granted in lieu of pensions, and therefore drawers of long-service pay should be debarred from coming into the pension-fund until they gave up the long-service pay. You will see from that correspondence that the Hon. Mr. Bryce makes it quite clear that it was granted merely for long service and nothing else.

268. Do you think a pension scheme would be more satisfactory to the police than increase of pay?—I think so. There is no question it would have a better effect.

269. *Colonel Pitt.*] What would you do with the life-insurance policies now on foot with the men?—That would be a difficulty that would have to be faced.

270. Of course they could be surrendered?—Well, the surrender value is very little. I think that might be got over by the managers of the pension fund taking over the policies. I think it could be worked in that way. Of course it is a good investment, and the fund could lose nothing by it.

271. I do not know whether the men would be able to afford a contribution to the pension fund and also to their life insurance?—It is very doubtful if they would.

272. *The Chairman.*] Do you know anything of the rates of pay of the men in the other colonies?—In South Australia the pay is about the same as ours, but they have a uniform allowance there. The mounted men get £12 a year and foot men £9.

273. Is there any pension scheme there?—I think so.

274. What is the extent of their contributions to it?—About 2 per cent. in all the Australian Colonies. In that scheme we propose 5 per cent. After fifteen years their pension is 50 per cent. of their pay, and our pension after twenty years is 30 per cent., and after thirty years 50 per cent. Here you would contribute double what they do over there, and you would have to serve twice as long before you got the same pension.

275. Taking the present rate of pay, do you think 5 per cent. is the highest rate they could bear as a contribution to the superannuation fund?—Yes. Under the contribution of 5 per cent., a man getting £10 a month has got to pay 10s. for pension, and when it is considered that he has his wife and family to keep and house-rent to pay he has not much to spare.

277. You think 5 per cent. is as much as they could bear?—I think so. I think it would be enough too, with a little assistance from the Government. The Government could hardly expect to get a scheme for nothing.

278. Taking the rate of pay as it stands now: you think the Force could bear 5 per cent. and no more?—No more. I think they could bear 5 per cent., because that is practically what they are paying now. Most of the young men when they join have to contribute 8s. 6d. to 9s. per month for insurance. That nearly amounts to 5 per cent., and the pension would be far better for them.

279. A pension system that cost 5 per cent. on the pay would be better than the insurance system?—Yes; I do not think insurance is much good.

280. *Colonel Pitt.*] How about the compensation to men who are under the limit of age, of those who are barred from entering into Mr. Hutchison's scheme?—It was suggested they should be dealt with by the Government as at present. We proposed under that scheme to take in men under fifty years of age.

281. Fifty-five, was it not?—That is, they would be fifty-five in 1898.

282. What occurred to me was, there may be some of the men who were not fifty-five years of age, but who would be very nearly entitled to compensation: how would they be dealt with under this scheme?—They would be dealt with by the Government as at present. They could not come under the scheme at all. It was proposed to hang the fund up for five years, without operating upon it. Then it was proposed to retire every man at sixty. Of course, it would be impossible to take in any man over fifty-five, because if he retired at sixty, he would want his pension before the fund was to be operated upon. It was a very liberal scheme for the older hands; but then at the same time it was all the better for the younger ones, because they were pensioning off the older ones, and promotion would be more rapid, and they would be able to better spare the money.

283. *The Chairman.*] Have you reason to believe the scheme would be acceptable to the Force now, as you say it was at the time it was proposed?—I think so. Every one I spoke to was delighted with it. Of course, that scheme was entirely got up by the men themselves, though Mr. Hutchison took it in charge. He went round to the centres, and got suggestions from one and another, and carefully put them together into one scheme, so that practically it is the men's own scheme.

284. That is, of a certain section of the Force?—Well, he used to have big meetings. At Dunedin, for instance, there were fully thirty men present.

285. It was originated at Dunedin?—Yes.

286. With regard to uniforms: is it only in South Australia they receive uniforms in addition to their pay?—That is the only one I have noticed. I do not know what they do in other places. There is another small matter I wish to refer to—that is, a section of the Police Force Act, I think, should be amended. It is section 16, having reference to actions brought against constables.

287. *Colonel Pitt.*] How do you suggest it should be amended?—Well, just now it is simply useless, because there was a case a short time ago up in Patea where an action was brought against two of our men something like twelve months after the cause of action arose.

288. According to the section that could not be?—But it was done, and this section was ruled to be inoperative. It was held, under an English case decided recently, that it is only when you are acting legally in the execution of that Act that you are protected by the Act. Well, that is absurd,

because if you are acting legally in the execution of that Act you do not want any protection. It is only when you happen to have made a mistake that you want protection. These men went to a man's house whom they suspected of stealing. They had not got a search-warrant. They asked the wife if she had any objection to their looking through the house. She invited them in. They did not find anything, and twelve months afterwards the man brought an action and recovered damages against both of them. I would suggest that the section be amended so as to cover constables against all actions in connection with anything done in pursuance of their calling. Instead of the words "pursuance of this Act," put "pursuance of their calling."

289. It was held in the case you mentioned he was not doing his duty?—That is, he had not got a search-warrant. Sometimes, in the back districts, there is no opportunity of getting a warrant without much delay. Another suggestion I have to make is about travelling-allowances. I think the present travelling-allowance is inadequate in some cases. For instance, a man going on relieving duties to an out-station, if he is a single man he is only allowed 1s. 6d. a day; if he is a married man he gets 3s. a day. Naturally he has to stop at a hotel, and it is not sufficient to cover the cost. I think it is a great temptation to a man to try and come to some arrangement with the hotelkeeper, instead of being in an independent position and paying his way.

290. He need not necessarily stop at a hotel?—Well, at most of these small country places there is nowhere else to stop.

291. *Mr. Poynton.*] He would have to pay something for his keep in the town if he did not go out?—Oh, yes. That is why the distinction is made between married and single men, but still I do not think it is enough in any case. It is only an inducement to a man to get his keep for nothing at the hotel.

292. *The Chairman.*] What do you suggest?—I suggest that they should get the ordinary allowance—that is, 6s. a day for the first week, and 5s. a day afterwards. That was the old circular, and I think it was a very fair one.

293. How long has that been altered?—It has been altered two or three years now. I also suggest that the Force should be supplied with up-to-date handcuffs and batons. The ones we have got are very old fashioned and clumsy, and they are not suitable. The handcuffs are either too small or too big, and there is no way of adjusting them. They have splendid handcuffs in America that will fit anybody, and the American batons are a wonderful improvement on the wooden ones. The wooden ones are too clumsy, and they are dangerous to use, whereas the American ones are made of compressed leather, and you need not be afraid to use them, while they are quite sufficient for the purpose. You would kill anybody with some of these big heavy boxwood batons. A great number of our men have purchased their own handcuffs from America, and they would sooner use them than the regulation ones. If you get a man with a large wrist and you have a small handcuff—that is, a regulation handcuff—you cannot handcuff him. Another suggestion is that the Inspector's office should be provided with some standard legal works. You have to fight against all the solicitors in the town, and have nothing to fight them with except what you borrow.

294. *Mr. Tunbridge.*] Which do you suggest?—"Archibold's Criminal Pleadings," and "Taylor's Medical Jurisprudence." Then, with regard to leave, I think leave of absence should be allowed to run on instead of compelling a man to take it every year.

295. *The Chairman.*] You think it should be cumulative?—It was always so until recent years. It was only some few years ago that the circular countermanding it was issued. It may not suit a man to take leave every year; but if he has got twenty or thirty years' service he should be allowed two or three months' leave, and it would be no greater inconvenience to the department.

296. *Mr. Tunbridge.*] You suggest they should be allowed the full extent of their accumulated leave?—I do not think so. They should be allowed reasonable leave. For instance, if a man wants a couple of months off, to go to Australia or anywhere else, after serving a number of years.

297. Is not that leave allowed now: do you know of any special case where a man has asked and it has not been allowed?—Since you have taken charge it has. It was not allowed before. There is a man here now on twenty-one days' leave.

298. *Colonel Hume.*] Do you know any service where it is cumulative?—I do not know anything about any other service except this. It is cumulative in other departments.

299. What departments?—Well, I often hear of a man getting a month's leave and going away for months.

300. *The Chairman.*] What about the quarters, and the accommodation for the men? Do you know anything about them?—They are very bad in Wellington.

301. *Colonel Pitt.*] You mean at Lambton Quay?—Yes, very bad. Then, with regard to medical certificates, sometimes a married man has perhaps a bad cold, or he does not feel well enough to come down for duty. He has to provide a medical certificate at his own expense. Perhaps there is nothing much wrong with him; he does not want a doctor, but still he has to pay for one.

302. *The Chairman.*] For temporary absence from duty?—Temporary absence from duty on account of sickness. He has to pay a doctor 7s. 6d. for that, whereas he does not want one at all. He knows perhaps that a day's rest will put him right. I suggest if the department wants a certificate it should pay for it, in the way of appointing a police-surgeon, and deducting so much from the pay of the man to go towards paying for the surgeon.

303. It is paid for by the man himself on all occasions?—Yes; unless he can clearly prove it is from injury sustained while on duty. In a case of ordinary sickness, when a man wants to lay up for a day on account of a bad cold, he has to pay 7s. 6d. or 10s., as the case may be, for a doctor's certificate. I think in the Artillery they deduct 1s. 6d. a day from the man while he is sick.

304. You suggest it should be paid for by the department, or that there should be a medical officer appointed?—I think that would be better. No doubt we could work other things in with it, and make it more economical to the department. For instance, there is a police surgeon here that does all our police-work, Dr. Cahill, and no doubt the department could come to some arrangement with him.

305. Has he an annual salary?—No, he just charges for what he does, but he does all the police-work here. Another suggestion I have to make is in regard to examinations. It would be a good idea to have examinations annually.

306. What benefit do you say would be derived from them?—You would learn then what the men knew.

307. *Colonel Pitt.*] You mean compulsory examination for everybody?—Well, if they wanted promotion they should be able to pass the examination. I think it is almost universal in every Force. I cannot speak of my own knowledge, but from what I have heard.

308. *The Chairman.*] Would you have a separate examination for each step in the Force?—I do not think so. They would want an examination, at any rate, before they were promoted to the rank of sergeant.

309. Do you not think there should be an examination before they were put on duty?—They would not know much then.

310. Do you not think they should be put in a depot and trained?—It would be a very good idea to have some slight examination if there was a training depot.

311. It has been suggested that it would give an enormous advantage to men holding positions in country stations, where they have little police-work to do, and could sit in their offices all day reading up?—That was not proved by the result of former examinations. It was proved the town men were quite able to take care of themselves in that respect. The town men in every case headed the list. I would not suggest that the examinations should be on the lines of the last examinations. I would suggest that one paper should be provided by a solicitor on criminal law, and another provided by a police officer as to actual practical police-work, so that the men could be able to show what they would do under certain circumstances, and how they would handle a case.

312. And you would make these examinations a condition of promotion to the rank of sergeant?—Yes; I think it would be fair. A sergeant has to give instructions to others, and unless he has a knowledge of law he cannot do it properly. Not only that, but it would be an incentive to the men to read up and acquaint themselves with the law. Then, with regard to presentations to the police, either by the public or by their comrades: It used to be allowed up to a few years ago. Then it was absolutely stopped by circular, and no presentations were allowed. I would suggest it is not fair, and that they should be allowed the same as in every other department.

313. Presentations for what?—Well, on a man leaving the district, for instance. Perhaps his comrades wish to give him some small present on leaving, and the regulations prevent them from doing so. It is a privilege that is allowed, I think, to every other department in the State. The way it is now is only a temptation to members of the Force to get round the difficulty by their wives or daughters receiving the presents, so that they get them just the same in nine cases out of ten. They have to do it in an underhand manner, whereas if the presentation were allowed to be made openly the men would have more respect for themselves.

314. *Mr. Tunbridge.*] Do I understand you to mean all kinds of presentations, whether from the public or the police?—All presentations—just treat the police the same as any one else.

315. Do you wish your suggestion to apply to both the cases—the public and the police?—Yes; but I do not mean a presentation to an officer.

316. Have you any experience of presentations made by private persons to the police?—I have seen a few of them got up.

317. Have not the publicans responded very liberally?—It is suggested that they do.

318. As regards police officers making other police officers presentations, would you suggest that when a man is leaving a district on promotion he should receive a testimonial?—I do not see any reason why he should not.

319. From men who were likely afterwards to be serving under him?—I think so. I do not think it would have any bad effect that way. It is not so much that that I wanted to bring out, but that these presentations are made, although they are not made to the officer himself. The wife or the daughter or some member of the family gets the present, and so the regulations are evaded. I have heard that in the Irish Constabulary, which is considered to be a very strict body, a presentation is actually entered on a man's merit-sheet as a record of merit. It is considered to be a meritorious occurrence. There is one other matter, that is about house-allowance. A sergeant is granted 10s. a week, irrespective of where he is stationed. I would suggest that some fairer means be adopted of ascertaining what the men are out of pocket. For instance, in Christchurch you could get a good house for 10s. a week, while for a similar house in Wellington you would have to pay 16s. or 17s., consequently the men in Christchurch are so much better off than the men in Wellington. It is impossible to get any sort of a decent house in Wellington under 17s. or 18s. a week, and the allowance is only 10s.

320. *Colonel Pitt.*] Speaking generally, can you say how a proposal to do away with the right of members of the Police Force to vote at political elections would be received by the Force?—I could not say about any one else, but I do not think they would feel the loss very much. Speaking personally, I would just as soon be without the vote as with it.

321. You have had considerable experience as a district clerk. I want you to inform me, if you can, how alleged offences against members of the Police Force are dealt with. Have they been promptly dealt with by the Inspector, or by the Commissioner?—Yes; they have always been promptly dealt with. I have never seen any complaint made against any member of the Force that has not been promptly dealt with.

322. In your opinion, have they generally been fairly dealt with?—Yes, decidedly.

323. Have they been punished reasonably, or have, in your opinion, the punishments been unduly severe, or too lenient?—I think they are generally pretty fair. I cannot recollect any instance of unfair treatment.

324. In your opinion have the punishments been reasonable?—Yes.

325. *Colonel Hume.*] I understood you to say you did not approve of paying by service—getting their increases by service?—No, I do not.

326. Why?—Well, because I think merit and ability come first, beyond all service. There are some men who should certainly be promoted in a short time, while others are never fit for promotion.

327. I was talking about giving men increase of pay by service. I understood you to say you preferred the pension scheme to anything of that sort?—I do not quite understand you.

328. For instance, you enter the service at £150 a year; in three years you get £160, in nine years £200, and so on?—At that rate you are putting every man on the same level. You are putting the good and the bad together. If you have a scale of pay arranged on that basis you would have the biggest loafer in the Force getting just as much as the smartest and most meritorious man. In two years you get so much, and in four years so much, and all you have to do is to keep off the defaulter's sheet.

329. You say political interference has not tended to promote men unjustly?—I have never known an instance where a man has got promotion by political influence. I suppose I have been promoted as quickly as any man in the Force, and I am quite convinced I have never had any political influence.

330. Then, do I understand you to tell the Commissioners the men were willing to forego their long-service pay and compensation to get this pension?—Oh, no.

331. But that is part of the scheme?—Oh, no; only to forego compensation, not long-service pay. They were to get long-service pay. Long-service pay has not been granted since 1887.

332. Government were to pay up £20,000?—Yes.

333. I think it says any man over fifty was not to be taken into consideration?—Over fifty-five. There were only a few over fifty-five at that time. I think there were about thirty.

334. Did it ever strike you what it would cost the Government if they paid £20,000, and continued the long-service pay and compensation?—I worked it all out at the time.

335. You do not think it was an unreasonable sum to ask?—I do not think it was enough. I think the Government were making a lot of money by it. £20,000 would only cost them £600 a year at 3 per cent.

336. You could not get money at 3 per cent. at that time?—Well, 4 per cent., and then it would be only £800 a year, and you were paying at the rate of £1,600 a year for compensation.

337. But then compensation did not cease?—It only went on for five years. At the end of five years it ceased altogether.

338. As regards the uniform system: do you consider the Government should supply the uniform, or give a fixed sum?—I think it would be better to give a fixed sum.

339. Why do you think that?—Well, some men are more careful of their uniforms than others.

340. And you do not wear a uniform?—There may be something in that.

341. Generally the majority of the men belong to friendly societies—the married men?—I do not think so. I do not think there are many in Wellington who belong to them.

342. Those who belong to friendly societies do not have to pay this 10s., or whatever it is, for a doctor's certificate?—They have to pay it indirectly. They pay their contributions to the lodges, and it practically comes out of their own pockets.

343. You say you do not know an instance of a man being unjustly punished in the Force. Do you consider a fine of 2s. 6d. for being five minutes late for duty, and no entry against the man for being late before, an excessive punishment, we will say, during a term of three years' service?—It all depends. Sometimes a man is brought in and cautioned, and there is no entry in his sheet at all.

344. But supposing he had never been late before, do you think that would be excessive?—I think it would. If the man had a good character, and had never been before the Inspector before for anything at all, I should say a caution would be sufficient.

345. *Mr. Tunbridge.*] With regard to the question of increment *versus* classes. You are aware there have been selections of men who have got advancement. For instance, there are men with as little service as three years who are Clerks of Court, and men with not more than three years' service who were Clerks of Court were advanced to second class. Do you hold with that?—No, I do not. I thought it was wrong at the time. I recollect at the time there was a batch of them made.

346. Then, again, there was another selection made of men with not less than seven years' service who had no serious reports on their defaulters' sheets: do you remember that selection being made?—I think the first was men with seven years' service and a clean sheet.

347. And then a further selection of men who had only slight reports against them. Did you believe in the first selection?—The first one, certainly not. As to the second one, there was something in that. I did not believe in the first lot, because I hold it is no criterion at all of a man's ability or worthiness for promotion that he has got a clean sheet. My experience is that some of the best men in the Force have got the dirtiest sheets.

348. These selections did not give satisfaction in the Force generally?—No, sir; very great dissatisfaction.

349. Do you not think that dissatisfaction would be likely to arise from any course of selection?—Well, there is always a certain amount of dissatisfaction, but there would be general satisfaction if the selections were made with good judgment.

350. You do not agree with the selections that have been made, but you appear to advocate a system of selection, and I want to know how you are going to arrive at a system of selection that is likely to give satisfaction to the whole Force?—I would suggest the first thing to look at in promotions is seniority, coupled with ability—nothing else. Take the list of third-class constables, and go down them. If one man has got sufficient on his sheet, and you know him sufficiently well to know that he is no good, pass him over, and so on. To simply pick out a man who has got a clean sheet for seven years is unreasonable.

351. You are opposed to the increment system because it would give every man an equal chance, whether he be good or bad?—Just so.

352. The system of the classes you also do not agree with, because the selections have not met with the approval of the men generally?—Of course, that is the fault of the selections. If the men had the impression that only good men were promoted I do not think there would be so much dissatisfaction; but it is taking the thing haphazard that causes so much dissatisfaction—that is, promoting every man that has a clean defaulter's sheet for seven years, because it is a well known fact amongst the police themselves that a clean sheet is not always a good recommendation.

353. Your principal argument against the increment system is that, whether a man is good or bad, so long as the bad man does not get anything on his defaulter's sheet, both attain the same position at the same time?—Just so. It would take all the life out of the Force if you promoted a man just because he happened to be a certain time in the Force—mere length of service.

354. *Colonel Hume.*] Do you know it is in force in the Irish Constabulary?—I do not know.

355. *Mr. Tunbridge.*] You do not happen to know it is in force in the Metropolitan Force in London?—I do not know.

356. If a man neglects his duty it is the duty of the sergeant to report him?—Ycs, but there are ways of doing things.

357. If he persistently neglects his duty?—If he is very bad that way, of course he is brought up.

358. And if he has good officers over him he will soon be weeded out?—I should think so. There are two classes of men in every Force—the man who throws his whole heart into his work and does it properly, and the other man who does as little as he can.

359. *The Chairman.*] You say a clean sheet means but little?—It is nothing to go by.

360. In places where there is only one constable there is nobody to put him on the defaulter's sheet?—Not unless he behaves himself very badly indeed, and some of the public complain, or the Inspector happens to drop on him for doing something wrong. He could be there for years, and nobody be any the wiser as to his conduct. You very often find a man with the worst defaulter's sheet has got the best record on his merit-sheet.

361. *Mr. Taylor.*] Do you consider the training of men before they are put on street duty sufficient?—No, I think there ought to be a proper training depot.

362. Do you not think lack of thorough instruction is likely to make a man nervous about attempting to enforce the law?—Undoubtedly; but, as a rule, the recruits are sent out with an old hand.

363. I do not mean that altogether; but is the training sufficient—systematic teaching?—Not as much as if there was a proper training school.

364. As a matter of fact, you would not know much about political influence being brought to bear on removals and appointments of men?—I would not know anything about that unless by hearsay.

365. *The Chairman.*] You would hear it from the men?—Well, if they were soft enough to say anything about it.

366. *Mr. Taylor.*] You are voicing the opinion of more men than yourself when you refer to these promotions. There is a feeling that there have been indiscriminate promotions at times?—I am referring to those particular lots. I know there was dissatisfaction, from what I heard the men say.

367. Do you know whether there are any tote-shops in Wellington?—I do not think there is one.

368. Not now?—There has not been for the last two or three years. I think the last time we raided them we broke them up. I do not think there is one at all now.

369. Do you think, although the tote-shop is suppressed, gambling is on the increase in Wellington?—I could not say it is. I do not think it is any worse than it has been. It might be.

370. Do you know whether there is a considerable number of the spieling fraternity in town?—What do you mean by "spielers"—book-makers, or thieves?

371. I mean thieves; I do not discriminate between the two classes?—There is a good deal of difference. We look upon spielers as half thieves and half book-makers. They attend race meetings, and fill in the time by a little bit of burglary. A book-maker is a book-maker pure and simple, who follows the races and bets on them.

372. And in the interval?—He does nothing else. There are races going on every day in the year almost in some part of the colony.

373. Do you not think that with a superannuation scheme a better class of men would be attracted to the Force?—I should say so.

374. You would have a larger number of men to select from?—I should say so. You would keep the best men in the Force. A man with a few years' service would not want to leave it; but now, of course, they would leave at a moment's notice if they saw anything sticking out better.

375. Do you remember whether Mr. Hutchison's scheme was generally approved of by the men?—It was in Canterbury and Otago, and I believe Auckland, but I cannot say about Wellington. I think there was some difference of opinion in Wellington. They were mostly young hands, and they thought the 5 per cent. reduction was severe.

376. You think it a good scheme?—Yes.

377. Are you a friendly society man?—I used to be.

378. You have a pretty good knowledge of friendly society finance that would enable you to judge of the scheme pretty well?—I think the scheme is a pretty good one. We worked it out all right, and at the end of the tenth year, after paying a hundred pensions, we had over £80,000 to our credit. I worked it out in this way: in 1892, there were six men in the force aged fifty-four. Well, their pension would become due in 1898. These six pensions would be paid out of the fund the first year it opened. In 1899 there would be thirteen pensions, and so on.

379. *Mr. Poynton.*] Do you allow for mortality?—We allowed that at the end of ten years out of 103 there would be twelve deaths, so that at the end of ten years we would be paying ninety-one pensions, and we would have a balance of £81,000.

380. *The Chairman.*] What was to become of this £80,000?—That would have been sufficient then. The interest on the £80,000 and the contributions from the men would have been sufficient to pay ninety-one pensions without touching the capital at all.

381. You did not propose to refund the £20,000?—No. Of course, it is no use talking about a pension fund without a lump sum to start with.

382. *Mr. Taylor.*] You want a lump sum to make up for those men who have only paid into the fund for a short time and would have to retire on account of age?—That is so. Men that have only paid in for five years would get a pension.

383. *Colonel Pitt.*] The £20,000 was to be invested?—Yes; the whole fund would be invested to the best advantage.

384. *The Chairman.*] You have said nothing about rewards. Have you any remarks to make about the existing system of rewards for merit?—I think the reward system is all right. Men get rewards when they do anything out of the way.

385. You think it works satisfactorily?—I think so.

385A. *Mr. Taylor.*] Do you not think if a superannuation scheme were established it would be a good thing to abolish rewards and put the whole of the money into the fund?—I do not think it would make much difference. It was suggested that the reward fund should form part of the pension fund; but I do not think it would matter much one way or the other.

386. The distribution of rewards creates a great deal of dissatisfaction amongst the men?—I do not know; I have not heard any growling about it.

387. *The Chairman.*] Would you suggest the abolition of rewards for special services?—No; I think they are very necessary.

388. You think the rewards have been liberal enough to encourage special efforts—I mean rewards for criminal discovery?—I do not think they have erred on the side of liberality, but they have been fairly distributed.

389. *Mr. Poynton.*] You think they have a good effect?—Yes.

JOHN TIMOTHY FOLEY, examined on oath.

390. *The Chairman.*] What is your position in the Force?—Third-class constable, stationed at Manners Street, Wellington. I joined the Permanent Militia on the 29th July, 1890, on the understanding that I would get transferred to the police in my turn when a vacancy occurred in the police.

391. And when were you transferred?—I did not get my turn, and was not transferred until the 27th December, 1892, although men who had joined about eighteen months after me were transferred before me. I was transferred to the police, and started in this city.

392. *Colonel Pitt.*] Have you got your discharge from the Permanent Militia?—Yes; here it is.

393. It shows conduct “very good”?—Yes. I started in this city, and was placed in charge of Manners Street Station in July, 1894, having done street duty in Wellington up to that time. The station at the time was unfit for occupation, and I had to pay my own house-rent. I did the duties at the station alone until June, 1896, when another constable was sent to assist me. We did the duties between us, relieving one another until the station was rebuilt at the end of 1897. Neither of us was in charge of the other. We both directed our own correspondence to the Central Station. Neither of us was subordinate to the other. When the station was rebuilt my comrade got it.

394. *The Chairman.*] When was he put in charge?—At the end of 1897.

394A. What is your comrade's name?—Constable Cairns. He was then placed in charge, and I was to act under him. I then applied to be relieved of my duties in the following communication: “I beg to state that, as Constable Cairns has taken charge of the Manners Street Station, I am anxious to be relieved of my duties there, as I am anxious to be attached to the Central or any other station.” I was told verbally that the application could not be entertained.

395. You remained there?—I am still there. I have reason to think that it is through the animosity of the present Inspector of Police and the late Commissioner that I am treated in this manner.

396. *Mr. Poynton.*] Have you any evidence in support of that?—I have evidence. I made a complaint to my Inspector some time previously, and himself and the Commissioner combined against me, and made all sorts of charges against me.

397. *The Chairman.*] You were there first?—Yes.

398. And Cairns was placed on equal terms with you?—Yes.

399. And when it became necessary to select one, Cairns was selected?—Yes.

400. And it was due, you say, to the animosity of the present Inspector and the late Commissioner?—Yes.

401. Will you proceed to state what reason you have to feel aggrieved at this?—Here is a copy of the complaint I made on the 28th January, 1896. There were convictions recorded against me,

and they had to be taken off. I took the course of going outside to have the inquiry held to get the convictions recorded against me taken off my defaulter's sheet. I took a course which rendered me liable to dismissal. I was absolutely refused a hearing before the Commissioner, either to prove my charge or to refute the charges made against me.

401A. Did he give reasons for refusing a hearing?—It is all here in this correspondence :—

I BEG to report that I feel aggrieved at the way in which Inspector Pender spoke to me in Court yesterday morning, when Grace Harper, who I had charged with being drunk and disorderly, was fined £1, or four days' imprisonment, and the Justices who were on the bench spoke so low when passing sentence that neither the prisoner nor myself heard them. Then the prisoner asked me twice what she was fined. The first time she spoke to me the Inspector shook his head, as I understood, for me to cease speaking to her; and the second time she spoke to me, asking the same question, the Inspector stood up in Court, in presence of a good number of people, and said to me in a most insulting manner, "You must not speak to that woman, or be making appointments with her." Now, I respectfully request an explanation, and if not given, that my report be forwarded to the Commissioner. I may add that the above-named woman is a low prostitute.

Sergeant-major Ramsay, in charge of station, Wellington.

JOHN FOLEY,

Third-class Constable 640.

Forwarded to the Inspector.—D. RAMSAY, Sergeant-major. 28/1/96.

The Sergeant-major,—I understand it was by your instruction Constable Foley forwarded this report. Please say if such is the case. Please also return to this office the previous correspondence relative to the case of Grace Harper.—P. PENDER, Inspector. 31/1/96.

Mr. PENDER,—As I informed you verbally, when Constable Foley came to the police-station and told me that he felt annoyed at the remarks the Inspector used towards him in the Courthouse with regard to Grace Harper he asked me to take him in before the Inspector, so that he could have it out. I replied, "No; if you wish to see the Inspector on such a matter you must put your request in writing to him." Previous correspondence herewith.—D. RAMSAY, Sergeant-major. 31/1/96.

The Sergeant-major.—It should be clearly understood that any member of the Force who wishes to see me can do so at any time in the presence of the Sergeant-major.—P. PENDER, Inspector. 31/1/96.

Noted and returned.—D. RAMSAY, Sergeant-major. 31/1/96.

THE COMMISSIONER,—

District Police Office, Wellington, N.Z., 7th February, 1896.

With reference to the attached complaint of Constable J. F. Foley. I beg to state that on the morning of the 27th ultimo Grace Harper was brought before the Court here and fined £1 on a charge of having been drunk and disorderly on the public street. After her case had been disposed of, she stood a little on one side of the Court while the other cases were being heard. While she stood there and the business proceeding I noticed Constable Foley, who was in uniform, advance towards her in view of the Justices and the public, and enter into conversation with her. I looked towards him and shook my head; the constable evidently understood my meaning and drew back from her, but very soon after he was in familiar conversation with the woman, disregarding my instruction that he was not to do so. I at once stood up from the table and told the constable he was not to speak to the woman, and that is all that passed.

The constable's statement to the effect that I said that he was not to make an appointment with the woman is quite untrue, and I am afraid has been introduced into his report for the purpose of giving his report some foundation. It is also untrue to say that my manner was in any way insulting.

This woman is one of the most notorious prostitutes and brothel-keepers, perhaps, in the colony; and apart from the fact that the constable should not converse with persons in the Court at all and interrupt the business, it was very unseemly to see him in uniform talking familiarly with a woman of Grace Harper's well-known reputation. In my opinion, members of the Force who freely converse with such persons commit a serious offence; and, as I am held responsible for their conduct, I submit I should be wanting in my duty if I did not promptly interfere when anything of the kind came under my notice.

I may say, however, that I did not for a moment suspect Constable Foley was speaking to this woman for any immoral purpose. The constable is a respectable well-conducted man, but knows very little of police discipline, and I am afraid in making this report he has allowed himself to be made the tool of others.

I forward the whole of papers connected with the case.

P. PENDER, Inspector.

From Inspector Pender, Wellington.

Received 7th February, 1896.

SUBJECT: Complaint by Constable J. T. Foley of his treatment by the Inspector, &c., reports, &c.

MEMORANDA.

INSPECTOR PENDER,—You will be good enough to reprimand Constable Foley for talking to Grace Harper in the Court and not desisting when you made signs to him to stop, and an entry will be made in his defaulter's sheet. The constable committed a grave error of judgment in not charging this notorious woman with assaulting him, if his report of the 25th ultimo is correct, and I have no reason to suppose it is incorrect. Constable Foley has been very ill advised in making this complaint, as he should have been only too glad to be put right by his Inspector when he was wrong, as he certainly was in this case, and it should be a lesson to the constable not to further talk to persons in Court.

8th February, 1896.

A. HUME, Commissioner.

This correspondence and the convictions were entered against me without my knowing anything about them until they came back to me ten days after my written complaint. There was no charge made against me. The whole thing passed between the Inspector and the Commissioner, and I knew nothing about it till the convictions came back to me. There is further correspondence :—

Police Station, Manners Street, 12th February, 1896.

APPLICATION of Constable J. T. Foley for a hearing of this case before the Commissioner.

I BEG to apply for a hearing of this case before the Commissioner before an entry of reprimand is made in my defaulter's sheet, as I can bring a respectable and independent witness to prove that my complaint of the 28th ultimo is correct: that I neither conversed or even had time to answer the woman Harper's questions when Inspector Pender stopped me. The first time she asked me the question I went away from where she was altogether as soon as the Inspector shook his head, and the second time, as I was going out the door, she asked me the same question, to find out for her what she was fined, when, as I have stated, the Inspector stood up and abused me in a most insulting manner. With regard to my having charged this woman with being drunk and disorderly, and not charging her with assaulting me, I may say that the woman did not hurt me in any way, and as I had also reported her for keeping a brothel, it would look to the public as if I was trumping up charges against her had I charged her with assault; besides, I put in a report stating the facts of the case as soon as she was locked up on Saturday night, and if the Inspector or Sergeant-major thought it wise to have her charged with assault it could have been done between that

and Monday, nor is it too late yet to charge her with that offence. The Commissioner can well understand Mr. Pender's remarks as to my character and police discipline when I have occasion to report him for attacking my character in open Court; but my defaulter's sheet for five and a half years' service, besides my discharge from the Volunteers, which is in the Commissioner's Office, will show what my discipline and conduct generally has been during that time.

I respectfully request that Mr. Townsend's letter, thanking me for my energy *re* the Harper case, be attached to this correspondence.

JOHN T. FOLEY,
Third-class Constable 640.

Forwarded to Mr. Pender.—D. RAMSAY, Sergeant-Major. 12/2/96.

Forwarded to the Commissioner; Mr. Townsend's letter attached.—P. PENDER, Inspector. 12/2/96.

INSPECTOR PENDER.—As the constable admits in this application that the offence was committed, I cannot grant a hearing. It was very unfortunate for him that this woman should have twice addressed herself to him. But as she did so he must bear the consequence.—A. HUME, Commissioner. 12/2/96.

SIR,—

No. 40, Dixon Street, Wellington, 26th January, 1896.

On behalf of my neighbours and myself and family we have to thank Constable Foley for his kind services and long hours at night in this street during the past fortnight, and particularly for last night.

I am, &c.,

Inspector Pender.

W. R. TOWNSEND.

For the Sergeant-major, who will please inform Constable Foley.—P. PENDER, Inspector. 26/1/96.

Seen.—JOHN FOLEY, Constable. 27/1/96.

Returned to the Inspector.—D. RAMSAY, Sergeant-Major. 27/1/96.

Police-station, Wellington, 16th February, 1896.

Re attached correspondence, I beg to report that I do not understand what the Commissioner means by saying that I admit in attached application that I committed an offence; as I do not admit having committed an offence during the whole proceedings. I consider I am unfairly treated in this case. I am not allowed to proceed civilly for slander. I am not allowed to have my case published; I am refused a hearing to have my complaint proved; and, to finish, I am reprimanded for saying a word about it. However, having copied the whole correspondence I respectfully return.

JOHN FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

P.S.—I made a mistake in writing the above underneath the Commissioner's memorandum of the 12th instant, it being my own application. I did not know at the time it was wrong to do so.—J. FOLEY.

Forwarded to the Commissioner.—P. PENDER, Inspector. 22/2/96.

INSPECTOR PENDER.—What I mean is that the constable admits he allowed the woman to speak to him twice in the Court.—A. HUME, Commissioner. 22/2/96.

Police Station, Manners Street, 26th February, 1896.

Report of Constable John T. Foley relative to the Commissioner's Memorandum of the 22nd instant.

I BEG to report that I did not reply to the woman Harper's questions on either occasion when she spoke to me in Court, as I have already stated in previous report; and on these grounds I fail to see that I have committed any offence.

I respectfully ask that the Commissioner may be good enough to reconsider his decision, and cancel the reprimand on my defaulter's sheet.

JOHN T. FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

Forwarded to the Commissioner. Papers forwarded to your office on the 26th instant.—P. PENDER, Inspector. —27/2/96.

Mr. PENDER.—Seen. No order.—A. HUME, Commissioner. 27/2/96.

Police Station, Manners Street, 23rd April, 1896.

REFERRING to the Commissioner's memorandum 96/160, 8/2/96, instructing Inspector Pender to make an entry of reprimand in my defaulter's sheet.

As I objected at the time, on the grounds that I felt, and still feel, that I committed no offence to be reprimanded for, I would respectfully request to know if that entry has been made in my defaulter's sheet.

JOHN T. FOLEY, Third-class Constable 640.

Sergeant-major Ramsay, in charge of station, Wellington.

Forwarded to Mr. Pender.—D. RAMSAY, Sergeant-major. 23/4/96.

The Sergeant-Major.—An entry has been made, in accordance with the Commissioner's instructions, in the constable's defaulter's sheet.—P. PENDER, Inspector. 24/4/96.

For Constable Foley.—D. RAMSAY, Sergeant-major. 25/4/96.

Seen.—J. FOLEY, Constable. 25/4/96.

402. *The Chairman.*] Did you, in that, ask to call witnesses?—Yes, Sir.

403. Did you name the witnesses?—I did not name the witnesses.

404. Tell us how it was struck out of your defaulter's sheet?—I had to take a course that rendered me liable to dismissal, and rather than face that it was struck out.

405. *Colonel Pitt.*] You say the convictions have been struck out of your defaulter's sheet?—I was so informed by the Inspector. A letter was read to me by the Inspector that they were struck out.

406. *The Chairman.*] Were the reasons given for its being struck out: Do you know what led up to it?—I do, but I do not like to mention it.

407. You say it was entered, and you were informed it was entered, and subsequently it was struck out; but is that any indication of ill-feeling?—I wished to have the system of tyranism, if I may so call it, exposed.

408. Have you any reason for believing there was animosity against you except the fact that this was struck out?—That is all.

409. Except you took a course to get this struck out?—That is all.

410. Can you say there was any cause for animosity?—Well, I was in charge of the station, and now I am not. That is the cause.

411. *Mr. Poynton.*] In this subsequent correspondence was there any bias on the part of the Inspector against you, or is it merely because Constable Cairns took charge you supposed there was? Have you got any evidence, or any admission by the Inspector that he did pay you out?—As I say, I was in charge of the station. Then they sent another man to assist me, and then they did me out of the station.

412. How long were you there before he came there?—One year and eleven months.

413. *The Chairman.*] I am taking this note: it was subsequently struck out in consequence of a course which you took, but which you do not wish to disclose?—Just so.

413A. *Mr. Tunbridge.*] Is the constable in charge of Manners Street now senior or junior to you?—He is junior in the two services.

414. But is he senior or junior to you in the police?—He is senior in the police by about a couple of months. There is another point I would like to draw attention to in regard to promotions. On the 2nd August, 1895, I was called on to disarm a man named Gustave Alexander, who had taken a rifle and ammunition into Mrs. Dempsey's boarding-house. When I reached there the man had locked himself in a room and would not open the door. As there was reason to believe he meant to commit some foul deed I burst the door open, and while I was doing so he blew his own brains out. I submit that I endangered my life more than certain men who have been promoted recently.

415. You say you endangered your life; but you do not know that was so?—The boarding-house keeper said he should be disarmed, and that she would not have a man in her house with arms; and I had to act.

416. You consider that an act of bravery, for which you should have been rewarded?—Yes considering what others have been rewarded for.

417. Is there any record of this on your merit-sheet?—No, sir; not as far as I know.

418. Have you any means of knowing what is on your sheet?—No, sir; none whatever. I was never told there was anything on for it.

419. It is not entered on your merit-sheet?—No; it is not entered.

420. *Mr. Taylor.*] Did you arrest this woman Harper yourself?—Yes.

421. And yet Inspector Pender suggests you were too familiar with her?—Well, he suggested so, although I had to do my duty to remain in charge of her in Court.

422. You say a charge was made, and a conviction recorded on your defaulter's sheet, and you were given no chance of making a reply to the charge?—Not a word did I hear of it.

423. Until you were informed it was actually a conviction?—Yes; a conviction.

424. Well now, what steps did you take to get that conviction removed from your defaulter's sheet?—I took a course which I do not like to mention.

425. What did you find it necessary to do to get that conviction removed from your defaulter's sheet?—Of course, I made certain charges, and if those who made them against me like to produce them they can do so. I do not choose to go any further.

426. *Mr. Poynton.*] Having heard Mr. Tunbridge's assertion that he made this appointment to Manners Street solely on his own motion, do you still think you have a grievance?—Well,——

427. *The Chairman.*] What is it you are afraid of speaking of?—Well, I will tell it now. I made an appeal to a member to have the case heard. I applied to Mr. Thomas Duncan, M.H.R. for Oamaru, to have the case heard. I have a copy of the letter here.

428. *Colonel Hume.*] What is the date?—18th June, 1896.

429. *Mr. Taylor.*] What was the result of the application?—That the convictions were withdrawn.

430. Did Mr. Duncan reply to that letter?—No. Inspector Pender read a letter to me from Colonel Hume to say that the convictions were erased from my defaulter's sheet.

431. Did he call you into the office to read that letter?—Yes.

432. Have you got a copy of it?—No, sir; he read it to me.

433. Did you do anything besides writing to Mr. Duncan? Did you see any of the Ministers about this matter?—No.

434. All you did was to write to Mr. Duncan?—Yes.

435. And the result was the conviction was erased from your defaulter's sheet?—Yes.

435A. Without any further inquiry?—Just so. Not a word of inquiry—not a word.

436. Do you think that there is any dissatisfaction existing in the Force as far as promotions are concerned?—Well, I have stated my own case. I do not wish to speak about others.

437. Have you heard the men complaining?—I have not heard.

438. Do you think the best men get their dues?—Certainly, I think they have, in order to get justice.

439. Do you think there is sufficient training given to the men as to their duties and their legal powers before they are put on street work?—I went straight to work without any training at all.

440. What do you know about examination or instruction classes that are held? Are they held regularly in the barracks here?—They have been held. I never attended myself, because I was away.

441. Are not constables in charge of suburban stations called in for instruction?—I was never called in for instruction. I suppose it would apply to me if I was off; but one of us always relieved the other, and, of course, it would be inconvenient for us to get away.

442. *The Chairman.*] Have you never got instruction?—As we went along, the sergeant in charge would always tell us what he knew while on duty.

443. For instance, as to powers of arrest, did anybody instruct you in the powers of arrest—what you could arrest for?—Oh, no; I had to ask.

444. *Mr. Taylor.*] Have you got Howard Vincent's book?—Yes.

445. That is the sum total of your instructions?—There is another book—the Police Regulations.

446. Do you not think if there were instruction classes, or a central depot for training constables, it would be very much to the advantage of the men?—Oh, yes.

447. What is your experience so far as the enforcement of the licensing law is concerned: do you find it very difficult to detect breaches of the law?—Oh, yes; in fact, I have had some cases that I thought were very clear, and it turned out that they were upset.

448. Have you laid charges against hotelkeepers since you have been in the Force?—Oh, yes.

449. What is the practice so far as Sunday trading is concerned: do any of the hotelkeepers take special precautions to guard against the police?—Some of them do.

450. What is the kind of precaution they take?—Of course, I could not say whether drink is taken when men go in and out.

451. Do they put a watch on the constables?—That has been the practice at one house I know of myself.

452. What is the rule in this town? Can a constable enter an hotel on his own motion, or must he be in company with a sergeant?—He can enter on his own motion if he has good grounds for doing so.

453. There is no regulation that a constable must be accompanied by a sergeant when entering hotels?—No.

454. Is it not a fact that a sergeant and constable are together when visiting hotels?—There is a reason for that.

455. It is the practice?—It is the practice because it is necessary to have a witness.

456. There is a good deal of dissatisfaction amongst the men at having to pay for their uniform?—Oh, yes. They have to pay for uniform, and when they pay their house-rent they have not much to live upon.

457. As a matter of fact, do not constables complain that they are not allowed house-rent while sergeants are allowed house-rent?—I think it is very unfair that one class has got it and the other has not.

458. You have no doubt heard a superannuation scheme referred to: do you not think a superannuation scheme would be of immense benefit to the Force?—It would.

459. It would make men more energetic and more satisfied if they knew there was a superannuation scheme?—Yes.

460. *The Chairman.*] You say there is training given at headquarters?—Yes.

461. You were there over eighteen months: did you not get trained in your duties?—There were no lectures then.

462. *Colonel Pitt.*] Do you think there would be any objection on the part of the members of the Force to have their right to vote at political elections taken away from them?—Well, they have as much right to a vote as other people.

463. *The Chairman.*] Do you think their having the right to vote puts them in an unpleasant position at all in politics—do they get mixed up with the parties?—I cannot say that. I do not think it makes any difference whatever. For myself I have not asked a member in this town for anything.

464. The candidates ask you for your votes?—No; not personally.

465. We have two in the field now. Have either applied to you for a vote?—Not personally,

466. *Mr. Taylor.*] You are quite clear you did not see any one but Mr. Duncan?—I wrote to Mr. Duncan.

467. Yes; but you did not see any Minister about this matter?—Quite positive.

468. *Inspector Pender.*] You say I brought this charge against you. Did not you bring a charge against me first?—So I said.

469. And it was referred back to the Commissioner and the whole of it explained, and that was the Commissioner's decision; and what do you blame me for?—The charges you preferred against me. I never knew anything about them until I got the convictions.

470. Why do you say I brought the charge against you?—Why not have the case defended in a legal manner—have the case heard in the usual way.

471. It was referred to the Commissioner, that is the proper way?—It was by correspondence I knew nothing about.

472. Will you swear you were not told the Commissioner's decision?—Only that I was convicted, and informed to that effect.

473. You were told the Commissioner's decision then?—The convictions informed me.

474. You do not charge me with putting the case unfairly?—Certainly I do.

475. Why?—This report of yours imputes serious charges against me, and I never got a chance of refuting them.

476. What are they?—Well, you made a blank denial of the charge I made. You say, "The constable's statement to the effect that I said that he was not to make an appointment with the woman is quite untrue, and I am afraid has been introduced into his report for the purpose of giving his report some foundation. It is also untrue to say that my manner was in any way insulting."

477. Will you swear on your oath that I mentioned a word about that woman making an appointment with you?—Yes, certainly I do.
478. On your oath, you swear that?—Yes.
479. In the presence of whom was it said?—A great number of people in the Court.
480. When I made use of those words that you were making an appointment with her?—Yes.
481. Was the word “appointment” mentioned?—Yes.
482. On your oath it was?—Yes.
483. Do you think there was anything wrong in me, as Inspector, telling you to keep quiet in the Court, and not speak to this woman?—Certainly not, if that was all that passed.
484. Did you think for a moment I would suspect you of making an appointment with the woman?—I do not know whether you would suspect me, but you made use of the word.
485. You spoke about tyranny; does it refer to this case alone?—Of course it is one.
486. What is the other. Let us have all the tyranny you know of since I came here?—This only refers to myself.
487. What is the tyranny?—Making charges against me, without giving me any chance of refuting them.
488. Do you know any man who would come here and say he was tyrannized over in Wellington?—I only speak for myself in Wellington. These are the charges made against me. I think they are very serious charges, and I got no chance of refuting them.
489. Has not the whole of this thing sprung up in your mind because you did not get charge of Manners Street Station?—No, it has not. This has been going backward and forward between you and the Commissioner and myself for seven months.
490. Between me and the Commissioner?—Yes.
491. What did I do?—This correspondence went back and forwards between you and the Commissioner.
492. *The Chairman.*] Are you going to call witnesses to prove the use of those words by the Inspector?—Not now, sir.
493. You have no desire to make any other charges?—No.
494. You have no other charges to make?—No.
495. *Colonel Hume.*] Did you ever do any acting police-duty when you were in the Permanent Artillery?—Yes.
496. A good deal?—I do not know how many weeks I was here after the strike.
497. But some time?—Yes.
498. And how do you come to tell the Commissioners you were put on the street without any experience at all?—Of course, I was taught by the sergeant.
499. But had you not been doing a lot of temporary police duty in the Permanent Artillery?—I was down here a few weeks doing street duty.
500. Then, you went on the streets with a considerable knowledge of police duty—you had some weeks' experience?—Yes.
501. And why did you tell the Commissioners you went on here without any experience at all?—In the first instance I did.
502. But you were speaking of after you went into the Police Force?—Even then I was never instructed. I had to do the best I could as an artilleryman.
503. And what are you paid for?—To do my duty, I suppose.
504. You admitted in your explanation you spoke to this woman in the Court?—Yes.
- 504A. She asked you a question and you answered her?—I never answered her.
505. She spoke a second time; did you answer then?—No.
506. You did not answer her at all?—No, I did not.
507. You went to this outside gentleman for the purpose of getting this system of tyranny, as you call it, stopped?—Yes.
508. The system of tyranny was your being accused of having spoken to a woman in the Court when she asked you a question, and you did not answer her, and you were charged with answering her?—There were all sorts of charges made against me in that report.
509. Is that a system of tyranny—that this woman was seen speaking to you but you did not answer her, and she was seen speaking to you again and you did not answer her again—is that a system of tyranny?—No.
510. The difference between you and the Inspector is: you say he said, “Do not make an appointment,” and he says the word “appointment” was never mentioned; and the system of tyranny altogether hinges on the word “appointment”?—No.
511. What is this system, then?—The system of tyranny is making serious charges against a constable, and giving him no chance whatever of refuting them until after he is convicted for them.
512. Did not you get a chance of refuting them?—No.
513. Is your explanation in the correspondence?—My explanation is, I wanted the case heard.
514. Did you say you were guilty or not guilty?—I said I was not guilty.
515. You put down your explanation?—I applied for a hearing, and I was not heard at all.
516. The system of tyranny is your applying for a hearing and not getting it?—Yes.
517. That is the only system of tyranny you know of?—That is one.
518. Let us have the other ones?—I have nothing else ready at present.
519. That is the whole system of tyranny—you were called upon to make an explanation, and you made it, and I decided on it without further inquiry into the case?—I was not called upon for an explanation. You decided without giving me an opportunity of refuting the charge or calling any witnesses in support of my case.

520. That is the system of tyranny?—Yes.
521. You got charge of a station pretty soon?—Yes, too soon to my liking.
522. You were only a short time in the service?—Yes.
523. Though you have studied up all your work so well, and though you have studied up the opinions of all the men—do you mean to tell me if you went to Mr. Wright, the district clerk, and asked to see your defaulter's sheet and merit-sheet, you would not have been allowed to see them?—Well, I never asked him.
524. Why did you not ask him?—I was quite satisfied. I knew what was in it.
525. Did not you tell the Commissioners you did not know anything about it?—I said in my evidence I did not get any knowledge of the conviction until after I was convicted.
526. This entry was made in your defaulter's sheet before you had sent in that written explanation?—The conviction was entered in my defaulter's sheet some time after I had made the first complaint.
527. Was this conviction recorded against you before you had written that explanation, that the woman had asked you some questions?—It was after I had made the first complaint. The whole thing is there.
528. You admitted, did you not, that the woman was speaking to you in the Court?—Yes.
529. You were called on to explain that, were you not?—I was not called on to explain. I first complained myself about it.
530. The first time you put your grievance forward was on the 28th January, 1896?—Yes.
531. And you asked then to have the report forwarded to me?—I asked for an explanation, and if not given, that my report be forwarded to the Commissioner.
532. In that do you say a single word about any witnesses?—No. I never dreamt for a moment the case would be dealt with without going through the usual form.
533. Your grievance is that the case was dealt with without your getting a hearing?—Just so.
534. And that is what you meant when you said you wanted the system of tyranny stopped?—Yes.
535. That is a system of tyranny?—Yes, I think so.
536. You have given the Commissioners to understand you considered I had a down on you, and the Inspector had a down on you?—Yes.
537. Will you try and explain to the Commissioners how Cairns getting charge of the Manners Street Station can in any way possible be traced to any down that I can have on you?—Well, I was, I may say, two years in charge of that station, and, after I had broken up this system, Cairns was sent there to assist me, and eventually I was done out of the station.
538. Cairns was sent there to assist you: had I anything to do with that?—I do not know.
539. He was sent there because I had a down on you?—I presume he was not sent there without your knowledge.
540. In June, 1896, Cairns was sent to work with you at Manners Street Station?—Yes.
541. Was the new station begun at that time?—No, not at that time.
542. *The Chairman.*] Do you think Cairns was sent there in June, 1896, with the view of ousting you from the station when the station was built?—Yes, I think so.
543. *Colonel Hume.*] You say there is a good deal of dissatisfaction amongst constables, especially about married people not getting house-rent?—I only speak for myself.
544. And yet you said to Mr. Taylor there was a great deal of dissatisfaction in the Force?—I simply say—
545. You do not simply say. You said there was a great deal of dissatisfaction amongst members of the Force on this point. Is it the general opinion of the Force or is it your own idea?—Well, of course, the men know what they are getting, and they must abide by it.
546. You do not know there is general dissatisfaction?—I think there is; I would not be quite sure.
547. *Mr. Tunbridge.*] What are you paying for rent?—15s. a week.
548. Are the other married men in Wellington paying pretty nearly the same—those who are not in charge of stations?—Some are paying less, I believe. I was paying less myself some time ago.
549. What is the number of your family?—Only two.
- 549A. You cannot get a decent house for your wife and family under 15s. a week?—No.
550. Where are you living?—In Cuba Street. I have to live at a house near to the station.
551. I suppose there are many constables, married men, who have to pay nearly as much as you are paying?—Pretty nearly so.
552. What do you consider your uniform costs you a year?—I suppose it would cost over £5.
553. Do you remember what it cost you when you had your first outfit?—£3 10s. for the jumper and trousers, shako 11s. 6d., and boots.
- 553A. Can you tell the Commissioners, roughly, what a pair of boots, two pairs of trousers, jumper, and shako, would cost altogether?—I think £6 would cover the lot.
554. What did you pay for your overcoat?—£1 14s. 6d.
555. That would last you two years?—Not quite, for day duty.
556. For an ordinary constable doing day and night duty would an overcoat be required every two years to keep him decent?—I think it would be less than that.
557. Then, as to the macintosh, what was the price of that?—I think it would be about the same as the overcoat—about £2 2s. It was the macintosh I was speaking about before. I got that from the Artillery.
558. Well, your uniform would cost you at least £8 a year?—I think it would.
559. *Colonel Pitt.*] One tunic would last more than a year?—One tunic will last more than a year, but there are two pairs of trousers.

560. *Mr. Tunbridge.*] And more than one pair of boots?—Two pairs of boots.

561. Fifteen shillings a week for lodgings, and £8 which it costs you for your uniform: does that come out of your pay?—Yes.

562. *The Chairman.*] Then, as to the compulsory payment of insurance?—It is not compulsory in my case. I joined just before the regulation came into force.

563. *Colonel Pitt.*] What is your pay?—7s. a day.

564. *Mr. Tunbridge.*] You are still third-class. What is your opinion about classes as against increments? Would you rather go on in your present way advancing by class, or would you prefer, say, to begin at a lower salary and increase your pay every year until you attained your maximum?—I think that men starting afresh would not be worth as much as men with experience.

565. But as to the present class system, is that satisfactory to the Force generally?—It is unsatisfactory in this way, that a man will remain at the same stage for a lifetime pretty well.

566. Do you not think it would be more satisfactory if the men knew exactly where they were going to be at the end of, say, five years. We will assume that a man joins at 5s. 6d. a day and goes on by stages until he gets 8s. a day, do you not think that would be preferable to the present system of classes?—It would be preferable, and it would be an inducement to the men to do their best in the service.

567. You do think the increment system would be preferable to the class system?—Yes; that is, providing the first pay would not be too low. In my time it was necessary for a man to remain a number of years in the Artillery at 5s. 6d. a day to get into the Police Force.

568. You think a rise in pay after a stated period of service would be more satisfactory than class promotion?—Yes.

569. You understand now, do you not, that your failing to get Manners Street Station was not attributable to Inspector Pender?—I understand it now, sir.

570. *Colonel Hume.*] Are you equally satisfied that I had nothing to do with your not getting the Manners Street Station?—I do not know, sir.

571. Then you are not satisfied?—I will say nothing about it.

572. *The Chairman.*] You still think Cairns was sent there with a view to ousting you?—Well, I have been ousted any way, and I cannot say who did it. I had two years there on no extra remuneration, and then I was done out of it. Of course, I do not think for a moment that the facts have been placed before Mr. Tunbridge in a proper light, or he might have acted differently.

TUESDAY, 8TH MARCH, 1898.

ARTHUR HUME was examined on oath.

Colonel Hume: I have the papers now in Constable Foley's case. I find Inspector Pender reported to me on the 7th February in connection with Constable Foley's complaint which you saw yesterday, and he says, "I noticed Constable Foley advance towards her in view of the Justices, and enter into conversation with her." On that I reprimanded him, and I had the following entry made in the defaulter's sheet: "Talking to prisoner in Court, and not desisting when instructed to do so. Reprimanded." On the 7th July, 1896, I sent this memorandum to Inspector Pender: "The Minister of Justice has decided that the offence recorded against Constable J. T. Foley on the 27th January, 1896, shall be expunged from his defaulter's sheet. Please have this done.—A. HUME, Commissioner." The Inspector reports, "This has been done, and the constable informed." I also took it out of the defaulter's sheet which we kept in our office, and here is the entry, "Cancelled by the Minister of Justice.—A. HUME, 7/7/96."

1. *The Chairman.*] Was there any reason given. Was it recommended by you?—No; and there is nothing to show how it came about.

2. *Colonel Pitt.*] Did you refer Inspector Pender's report to Constable Foley for any explanation?—No; I had his explanation before me in the form of a complaint that the Inspector had reprimanded him in open Court for something he alleged he had not done.

3. *The Chairman.*] Is there any admission of anything in his report to you of having conversed with the woman?—No; he says the woman asked him the question.

4. *Colonel Pitt.*] But there is nothing to show that he answered her; he had never heard of the Inspector's report to you before he was informed that he was reprimanded?—No, I do not think so. I have another paper here referring to Constable Foley which he thinks is another proof of my not having a very high opinion of him apparently. He says he was not promoted because he tried to arrest a man when he had a loaded rifle in his possession.

5. He seemed to have a grievance because he received no recognition of it?—And that was a sign that he was not thought very favourably of by me. Well, it may tend to prove to Constable Foley that he made a mistake when he hears that the first time I saw the papers was this morning. The Inspector did not think it was serious enough to send on to me; and that was not Inspector Pender; it was poor Mr. Thomson.

6. *Constable Foley.*] I would like to ask if you have the report in reference to the shooting case here?—Yes.

7. I should like it to be produced to show whether I deserved promotion?—There were two reports about the shooting case: one written before I gave over to Commissioner Tunbridge, and one written since. The first report is as follows:—

Police Station, Manners Street, 2nd August, 1895.

REPORT of Constable Foley re a man named Gustave Lenard Alexander, a coloured man, having attempted suicide by shooting himself:—

I beg to report that at 8 p.m. a man named Charles Downie reported to me that a man in Dempsie's boarding-house, Taranaki Street, was locked in his room with a gun and he feared he would commit suicide. I proceeded at once to the place, went upstairs, and found his door locked from inside. Downie knocked at the door and said, "Open the

door; I want to speak to you." He replied, "I am busy, I cannot let you in just now." Another boarder named Robert Frame also asked him to open the door he said "No; you won't see me alive." The servant, Nellie Goss, also asked him to open the door, and he said, "No." I and Downie were then in the act of bursting open the door when a shot went off. On entering the room I saw Alexander on his back lying across the bed, and a rifle between his legs. He was bleeding profusely from the left side of his face, part of which was blown away, and blood and matter sticking to the ceiling. I sent for Dr. Teare—the nearest—who came immediately and dressed his wounds. The doctor ordered his removal to the hospital, where Constables Cameron and Cassin and the doctor accompanied him. It appears that soon after 7 p.m. he was seen coming in with a rifle under his coat, and went upstairs with it. He came down soon after and asked for pen, ink, and paper, which were given him by the servant. It was this that attracted attention, as there was something strange in his manner, and then they sent for the police. I made an examination of the place, and was unable to find the bullet, which I think lodged in the ceiling. I found two cartridges on his dressing-table, and took possession of the rifle. I also made a search with Sergeant O'Malley amongst his effects, and found no money. In fact, I do not think he had any, as Mrs. Dempsey states she lent him £2 recently. At present I am unable to ascertain any particulars as to the cause of the act. He is employed by the Union Company as a lumper, and is said to be a sober man. He is about thirty-five years of age, and a native of the West Indies.

JOHN FOLEY, Third-class Constable 640.

8. *The Chairman.*] The gun went off before he entered the room?—The gun exploded, as set out in the report. There is a second report as follows:—

Police Station, Manners Street, 6th December, 1897.

APPLICATION of Third-class Constable J. T. Foley, No. 640, for promotion:—

I respectfully apply for promotion on the following grounds: (1) That I have longer service and a better record than either Constable Poland, who has recently been promoted to the rank of second-class constable and immediately afterwards appointed to a country station, or Constable Ryan, who has also been promoted over me to the rank of second-class constable; (2) that I have had more important duties to do in the service than either of those two constables; and (3) that I did an act of bravery which merited promotion more than either of them. I am now about five years in the service, having joined in December, 1892, and I have been placed in charge of Manners Street Lockup and subdivision in July, 1894, and I did the necessarily important duties of that station alone until June, 1896, when Constable Cairns was told off to assist me, and we have done the duties between us ever since. And, although it being the most important sub-station of the city, I was obliged to pay my own house-rent during the whole time that I am connected with it, the station being unfit for occupation until now that it is rebuilt. On the 2nd August, 1895, I was called on to disarm a man named Gustave Lenard Alexander, who had taken a rifle and some ammunition to Mrs. Dempsey's boarding-house, of Taranaki Place, and it was feared he meant to do some foul deed with it. When I reached the house this man had locked himself in a room and would not open the door, and, as the occupants of the house were terrified, I thought it would be cowardly for me to go away without doing anything, so I burst open the door, assisted by a young man named Charles Downey, who was boarding there at the time; but on account of some boxes having been placed inside the door, which caused some delay in opening it, the man had shot himself in the head before I was able to reach him, and he died a few hours later at the hospital, where an inquest was held next day, but the cause of his rash act was not disclosed. It leaked out soon afterwards, however, that jealousy was the cause, and that he meant to kill two others—the servant-girl and a man who was keeping company with her and boarding in the house at the time—if it was not for him being interrupted when I burst open the door. Inspector Pender, I believe, was in England at the time, and the matter passed over without my being recommended for any reward for the steps I had taken in the matter. Then, there was the sensational discovery and rescue I made of four young girls from Chinese dens in this city in 1896, and I was commended by Mr. Martin, S.M., for bringing them before the Court. The two eldest of those girls, both aged sixteen years, were sent to gaol, and afterwards to an industrial school; another was sent to some friends up country, and the fourth was allowed to return to her parents. I have never applied for promotion or for any other concession while I have been in the service, and I hope that this application will be favourably considered.

J. T. FOLEY.

To this application Commissioner Tunbridge replied as follows:—

Inspector Pender,—

CONSTABLE Foley must allow others to be more impartial judges of his acts than he is himself, and I consider it extremely bad taste on his part to say he "did an act of bravery which merited promotion more than either Constables Poland or Ryan." Since I have been Commissioner I have not seen anything in the conduct of this constable to call for special acknowledgment, and I certainly do not see my way clear to review the action of my predecessor in a matter of this kind.

J. B. TUNBRIDGE.

14th December, 1897.

9. *Constable Foley.*] I would like to ask you if it is usual to have a conviction put on a constable's defaulter's sheet, as in my case, without giving him an opportunity to defend himself?—Yes; in every service that I have served in, a report from an Inspector like that would certainly bring down a reprimand on a man without giving him an opportunity to reply to the charge. It was not a question of answering the woman at all; the Inspector says they were in conversation.

10. *The Chairman.*] He denied it?—But in that case I would take the word of the superior officer. I considered the evidence quite strong enough for a reprimand.

11. And I take it from you that the word of the superior officer was sufficient?—Yes.

12. *Colonel Pitt.*] Disregarding the fact that the other person had evidence to bring forward?—I do not see, in a case of that sort, how there could be other evidence.

13. Suppose the Inspector said he had committed murder?—He would be tried in the civil Court, and I should not deal with it. But you must remember this, that any constable can go and pick up witnesses in the Court afterwards.

14. *Constable Foley.*] Do you think it would be in the interest of a constable to make such charges against his Inspector without some foundation for them?—I think, from what I have seen of you, it is your nature. I think I have proved that you thought I had a down on you, when I knew nothing about your case.

15. *Mr. Taylor.*] Did you have any conversation with the Minister of Justice in regard to the removal of this reprimand from the defaulter's sheet?—I probably did, but I really cannot remember it.

16. You said a constable could get any number of witnesses in a case like this: do you mean your opinion of the rank and file is that they would perjure themselves in a matter of this kind, or suborn witnesses: is that the interpretation of the remark?—I do not think so at all; they could afterwards find sympathizers.

17. You suggest that the witnesses this man would have brought would not tell the truth?—I said nothing of the kind. Anybody can infer what they like.

18. *The Chairman.*] Who was the Minister at the time this was done?—Mr. Thompson.

JOHN TIMOTHY FOLEY : Examination on oath continued.

19. *Mr. Tunbridge.*] You were saying the system of dealing with reports appeared to be well understood. Do you mean the system which you alleged prevailed at this time when your particular report was being dealt, or generally the system of dealing with the report in the Police Force?—What I meant to say was that it is admitted that this is the way that men have been dealt with.

20. You do not wish it to be understood by the Commissioners that one case would constitute a system?—I believe such has been the system, and I believe it will come out later on.

21. Do you know of any other case that has been dealt with in this way?—I will say No.

22. Do you know what is the correct system of dealing with reports in the Police Force? Do you not know that officers are usually called upon to report: in fact, there is only one proper system of dealing with reports against constables so far as you know?—Well, in a case of this sort, it is an extraordinary case.

23. I want to know if you are aware of the proper system that prevails in the Police Force of dealing with defaulters?—The system in some cases is to take the evidence, not on oath, against the constable in the presence of the constable.

24. And is a constable given an opportunity of cross-examining?—So far as I know, that is the case.

25. And the constable is allowed to make any statement in reply to the witnesses?—Yes.

26. At the time these girls were found with the Chinese, is it not a fact that at that time a number of girls were brought up under the Vagrant Act, and fined for associating with prostitutes? Not at that time, but a considerable time afterwards.

27. Has it not been the rule when girls under fifteen have been found associating with Chinese they have been brought up as vagrants and sent to industrial schools?—That is the only case in this city that I have ever known. I know of no others.

28. *Inspector Pender.*] You have been telling the Commissioners about not getting a chance to defend yourself?—Yes.

29. You told the Commissioners yesterday that it was ten days after the Commissioner's decision was made that you first got notice that you had been reprimanded?—Not a word for ten days.

30. You were informed on the 11th of the Commissioner's decision, three days after he decided?—Yes.

31. You said you did not receive information until ten or twelve days after?—I mean after I made my complaint. I received information on the 11th, and on the 12th I applied for a hearing.

32. What further inquiry did you want?—In the usual way, by the Commissioner, and evidence to be taken. I made an application.

33. You wanted me brought before the Commissioner, and the thing investigated there?—Just so.

34. When you saw, as you thought, you were not fairly dealt with why did you not apply to the Minister of Justice to have the papers sent on?—So I did; but according to the regulations there is nothing which permits me to correspond with a Minister.

35. Instead of doing that you went to a private individual?—Well, there was no other course open to me.

36. You could have sent it to the Minister, could you not?—It was contrary to the regulations so far as I knew. In fact, the Inspector or the Commissioner has the option of bringing a constable before the civil Court, but the constable has not that privilege.

37. Previous to making this report about me insulting you, and so on, did not several of the men try to persuade you not to do so?—One of them.

38. Did not six or seven try to persuade you not to make such a report?—The sergeant told me, "If you make that report you will do a serious injury to yourself."

39. What sergeant?—Sergeant O'Malley.

40. He was not in charge; did not several of the constables speak to you about it?—No.

41. Will you swear that?—Yes. He tried to persuade me; but I felt very much annoyed, but I never thought it would go as far as it did. But, of course, when it went so far I was not going to back out of it.

42. You heard just now what I wrote on your application to Mr. Tunbridge a few days ago; does that show animosity on my part against you?—Well, of course, if you had said anything else I would have an opportunity of mentioning the reason.

43. Does that show animosity?—No; but, as I say, had you mentioned anything else I would have referred to it as the reason.

44. I could have sent your application on without saying anything, but instead of that, did I not do what I considered justice to you?—I do not think you could have said anything against me.

45. *Colonel Hume.*] I suppose you do not expect to be treated better nor worse than another constable in the Force?—I look for no better.

46. Under what rule is it that you demand the Commissioner should hold an inquiry?—The regulations.

47. What regulation?—No. 69.

48. Have you ever been in any service or heard of any service where the Judge adjudicates on his own actions?—Except in cases of contempt of Court.

49. What I want to get at is, would you have been satisfied with the decision if it had gone against you?—I certainly would not.

PETER PENDER was examined on oath.

50. *The Chairman.*] Will you tell us what you wish to say?—On the day in question I was attending the Court, which was held by Justices in the jury-room—a small place—and the

prisoners were brought in to the foot of the table near the door. This woman, Harper, was brought up for being drunk and disorderly, I think, and, after her case had been disposed of, she stood back a little from the end of the table towards the corner. Constable Foley was standing at the opposite side of the table close to the door, and a short distance away from her. There was some talking in the Court—I do not know whether by their voices or otherwise—and I looked round, and I saw the constable conversing with this woman. I looked towards him, and nodded my head, and he ceased speaking, and went back to where he had been standing. Soon after, a few minutes probably, there was another interruption of some sort, and I looked round, and again saw the constable speaking to this woman. I stood up in my chair and said, not in a loud voice nor in anything like an insulting tone, because the Justices were sitting at the time, "Do not speak to that woman." He drew back again, and went to where he had been standing before. That was all that took place. I thought no more about it, and the Court was concluded in the usual way. The next day I believe I got the constable's complaint, as the report will show. I believe Sergeant-major Ramsay was present and saw and heard all that took place, and several others whose names I do not recollect—constables and others. When I got the constable's report about my speaking to him in the Court in the way I have described, I immediately wrote a report on it to the Commissioner, sending on the constable's report. It came back from the Commissioner I think the next day or the day after, reprimanding the constable. I went away to Pahiatua or up-country somewhere, and returned on the night of the 10th, and on the morning of the 11th I sent the Commissioner's decision with all the papers out to the sergeant-major to inform the constable. On the 12th another report came from the constable objecting to the decision in some way, and asking for a further inquiry. That I sent on immediately to the Commissioner again, and the Commissioner returned it to me with no delay I think, and the constable was informed that he did not feel disposed to alter his decision. That was all I had to do with it, and I think it will clearly show I did not delay the correspondence. I did not see Colonel Hume about his decision; I do not think I ever spoke to him about it. As to the procedure, to my knowledge it has been done frequently by the Commissioner in all services.

51. We are not inquiring as to what took place in the Court, but as to whether he should be put in charge of the station?—I had nothing whatever to do with the appointment to the Manners Street Station. It was entirely done by Commissioner Tunbridge.

52. Was Foley in charge of the Manners Street Station alone when this took place?—Cairns and he were working together, waiting for the station to be built, and the thing was altogether a temporary arrangement. I received some complaints about a man not being on the spot at Manners Street, and I sent these two men to live up there so that they would be about the locality. Foley had no charge, but he had been there I think before Cairns, but he had no more responsibility than Cairns had.

53. Had you anything to do with Cairns's appointment to Manners Street?—Nothing whatever. I had no animosity whatever against Foley and never had. He is a very good constable, and a sober, steady, respectable man, and I had not the least idea that he thought I had any feeling against him. The Court incident passed away and I thought no more about it. It was nothing to me that the reprimand was struck off his sheet. As for Colonel Hume having any animosity, so far as I know in any conversation with Colonel Hume, nothing of the kind took place.

54. *Constable Foley.*] Do you know how long I had been in charge of the station before Cairns came?—You were there on duty. There was a lockup but no station. You did not live in the quarters. The sergeant on night duty visited there a couple of times every night.

55. *The Chairman.*] Who was in charge of the lockup?—Well, the lockup was just temporary until the place was built. The lockup was partly in charge of the sergeant.

56. When Foley was there he had charge of the lockup?—Yes.

57. Did he keep the books there?—Yes; the watch-house book. He locked up the place and went on duty during certain hours of the day in the street.

58. What is the difference in his position there and the position of the man who is there now, except that the one is living in the house and the other was not?—Nothing at all. They were equally in charge of the station.

59. Then Foley was in charge of the station?—Yes.

60. *Constable Foley.*] You said, Inspector, that I had entered into conversation with the woman, and desisted when you made signs to me?—Yes.

61. Do you know, sir, whether as a matter of fact she asked another constable to ascertain for her the question she asked me?—No; I do not.

62. And the other constable did so ascertain for her?—I did not know that. You were the only one I saw speaking to her.

63. Is it not the custom for Inspectors to recommend men for stations to the Commissioner?—Latterly, the Commissioner has spoken to me.

64. *Colonel Pitt.*] Since when?—Since Mr. Tunbridge arrived.

65. *Constable Foley.*] Were you consulted in this case as to who should be put in charge in Manners Street?—I did not recommend Cairns. My recommendation was that a single sergeant should be sent there. There was no single sergeant available, and Mr. Tunbridge fell back on the senior man. That is how it came about.

66. Did you ask any other man in the station to apply, and you would recommend him?—Constable Foster was senior on the list, and senior to Constable Cairns, and I think I told him if he was anxious to get a station to make an application, and I would forward it. He was the senior man, and was a competent man.

67. Did you ask any other constable?—No.

68. Did you ask Constable Abbott?—No. I am not sure, I think it was about some other place that I spoke to Abbott.

69. Did you ever clearly show the Commissioner that I had been for a number of years in charge of that station, having such long hours to do?—The Commissioner knew as well as I did that you were there. You were there on duty, and had a much easier time than the men on ordinary beat duty.

70. How do you make out that I had an easier time than the men on ordinary beat?—You had not to patrol the streets for eight hours at night. You took a turn about at night, but did not stay out very long unless for something particular. But you were always ready to do your work, but your duty did not require eight hours on beat at night.

71. Is it not the custom for men in such a position to have house-rent or some remuneration for it?—I do not know that you were any more entitled to consideration in that respect than any other married man. Some of the men lived further off than you, and it was much harder on them than you to come to the Central Station. Your billet was much easier than the ordinary constable's.

72. *The Chairman.*] Is there any other case where a man who has charge of a station does not occupy the quarters, provided the quarters are fit for occupation?—No, I do not think so.

73. *Constable Foley.*] When Cairns was appointed to have charge of this station, I suppose you remember an application went to you for my removal from there?—Some time after. Yes, you applied for removal to the Central Station.

74. How is it that you would not recommend me for that even?—You possessed a good deal of knowledge of that locality, and would be far more useful in every possible way there than at the Central Station. It would probably be detrimental to the working of the Force if I had removed you, for some time at all events, because of your knowledge of that locality. And why should you get your way and be removed where you liked.

75. Why did not you forward my application to the Commissioner?—You did not ask me to.

76. Did a reply ever come out to me?—It will show, I think, whether it did or not.

77. Do not you think I was long enough in that locality?—If I thought so I would recommend your removal. I would not consider you at all personally. I have to consider the service and the working of the criminal business in the city.

78. Then, if I am appointed to a certain place should I not get the privileges of other men?—I tell you I had nothing to do with the appointing of Cairns.

79. *Colonel Pitt.*] In your lengthened police experience, Inspector Pender, have many cases come to your knowledge of complaints by constables against Inspectors which have been forwarded to the Commissioner of Police?—I do not know that I recollect one.

80. *Mr. Tunbridge.*] Now, Constable Foley was sent to perform duty at Manners Street when he had little more than two years' service?—About that.

81. If there had been a house there to be occupied by a married man, and a station to the charge of which a constable could have been promoted, would Constable Foley have stood the remotest chance of going there?—Oh, no; there would be a cause of complaint for the other men.

82. If you had done so you would have put him over the heads of hundreds of men in the service?—I believe so.

83. Would you ever have dreamed of putting a constable of two years' service in charge of a station where there were married quarters to be occupied, unless for special promotion?—No.

84. So that the duties of the constable in charge of the station in this case were simply to keep the lockup-book during the time he was there?—That is all.

85. And during the whole time he was there the matter was looked upon as a temporary arrangement pending the erection of a new station?—Nothing else.

86. *Colonel Hume.*] Was it possible for you to make a mistake about Constable Foley talking to this woman?—If I had any doubt about it I would not come here and give evidence now.

87. Do you remember me ever asking you that question before?—I am not sure about it; but it is quite likely. I have no recollection of it however.

88. Do you remember me coming into the station one night when some big case was on, and we talked about it, and do you remember me mentioning this man Foley then?—I cannot recollect it. I may say that before Commissioner Tunbridge appointed Cairns I was called upon to furnish samples of reports by the men, to show the men's literary qualifications. I recollect that.

89. *The Chairman.*] Who were they?—They were Cairns, Foster, and someone else.

90. *Mr. Tunbridge.*] They were senior men, I believe, all entitled to stations?—Yes.

91. You did not send in any report relating to Foley?—I am not sure whether we did not get one from Foley too.

92. Was that prior to the appointment of Cairns?—Yes.

93. *Constable Foley.*] Were these writings applications for a station?—I do not think they were applications. They were on some subjects which were selected.

FLORENCE O'LEARY was examined on oath.

94. *The Chairman.*] What position do you hold in the Force?—I am a first-class constable. I have been sixteen years in the Police Force, and I was four years in the Armed Constabulary before I joined the police.

95. I understand you wish to explain about the loss of the summonses?—I received a memorandum from Sergeant Cullen, of Wanganui, to serve summonses on a man named David Creech, who was charged with sly-grog selling in Raetihi, some seventy miles from Ohingaiti, where I was stationed. When I went to Raetihi I learned that Creech had left two days prior to my arrival. I returned to Karioi, which is eighteen miles by a mud-track from Raetihi. On the last day on which I could serve the summonses I learned that David Creech was in a Maori pa somewhere about seven miles by a road I had never previously travelled. I went to the place. I had to inquire in the Maori pas to find him, and in jumping over fences I dropped these summonses which

I had to serve. It was dark at night, and I could not pick them up. Sergeant Cullen had meanwhile sent men from Wanganui, *via* Pipiriki, to Raetihi to serve the witnesses, and the witnesses had gone down to Wanganui, and expected me to have served Creech with the summons. I reported that I had accidentally lost the summonses, and that I was willing to pay the witnesses' expenses, which amounted to £11 odd. I received no pay for meals and horses' feed, which cost me £3. I should not be charged on the defaulter's sheet, because the loss was merely accidental. Had I taken the matter easy, and not gone through this bush-track at night, I would not have dropped my summonses.

96. You had to pay £11 to these witnesses?—I volunteered to pay them, and the Commissioner said he was satisfied. That was twelve months before I was shifted. I then arrested Creech on a warrant, and had to remain in the bush all night to effect the arrest.

97. Have you anything else to mention?—I had about twenty convictions during the time I was in the district for sly-grog selling, and got only a few rewards, and I saw other men got rewards.

98. There is one statement I read to you which said you made a false statement about the loss of the summonses; did you do so?—Not to my knowledge.

99. Did you make any false statement in reference to the loss of the summons, as to how it occurred?—Not to my knowledge.

100. *Mr. Taylor.*] Did you cross the Moawhango River on that trip?—The district is seventy odd miles from Ohingaiti by a mud track, and I crossed a river during the night in trying to find Creech. I thought it was the Moawhango, but I found out afterwards it was not.

101. *The Chairman.*] Is there any further statement you wish to make?—No.

102. *Mr. Taylor.*] Where were you resident before you joined the Armed Constabulary?—I was working in the Mungaroa Tunnel, in the Hutt district.

103. After you were removed from Ohingaiti, what did you do?—I went on street duty.

104. About how long after that was it when you got charge of the Thorndon Station?—I never had charge of the Thorndon Station; I was only waiting to go to the Porirua Station. I was sleeping and living in the Thorndon Station.

105. Who told you you were going to Porirua?—Inspector Pender told me.

106. Did you make any application to go to Porirua?—No; I went up to look for a house there.

107. Why did you go to look for a house?—Well, I think it was suggested by Inspector Pender or myself. I was waiting so long that I wished to know what would be done.

108. In the meantime were you living in the Thorndon Station?—Not in charge.

109. Who was in charge of Thorndon?—Constable Black.

110. Why did you not go to Porirua?—I do not know that.

111. Did you get further orders?—I got orders to go to Newtown.

112. Had you anything to do with the change?—No.

113. Did you see anybody about the change?—No.

114. Did you see Mr. Lawry?—No.

115. Do you know if there has ever been a constable stationed at Porirua?—No, not since.

116. Did you make any application for the Newtown Station?—No.

117. You got it without applying?—Yes.

118. You saw nobody about it?—No.

119. Did you speak to your brother-in-law about it at the Railway Hotel?—No, I said nothing about it.

120. Did you not discuss your removal from street duty with your brother-in-law Dealy?—I cannot remember. It is two years ago. We might have said a few words.

121. Is Dealy, of the Railway Hotel, your brother-in-law?—Yes.

122. Did you not discuss the question of your removal from street duty with him?—I was not doing street duty.

123. But, before you got a station, you did street duty after you came in from Ohingaiti?—Yes.

124. Did you discuss the question of getting a station with your brother-in-law?—I cannot remember.

125. Did he not tell you he had chatted over the matter with Mr. Lawry?—No; I do not remember.

126. Did he say he had chatted over the matter with any other politician?—I do not remember.

127. And you do not know who the charge of the Newtown Station came from?—No.

128. Is it as important a station as Ohingaiti so far as clerical work is concerned?—Just the same. I think, although I do not write a very good hand, I write pretty quickly, and I have done the work for all these years, and there have never been any complaints.

129. Do you write all your reports?—No; my daughter writes them sometimes. I do write reports with my left hand.

130. As a matter of fact, how often has your daughter written your reports to the department?—I cannot say.

131. Does she not do so very often?—Yes; I get her to write them for a matter of convenience. But I write all reports of secrecy and consequence.

132. What interest has Mrs. O'Leary in the Railway Hotel? Is it a family interest?—I do not know what she would have.

133. Did a former brother of the present licensee die some years ago intestate?—Yes.

134. Is not the present licensee running the hotel in the interests of the brothers and sisters?—He is running it under letters of administration.

135. How often are the accounts settled between the brothers and sisters and the present licensee—quarterly or what?—My wife has got nothing as yet.
136. Have any of them got anything?—Steve Dealy got £1,000.
137. Has your wife got anything?—She expects to.
138. As a matter of fact, has not your wife a monetary interest in that hotel property?—She expects to get something. I do not know whether he will deny her claim.
139. Is she not a participant under the will?—But there are three of the family at home.
140. *The Chairman.*] Who does the publichouse belong to?—Dan Dealy; and he died intestate.
141. What relation was he to your wife?—Brother.
142. *Mr. Taylor.*] You say Mrs. O'Leary never received any moneys from that hotel?—She has received nothing yet.
143. Who does Dealy pay the rent to?—He pays it to the Maoris.
144. Who own the land?—Yes. The house was owned by the brother who died; but it stood on Maori leasehold.
145. Does he pay any rent over and above ground-rent?—He pays rent to a man named Egan for helping him to obtain a renewal of the lease of the land from the Maoris.
146. When was that renewal?—About four years ago.
147. For how long?—Twenty-one years.
148. Does Dealy not pay anything for the rent of the building to the Dealys who are interested in that property?—No.
149. Then, the only rent he has to pay for the Railway Hotel is the ground-rent to the Maoris?—Yes.
150. When is he going to settle up with your wife and his brothers and sisters?—She is in no hurry.
151. Is the sum you mentioned was paid to Steve Dealy about a fair indication of what is going to be paid to the others?—I do not know. They are working there, and they should receive more than those who do nothing.
152. Then, Mrs. O'Leary will get £1,000 or more?—No, she will not get half.
153. You think she will get £500?—I do not know.
154. Will she get anything?—I do not know. She may not.
155. What is the value of her right in the property?—I cannot tell that. It would be for a Judge to decide that.
156. As a matter of fact, have you not told plenty of people that she has over £1,000 interest in that hotel?—I reckon if it was fairly dealt out, she would. The place could be sold for £4,000.
157. If your wife got it, you would be benefited?—Yes.
158. Do you know subsection (3) or section 28 of the Licensing Act?—It says a constable's wife shall have no interest in a hotel. I did not put that claim in my wife's name.
159. *Colonel Pitt.*] When were you married?—I am sixteen years married.
160. *Mr. Taylor.*] Were you in the Police Force or Constabulary Force when you married?—In the Police.
161. You got married immediately after you joined?—I was married two months before I joined.
162. Were you in the Armed Constabulary when you were married?—No, after I was transferred from the Armed Constabulary I was working for twelve months at the tunnel works.
163. Who recommended you for the police?—Major Gudgeon.
164. Can you remember who else?—I cannot remember. I think nobody else but Major Gudgeon.
165. Then, you were married in the interval between leaving the Armed Constabulary and joining the police?—Yes.
166. How long ago is it since Dealy died?—Something over five years.
167. Are you not aware of the fact that your brother-in-law is very familiar with Mr. Frank Lawry?—I do not know that.
168. Do not you know that Mr. Dealy and Mr. Lawry are close friends?—I cannot say that.
169. Do you know that they know each other?—I never saw them together.
170. In your conversation with Dealy has not Mr. Lawry's name come up? You are on oath and you ought to answer the question without hesitation?—I cannot say that. I have never heard that.
171. Did you never hear your brother-in-law mention Mr. Lawry's name when discussing the question of the Newtown Station with you?—No. All I mentioned was that I was a long time in town.
172. Why did you mention that: because he had some political influence?—He may have.
173. Was not the whole object of your visit to your brother-in-law that he should get you off street duty and into a station?—I was supposed to be going to Porirua.
174. Was not Porirua a subject of discussion with your brother-in-law? who told you that?—Inspector Pender.
175. How long after you came into Wellington did he tell you that?—Immediately; the first day after I reported myself.
176. Then you were practically ordered from Ohingaiti to Porirua?—So far as I know.
177. *Colonel Pitt.*] Does your wife want the cash, or does she wish the money to remain invested in the hotel?—The man who is running the business now after paying one brother £1,000 will not likely be able to pay another for some time.
178. Is she anxious to get the cash?—She would rather wait. The man cannot pay her now.

179. *Mr. Taylor.*] Is the estate in the Public Trustee's hands?—No; the family, by signing letters of administration for the brother to manage it, kept it out of the Public Trustee's hands.

180. Do the letters set out the method by which the property is to be realised ultimately?—I cannot say.

181. Any deed signed?—I cannot tell you that.

ROBERT DENTON was examined on oath.

182. *The Chairman.*] What is your occupation?—I am a mechanical engineer.

183. Where do you reside?—At 35, Ghuznee Street, Wellington.

184. *Mr. Taylor.*] Do you remember, in 1893, the proprietors of the *Prohibitionist* asking the Wellington Prohibition League to collect information that would go to show whether the Sunday-trading clause of the Licensing Act was being observed in Wellington?—Yes.

185. Do you remember that it was distinctly stated at the time the request was made that the information would not be used for the purpose of instituting prosecutions?—Yes.

186. But that it was from a public standpoint, to ascertain whether the law was being enforced or ignored?—It was being continually stated in the papers that there was no sly-grog selling on Sunday, and we wished to prove that there was.

187. There had been a controversy on for a long time as to whether or not the law was being obeyed?—Yes.

188. On that question a number of the members of the league undertook to collect what information they possibly could?—Yes.

189. Did you act as secretary for those who were working?—I was appointed secretary.

190. And you received information from the different members of the league as to their observations?—Yes.

191. And you tabulated it?—Yes.

192. I propose to ask Mr. Denton to read to the Commission the result of his investigation, and then to call witnesses in support of the different details in it. What is the first hotel on that list in 1893?—The Albert Hotel, Willis Street.

193. Are the witnesses present who collected that evidence?—I collected it myself.

194. As a matter of fact, similar observations were made in 1894?—Yes.

195. In 1893 you ascertained by your own observation how many people entered the Albert Hotel in Willis Street. What was the result of your observations?—201.

196. What date was it?—Sunday, 7th May, 1893.

197. Between what hours?—The hours of 7.30 a.m. and 7.30 p.m.—twelve hours.

198. Of course you do not know for what purpose the people went in?—No; except by observing what took place outside.

199. Tell the Commission what took place outside that you think would indicate what the purpose of their visit had been?—This was a memorandum made by me at the time: "A man who had been seen in the neighbourhood of this hotel during some previous months sometimes acting as watcher on Sunday, and who had come out of the hotel about 8 a.m., and had not left the premises all day, was violently thrown out of the door."

199A. What time was that?—He re-entered about 3 o'clock to get refreshment of some sort, and had been in about three-quarters of an hour, when he was thrown violently out of the door on his head. He lay there for some minutes, and a crowd gathered round, and then he went to the doctor's. He came back later on with his head plastered up, and two policemen appeared, and one went inside; but nothing came of it—not even a paragraph appeared in the local papers.

200. Did you watch for a prosecution?—Yes; to see if anything came of the incident. He was there next Sunday on duty, so far as I could see.

201. Do you know his name?—No.

202. You say one policeman went into the house?—Yes.

203. How long after the man was thrown out?—Half an hour, so far as I could say.

204. Was he in uniform?—Yes; of course I would not know him if he were not.

205. No other incidents?—At 12.30 two lads about seventeen years old went in; they came out shortly afterwards, when one was so drunk that he could hardly stand. I know a respectable business-man in town who saw them go in, and tried to stare the owner of the hotel out of countenance. I saw this myself, and the man was rather disgusted at the age of the boys.

206. *The Chairman.*] Do you know the names of these lads or their ages?—No. I should reckon them to be somewhere near seventeen. I also saw one of five men come out drunk.

207. You do not know how long they had been in?—No.

208. Were these young lads?—No; men.

209. *Mr. Taylor.*] Do you know how long that group had been in?—No.

210. Are these all the observations you made in connection with that hotel?—Five came out unmistakably drunk. This number included the man and boy I have already referred to.

211. Did you see the police about the premises during the day with the exception of that one instance?—I cannot say; if they were on beat they could not help passing up and down there.

212. *The Chairman.*] Did you say the policeman saw this man whose head was injured?—The man applied to the policeman himself, so far as I could see.

213. *Mr. Taylor.*] What made you think the man applied to the police?—I think I saw him speaking to the policeman. He came back to the hotel with a friend, and the policeman passed shortly afterwards, and he spoke to him. The policeman sent them off, went off himself, and came back with another policeman, and one of them went inside.

214. Have you any more?—Yes, in regard to the Star and Garter Hotel, Cuba Street.

215. Did you take these observations yourself?—I did. Before asking any one else I had a quiet look round myself on Sunday, the 12th March, 1893, from 10.30 a.m. to 12.45 p.m. The

result was forty-seven men, one woman, one little boy, and one little girl, two drunken men around for one hour, but did not go in.

216. Would the children go in with any receptacle?—I cannot say.

217. Was any one with you on that date?—No.

218. Were these the only houses where you were along; if there were any other houses you were examining you can tell us now?—The Te Aro Hotel on Sunday, 23rd February, 1893, from 11 a.m. till 12.30 p.m. (one hour and a half), and at 9.5 p.m. to 9.30 p.m. (twenty-five minutes). There were twenty-seven men in the morning, and one woman and eleven men in the twenty-five minutes in the evening.

219. Is there any other house you were watching yourself?—One Sunday in March, in 1893—I have not the date—from 11 a.m. till 12 noon I watched the Princess Family Hotel, Molesworth Street. There were nineteen men, three girls with jugs, one drunken man, one man with bag who lived in the neighbourhood. I saw him going into a house in the neighbourhood, and took it to be his home. At the Masonic Hotel, Cuba Street, on Sunday the 5th February, 1893, I had a companion with me, but he is the one I cannot remember. We watched between the hours of 10.45 a.m. and 12.15 p.m. There were thirty-eight men. There was nothing special except that some of them lived close by. I saw them go into houses close by. In addition there was one man with a bottle, two men with Maori kits, one woman with bottle, one woman with jug, one girl with bottle under a shawl, one girl about twelve years old with bag, and two boys; total, forty-seven in one hour and a half. At the Victoria Hotel, Abel Smith Street, on Sunday, 5th March, 1893, from 10.45 a.m. till 12.30 p.m., there were seventeen men, chiefly living in the neighbourhood, if coming in their shirt-sleeves could be taken as evidence. At the Royal Tiger Hotel, at the corner of Abel Smith Street and Taranaki Street, on Sunday, 26th March, 1893, from 10.5 a.m. till 12.35 p.m. (two hours and a half), there were forty-two men, mostly well known and living in the neighbourhood.

220. *The Chairman.*] Known to you?—To the friend I was with on that occasion.

221. *Mr. Taylor.*] Who was with you on that occasion?—Mr. J. A. Chisholm. In addition there were five men with bottles, kits, or parcels, and one of the five was drunk; five women, nineteen boys, all with either bottles, bags, or cans, and mostly barefooted; five girls with bottles, bags, or cans; and two women of bad character: total, 78. I estimate there was one in every two minutes, or forty in the hotel at any time between 11 and 12.30.

222. Is not that hotel situated in about the most thickly populated part of Wellington?—Yes.

223. And about the poorest neighbourhood?—Yes. That is all I know of my own knowledge in 1893.

224. Have you any information of your own for the year 1894?—Yes.

225. Were you in company with some other witnesses in 1894?—In some cases I was, and in some instances not.

226. Will you tell the Commissioners all you know of your own knowledge in 1894?—The Metropolitan Hotel, on Sunday, 4th March, 1894: I find I have a note here to the effect, "Publicans on their best behaviour," because local option took place shortly afterwards. Between the hours of 7 a.m. to 7 p.m. (12 hours) there were sixty men, three women, three boys, and one girl; total, sixty-seven. The number of bags and bottles, &c., carried by these people was twenty-one. That is all I have that I can swear to in 1894. There is a note here that this was an interesting exhibit, as I was in a position where I could see right into the bar of the hotel. Every time a visitor went in by the side-door a man or woman was seen handling a bottle or glass in the bar a few seconds afterwards. They forgot to pull the blind down.

227. Is that the only house you saw that time?—Yes, that I took notes of.

228. Taking that list you had for the year 1893, and going through it in that order, which is the first house you have any evidence corroborative of these figures?—In regard to the Albert Hotel, you can have the evidence if you want it very badly; but the man thinks he will probably lose his billet.

229. That is your companion?—Yes, but I have many others where I have two witnesses.

230. We will pass that one and take the next house?—I was by myself.

231. Take two and three?—I was by myself.

232. The Princess Family Hotel?—I was by myself.

233. Take the Victoria Hotel. Is Rasmussen present?—(Mr. Taylor: He was subpoenaed, but I could not find him to-day.)—At the Royal Tiger Hotel Mr. Chisholm was with me.

234. None of that information was used for the purpose of instituting prosecutions?—Certainly not.

235. That was the understanding with the proprietors of the *Prohibitionist*?—Yes, we were reporters for the *Prohibitionist*. It was continually said there would be more sly-grog selling under prohibition than there was now, and the object of the investigation was to deal with that point.

236. *Colonel Pitt.*] In reference to the Albert Hotel, can you say whether any of these people were lodgers in the hotel going backwards and forwards?—Of course, I cannot swear; but in every case where I was watching myself, I took no notice of any person who looked like a lodger. I passed them by, and did not count them.

237. *The Chairman.*] What was the characteristic of the lodgers?—The respectable-looking men. I was there for twelve hours, and I thought I had a very good idea of who were lodgers and who were not.

238. *Colonel Pitt.*] Did these people all enter the one door?—Yes.

239. Which door was that?—I cannot tell you the position of the door now from memory. It was on the Willis Street side, and there were three steps to go up. I think it was the centre door.

240. Were many of these people lodgers going out to go to church, or going back to their meals?—No.

241. *Mr. Poynton.*] Did you notice whether the same people came out again shortly afterwards?—Yes.
242. *The Chairman.*] Did you see the same people going in regularly?—I started early in the morning, before people in the house came out, and I am reasonably certain I took no count of lodgers.
243. Where did you stand all this time?—That I cannot divulge. I may want to stand there again.
244. Were you under cover?—Yes.
245. *Mr. Taylor.*] How far distant?—Within seeing distance.
246. Within 40 yards—twice the width of the street?—No.
247. Were you within 50 yards of the place?—Yes.
248. *Colonel Pitt.*] Were you under cover when you saw through the window of the Metropolitan Hotel?—Yes.
249. How far away from it?—Within 50 yards.
250. *Mr. Tunbridge.*] Will you kindly look at your notes about the Te Aro Hotel: What was the date you were there?—23rd February.
251. Does your note say so?—Yes.
252. When did you make your note?—Within a week of when I was there.
253. You have no doubt about your notes being right?—Not the least.
254. How does it happen, if the 23rd of February is a Sunday, that the 5th February is a Sunday too?—I might have made a mistake in the dates.
255. I think you said you made no mistakes?—It was a Sunday I watched the Te Aro Hotel.
256. Which Sunday?—My note says Sunday, the 23rd February, 1893.
257. When was that note made?—On the Sunday I watched the hotel. I may have been wrong in the dates, because I did not use dates once in a month then.
258. Then, this is your explanation: You think you have made a mistake?—I was not using dates in the week in those days, and I might easily make a mistake in the date. I will swear it was a Sunday.
259. Was anybody at the doors of the hotel when you were there?—Generally there was somebody on guard.
260. Did you see any communication pass between those watching at the doors and the people going in?—They passed the time of day, and some walked straight in.
261. Some did speak?—They passed the time of day.
262. You are not able to say if each one was asked whether he was a *bonâ fide* traveller?—No.
263. What was your explanation of the men who went in with kits?—The kits generally went in rolled up and came out full.
264. You suggest the kit was usually carried to conceal something? Yes.
- 264A. Not to give the man the air of a traveller?—No, to conceal something.
265. At any rate, you are not able to say these people were not asked if they were *bonâ fide* travellers?—I will swear the greater number were not asked, outside the premises.
266. Did they all pass close by the man on the door?—Not necessarily.
267. Where did the man stand watching?—Before the front of the hotel.
268. Were the hotel doors wide open?—Yes, one door, as a rule.
269. And the people walked in and out as they wished?—Yes.
270. Have you continued your watching down to recent times?—Yes.
271. Are you going to give evidence on that?—No.
272. Were you watching last Sunday, for instance?—Last Sunday I saw six men go into one hotel in less than ten minutes.
273. Which hotel was that?—The Star and Garter at the top of Cuba Street.
274. What time?—Between 9 and 10 p.m. I saw six different men go in or leave the hotel premises in that time.
275. Do you know if they were lodgers at the Star and Garter?—I do not know.
276. You are not able to say that these men are lodgers?—No.
277. Any one watching the door?—Not that I saw at that time.
278. Was the door of the hotel open?—I made a mistake in saying the door. It was the side-gate. I was not watching, but just happened to be passing.
279. You think they may have gone to use the urinal?—Yes.
280. Do you know if there is a urinal there?—I think there is, but I do not know.
281. You cannot say they went inside the building?—No.
282. And you saw none of the doors of the hotel open, and no one watching?—No.
283. Were the men out of your view for any length of time?—I only saw them pass the gate, and being different men I did not take the trouble to wait until they came out.
284. You are not able to fix any man as being there any particular period?—No.
285. Are there any other hotels you have watched recently that you can give us any information about?—I cannot swear as to the exact date, except that it was a Sunday, and from two to four weeks after the new Commissioner arrived, I counted eleven going into one hotel while I walked the length of a short street.
286. What hotel?—The Albion, at the bottom of Tory Place and Courtenay Place.
287. The length of what short street?—A portion of Courtenay Place. The Terminus Hotel was closed that morning, and there were men there wanting to get in.
288. By what door did these people enter the Albion?—By the door in Courtenay Place.
289. Was that open?—Yes, wide open.
290. Any one watching?—No, not that I noticed.

291. Any other recently?—No. I will swear to nothing more on that day.

291A. You never watched between the middle of November and last Sunday—between these two periods?—No, I had other things to do.

292. *Mr. Taylor.*] Has there been any systematic observations since 1894?—Yes, before the last election in 1896, but I have no records whatever except a recollection of what I did myself.

293. Do you think things have improved since 1894 to any extent, so far as Sunday trading is concerned?—No.

294. So far as that date, the 23rd February, is concerned it was a Thursday; but you are absolutely certain that the observations you made were made on a Sunday?—Yes, and in February.

295. *The Chairman.*] If you have no records of the systematic observations since 1894, has anybody?—They were sent by post to the *Prohibitionist*, and I never heard anything more of them, and I destroyed the originals, so far as I know.

296. *Mr. Taylor.*] Do you remember roughly the result of one observation you made in 1896?—I think it was the same hotel as in 1894, but I could not see into the bar this time, and the number of visitors was rather less. It was forty odd, and the other was sixty in the twelve hours. There were no lodgers amongst the forty, so far as I knew.

297. In 1894 did you only watch one house yourself?—Yes.

298. And the other witnesses are here?—Many of them.

299. *Colonel Pitt.*] You said in answer to me just now that you were under cover within seeing distance; you must have been also within hearing distance?—It does not follow.

300. You said that you could swear that the bulk of them were not asked if they were *bond fide* travellers?—The time they took in passing the door would be my reason for saying that.

301. You cannot swear that they were not asked?—I was not within speaking distance.

302. *Inspector Pender.*] You do not know how many travellers arrived in Wellington on any of these Sundays?—No.

303. Do you know how many boats arrive from the South or North?—No.

304. There are a large number of boats come in every Sunday morning?—Possibly.

305. Do not you know that?—I know nothing about shipping. I cannot swear.

306. There are a large number of people come in from the country and suburbs?—Yes; but they do not bring jugs with them.

307. How did you distinguish the travellers from the others?—I had no necessity, from what I saw of the style of the visitors, to distinguish travellers from others. I do not know what the visits to the hotels were for. I have not the list I had.

308. You never went inside to see what they were doing?—No.

309. Why did you not go in?—Because I had not the courage.

310. Why did you not communicate with the police?—That was not my reason for watching the hotel.

311. Is it not your business as a citizen to see that the law is carried out; why did you not, when you saw breaches of the law going on, take steps to have the parties detected?—I was distinctly asked not to do so.

312. You were asked to look on at the law being broken and to take no notice of it, and to bring it up here in 1898?—No.

313. Your first place in 1895 was the Albert Hotel?—Yes.

314. Did you ever communicate with the police at all, or intimate that Sunday trading was being carried on?—The man who was thrown out communicated with the police when he was thrown out.

315. Why did you not go to the Inspector, and tell him you were watching the house, and that you saw so many people going in and out?—If the Inspector did not see the same as I, he should have. I am not paid to do police duty. I am a private citizen, and had nothing to do with the police. I was asked to do this, and I did it; and from my previous knowledge I did not think the police would assist us, so I never bothered my head about them.

316. But you never gave them a chance?—It was published in the *Evening Post*, before the local option election, as an advertisement.

317. But in no one instance are you in a position to swear on your oath that the law was contravened?—No, not as I read evidence in the papers. If a policeman cannot bowl them out, how can I?

318. You were there acting as a policeman?—An amateur policeman cannot bowl them out as well as a regular policeman.

319. You have been watching lately: do you not know that the whole of the hotels, or nearly the whole of them, are visited?—I saw a policeman, within six months, stand at a corner yarning to a man, and while he was yarning three men came up the street past him and went into the hotel. He went in the opposite direction, and I met him and asked him what he meant by it. I stopped and spoke to him, and he smelt very strong of drink.

320. Are you out every Sunday?—No; I have a little girl I take out for a walk sometimes, when I use my eyes.

321. But when you went into a house and concealed yourself?—But that was only on two occasions.

322. But you said you saw through the window of the Metropolitan Hotel, within 50 yards; will you swear that you saw drinking going on through the window?—I will swear I saw visitors go in through the side door, and then within a minute of their entry some one—a man or woman—during different parts of the day handled bottles or glasses. I saw that through the window.

323. Was the blind up?—Yes.

324. No blind at all in the morning?—They forgot that morning. They did not have it up the next time, any way.

325. You cannot give the Commissioners any idea at all of the number of travellers who come into Wellington?—I can give no idea.

326. You did not inform these people at all, or go and tell them what you had seen, or caution them to desist?—No.

327. Do you not think that would be the right thing to do?—I thought the whole forty-five were doing the same thing, so why caution a dozen or so?

328. I suppose you do not mean to say that the whole of the people who went into the Albert Hotel, for instance, on the Sunday you mention, went in for drink?—I mean to say they all went in, and some came out drunk.

329. That is not altogether an answer to the question; you cannot say they all went in for the purpose of drinking?—No.

330. A number of them were boarders?—If so, then a bigger number than the list I gave went in, because I left out boarders.

331. You did not inquire how many visitors were in the house?—No.

332. Did you know any of the parties?—It is five years ago nearly, and I would not trust my memory now.

333. Well, more recently then, within the last few Sundays do you know the names of any people who entered the hotel on the Sunday?—No.

334. Or whether they were travellers or boarders?—No.

335. *Colonel Hume.*] You said you did not think things have improved much from 1894 till now?—No. I have not taken particular notice, but that is my private opinion.

336. Then, you quote figures to show that the visitors were less in this particular hotel you were watching lately; does that indicate any improvement, in your opinion?—A different man was running the hotel, and it was also close to election time, and he might have been taking more care. I do not take that to prove anything.

337. What do you form your opinion on?—Well, in going past hotels on Sundays, on the way to church, you cannot help seeing what is going on if you use your eyes; and in going past I noticed there was a certain amount of slyness about the business. I noticed after the new Commissioner came, that some of them threw the door open for a week or two.

338. Then, do you consider up to the time, we will say last October, before the new Commissioner came, that things had improved in 1894–95–96?—Well, if you ask an ordinary citizen about Sunday trading he will probably state his opinion as being that twenty or thirty is a tremendous number of visitors to a hotel; but if he went and watched for a certain time he would see five hundred, and so on, in 1893, and the same thing would have probably happened in 1896.

339. In your private opinion there is as much sly-grog selling going on now in the City of Wellington as there was in 1890?—I have not the least idea about 1890; I was in Christchurch.

340. Well, do you think as much in 1898 as in 1893?—I think there is. I have no particular reason for thinking so except as I say.

341. *Mr. Tunbridge.*] Did you go to church last Sunday?—No; not in morning.

342. Were you out walking?—No; not in morning.

343. Did you leave your house at all?—Yes.

344. When?—Three o'clock in the afternoon.

345. Up till what time after that?—I was out for an hour, and then after dark.

346. During the time you were out last Sunday did you see one hotel with its doors open?—I saw for a wonder that the Panama Hotel had its doors closed.

347. How many hotels did you pass?—Three—the Panama, Royal Tiger, and the Grosvenor.

348. Had either of these hotels their doors open when you passed?—No.

349. What do you mean by saying that all these hotels had their doors open when you passed?—I beg to differ. I did not say so. On Sunday night I was out with Mr. Taylor, and we saw people pop out of the gate of the Royal Tiger.

350. Did you see them enter the house?—No.

351. What am I to understand from your answer in connection with the Albion?—When I was walking past this hotel I saw eleven men of the working-classes going in. That was after the new Commissioner came.

352. Can you say nothing more definite than that, because I have been here five months?—It was within the first two months.

353. You said right right down to the present time you noticed what you thought was getting worse, and you gave as a reason for coming to that conclusion that you saw the hotels with their doors wide open. Now, we will take since Christmas; can you give me any Sunday when you passed and found any hotel with its doors wide open except in the case of the Royal Oak Hotel, where they have forty or fifty boarders, and find it necessary to keep their doors open?—I think so far as my memory serves me, this instance of the Albion Hotel was since Christmas. I have not bothered to remember the matter particularly, and may get mixed up within five months very easily.

354. Can you give any other instance when you were walking by to church?—I think not.

355. Does that quite agree with your previous statement that you watched a house here with its doors wide open and people walked in, as many as forty, in an hour or two?—I did not make this statement. It was my private opinion, and I have not reasons to bring forward for it.

356. *Mr. Taylor.*] Have you systematically watched any houses during the last five months?—No.

357. Now, about your movements last Sunday; did I meet you last Sunday morning by appointment?—Yes.

358. Where?—At my own house.

359. Did I stay to dinner?—No.

360. Where did I leave you?—At the corner of Ingestre Street and Marion Street, near the Rink.

361. I would not stay to dinner?—No.

362. What time would that be?—About 1 o'clock.

363. When did I meet you again by appointment?—At 6 o'clock.

364. Where?—At the bottom of Taranaki Street.

365. Where did you go to?—Into a private house.

366. Where was that?—At the bottom of Taranaki Street.

367. Whose house?—George Petherick's.

368. What time was that?—When people were going to church, about quarter past 6.

369. After that where did we go to?—We went home to get notes.

370. Then what did you do?—We went to No. 75, Taranaki Street, to opposite the Royal Tiger.

371. Did you go into a house?—Yes.

372. What did I do?—Stood in the street.

373. How many minutes?—About five.

374. And where did you go to?—I went round to the Baptist Church.

375. Who did you see there?—Arthur Nichol.

376. Only?—Yes; and to the Army Barracks; next to the Forward Movement.

377. And after that?—To the Wesleyan Church for half an hour.

378. And came out of the Wesleyan Church about what time?—7.45.

379. Your reference to the Royal Tiger would be the four or five minutes I was waiting for you?—Yes.

JOHN ARTHUR DANIEL CHISHOLM was examined on oath.

380. *The Chairman.*] What is your occupation?—A watchmaker.

381. *Mr. Taylor.*] Were you with Mr. Denton in the year 1893?—Yes.

382. Obtaining certain information about the number of visitors to certain hotels on Sundays?—Yes.

383. Which hotel?—The Royal Tiger.

384. Can you tell the Commissioners how many people went into the hotel within a given time?—I did not count the number, but I should say between forty and fifty.

385. What was the date?—It was on the 26th March, 1893.

386. Did you make these notes at the time?—Yes.

387. What was the hour?—About 10 o'clock to a little before 1 p.m.

388. How many went in, according to your notes, in the two hours and a half?—Between forty and fifty.

389. What is the total?—I did not count them up. I went through half of them, and I found I had about twenty-five. I remember distinctly there were about forty or fifty.

390. You never summarised them?—I have just counted through them, and I make it eighty.

391. Did any of the visitors carry bags or bottles or anything with them?—Yes.

392. Do you know how many?—I cannot say.

393. It was distinctly understood at the time you undertook to assist in getting this information that it would not be used for the prosecution of publicans?—Yes.

394. And you were not collecting the information for the police?—Not at all.

395. As a matter of fact, did not the proprietors of the *Prohibitionist* ask that information should be gathered, with a view to ascertaining whether the Sunday-trading clause of the Licensing Act was being observed?—Yes.

396. You do not know whether these people got drink or anything else?—No.

397. The supposition that we worked upon here was that if such information was available to the public they would draw whatever inference they pleased from it?—Yes.

398. You have no absolute knowledge as to what happened in the hotel?—No. There was one thing made me suspicious. A little girl came along, and she was sent away, and then the doors and gate were shut. The companion who was watching with me said, "There is something coming; keep your eyes open," and almost immediately a constable came along, and he talked to the man watching at the corner of the hotel, and then passed on again. After that the doors were opened, and the little girl was let in with a can.

399. Where were you watching from?—In a building not far away. I suppose a matter of about 23 yards.

400. *Mr. Tunbridge.*] Do you still take an interest in this movement in connection with prohibition matters?—Yes.

401. I mean, you take an interest in seeing whether the hotels are still serving, and that sort of thing?—I take this much interest that it seems to be just as free as ever.

402. Can you give me any instance now of any particular hotel where you have recently noticed people going in and out?—I see things as I go about. I cannot say exactly which particular one, but I notice the same thing going on in the hotels I pass on Sunday.

403. You know every hotel in the city?—Fairly well.

404. I would like something a little more definite; can you give us any particular hotel, or any particular Sunday?—I cannot give you any particular Sunday or day, but as a general observer I have noticed that people go in and out of the different hotels when I have been out for a walk on Sunday afternoons.

405. Were you out last Sunday?—Yes.

406. Were you passing any hotels then?—No. I simply went up Thompson Street to the Nairn Street Reserve.

407. Were you out on the previous Sunday?—Yes.

408. Did you pass any hotels then?—Yes.
409. Which?—I went *via* Taranaki Street to Oriental Bay, but I was not paying much attention. I did not go out to look, and I did not pay much attention.
410. You express the opinion that Sunday trading is just as bad, and you say you were walking last Sunday and passed several hotels; did you see any people passing in or out?—All I can truthfully say is this, that I never looked for it.
411. On the previous Sunday to that?—I cannot tell you.
412. Then, why did you make a general statement just now that Sunday trading seems equally as bad as in 1893?—Because I have noticed it at different times between 1893 and 1898.
413. When was the latest date?—I cannot give a date.
414. How long ago?—During the last six months perhaps.
415. Can you say within the last three months?—I cannot definitely say.
416. Then you would like to correct your previous answer to the effect that it seems just as bad right down to the present as it used to be?—My remarks were not to a day.
417. Well, to three or six months: do you wish to say, not a general statement like that, but something more definite; up to what period?—I will tell you why I was prompted to say that. When I was doing that work of which I have just given evidence, of course, I would naturally look for these things, and I have done so up to within, we will say, the last three months.
418. And you have not taken any notice of it since?—No; in fact, I have been ill since the beginning of December.
419. *The Chairman.*] You express the general opinion that things are just as bad as ever; and when pressed you show how little your observation is worth?—I can assure you that my observations up to about three months ago are true, but I have not been about since.
420. *Mr. Taylor.*] As a matter of fact, there have been no systematic observations made since 1894?—No.
421. And that was systematic observation?—Yes.
422. And were you not surprised at the number of people going into that hotel?—Yes.
423. Suppose anybody had told you that that number of people went in in that time, you would have been dubious about it?—Yes.
424. Have you noticed, on Monday morning, in Wellington, during the past six months, there have been quite a considerable number of cases of drunkenness dealt with in the Magistrate's Court?—I have noted that.
425. *Colonel Pitt.*] Were these observations of yours made just previous to the local-option poll?—It was in connection with the prohibition question.
426. Do you remember if it was in connection with the local-option poll?—I cannot definitely say it was made for that purpose. What I understood was that it was generally believed there was not a large amount of trade on Sundays, and the prohibitionists wanted information on the subject.
427. *Inspector Pender.*] Did you communicate at all with the police as to what you had seen?—Not to the police at headquarters.
428. Did you inform any policeman?—Yes, I mentioned it to one.
429. Who was he?—Constable Gray.
430. What case did you mention to him?—I mentioned the incident that occurred at the Royal Tiger when he was coming along.
431. Did you tell him what you had seen?—Yes.
432. Where was he stationed at that time?—I do not know what particular station he was sent from.
433. And did he take no steps, or do nothing?—He just remarked that it was very hard to catch them.
434. He did not go into the house?—No; of course he did not know until a week or two afterwards.
435. That is the only one you spoke to about it?—Yes.
436. Do you not think it would have been right to have reported the matter to the police, and told them?—I was not there for that purpose.
437. What does your information, or what you saw, tend to prove, supposing you were called upon to go into Court. What would you be able to establish in connection with a breach of the licensing law?—Simply this: that the class of people who went in were not lodgers.
438. You do not know how many boarders were in the house?—Not in the least.
439. Do you know any of the people who went in?—Yes; most of those I knew are down on my notes.
440. When did you see this thing?—In 1893.
- 440A. Do you think it is quite right to bring up these things now, when the people have no means of checking or meeting the cases. Do you think it is English?—I know when I was subpoenaed I sorted my notes, and there they are.
441. There are no means for me to show that such a thing never occurred?—No.
442. Do you think a man gets a fair chance?—I am satisfied that is correct.
443. *Colonel Hume.*] You say there have been no systematic observations since 1894?—Not so far as I know.
444. Well then, you are of opinion that if you were to go from 10 a.m. to 1 p.m. to the Royal Tiger Hotel next Sunday you would see about eighty people going in?—I would not mind trying; I do not think I would be very far out.
445. Then, you are of opinion you would find about the same number?—Yes.
446. You say you have not been observing much?—No.

447. Will you say why you express that opinion?—Up till three months ago I was still of that opinion. I have made observations just in a casual way, and people went in and out of the hotel up till three months ago.

448. *Inspector Pender.*] Are not the drinking habits of the people very much on the decrease?—I cannot make any statements as to that.

449. Prohibition has been advancing?—I hope so.

450. Are not the young people growing up more temperate in their habits?—I cannot say.

451. The number of hotels are not increasing?—No.

452. And the population is rapidly increasing?—Yes.

453. *Mr. Taylor.*] What day were you at the Cricketers' Arms Hotel?—On Sunday, 7th May, 1893.

454. Was the information collected by a similar arrangement for the *Prohibitionist*?—Yes.

455. Where is the Cricketers' Arms Hotel?—At the corner of Ingestre Street and Tory Street.

456. What was the result of your observation there?—There were 211 visitors from 7 am., until 5.30 p.m.

457. *The Chairman.*] Was that your own observation?—Yes.

458. *Mr. Taylor.*] Did a number of the visitors carry bottles and kits, and so on?—Yes.

459. Any of them under the influence of liquor during the day?—Yes.

460. Did your experience there vary much from that at the Royal Tiger?—No.

461. There were more "returners" who came back several times?—One man was there five times with a kit.

462. Any children go there that day?—Yes.

463. Did they carry kits?—Yes. That particular man who went in so often was working for a brothel not far away.

464. *Colonel Pitt.*] How did you know that?—I knew that for a certainty.

465. *Mr. Taylor.*] You know the locality well?—Yes.

466. I suppose as a citizen you can pretty well tell a prostitute from her costume as a policeman from his uniform; she advertises her trade?—Yes.

467. *Mr. Tunbridge.*] Will you kindly give me the address of the brothel you speak of?—Cuba Street.

468. *Mr. Taylor.*] Is it still used for that purpose?—They have left there.

469. *Mr. Tunbridge.*] Do you know where the people are now?—No; the man is still here, because I saw him to-day.

470. *The Chairman.*] Do you remember the women by name?—I do not know his name even, but I know one of the women was his daughter.

471. *Mr. Tunbridge.*] You were not with Mr. Denton watching the Albert Hotel?—No.

472. *Inspector Pender.*] You were concealed when you watched?—Yes.

473. From 7 in the morning?—Yes.

473A. And were you all the time in this house?—Yes; we took our lunch with us.

474. And you were looking out through a window?—Yes.

474A. Had you a full view of the house?—Of the main door.

475. Not of the bar door?—No; of the side entrance.

476. And 211 went in?—Yes.

477. And did they all come out again?—Yes.

478. Did any of them go back in?—Some.

479. Did you count in the total number each man every time he went in?—Yes.

480. This one man went in five times?—Yes.

481. You do not know whether they were strangers or boarders or what they were?—I knew several of them not to be boarders and not to be strangers.

482. You do not know whether they got any drink?—Well, in one instance a child went in with a kit, and when she came out she put the kit over her arm, and it contained something very much like a bottle; and then she began to count her change.

483. Where was this brothel?—Near Evans's, Cuba Street, painters' shop.

484. How many women were there?—I cannot say.

485. Who were the owners of the house?—I cannot say.

ERNEST FRASER JONES was examined on oath.

486. *The Chairman.*] What is your occupation?—A general printer.

487. *Mr. Taylor.*] Where do you live?—Donald McLean Street, Newtown.

488. Were you engaged in 1893 in collecting evidence to show whether the Sunday-trading clause of the Licensing Act was being observed?—Yes.

489. How many houses did you assist in getting information about, and the date?—I cannot tell you exactly; it was in conjunction with Mr. Chisholm.

490. Were you at the Cricketers' Arms that Sunday?—I think that was the name of the hotel at the corner of Tory and Ingestre Streets.

491. Have you a note there as to the total number of visitors to that house?—Mr. Chisholm had the notes.

492. Did you see these notes being made?—I assisted in making them.

493. What is the total number of visitors as shown in the report that you and Mr. Chisholm made out?—I did not count the total, because I left it to Mr. Chisholm.

494. Can you remember within a few how many there were?—It was somewhere about two hundred.

495. It was distinctly understood at the time that this information would not be used for the purpose of establishing prosecutions?—It was just understood to be a desire to get a general estimate of what was done on Sundays.

496. Did you see them carry bags and bottles?—In many instances they had implements or some conveniences.

497. You did not tell the police?—I was not told to do so.

498. Do you remember whether any of the visitors, either before going in or after coming out, appeared to be under the influence of liquor?—Yes, decidedly. Sometimes I was sorry to see women. They were none the steadier for their refreshment.

499. You did not consider, under the circumstances, you were called upon to communicate with the police; they could get the information as you got it yourself?—Just so. It was not with the intention of hiding information from the police, but we understood it was being collected for a specific purpose—namely, for a general estimate.

500. Have you made any systematic effort to collect information from that date?—Not since 1894.

501. What hotel did you watch in 1894?—I believe it was the New Zealander Hotel in Manners Street.

502. Do you remember the date?—I cannot.

503. Was it a Sunday?—Yes.

504. Who was with you?—Mr. Weston.

505. You were collecting information for a similar purpose?—Yes. I made notes myself on that day.

506. What was the result of your observations on that date?—I started about 7.30 o'clock in the morning and finished about 7 at night, and I saw about 124 people go into the hotel. Of course, the totals here do not coincide with the numbers we saw, because in the totals afterwards, where we found that the descriptions were not very accurate, they were marked off so as not to err on the side of exaggeration.

507. So you think you saw more go in than you have recorded?—Yes.

508. Why, because there is a pretty theory to the effect that prohibitionists do exaggerate sometimes?—I had not that idea at all. I thought the thing was deplorable, and I was very careful not to make an over-estimate.

509. Have you any idea where Mr. Weston is now?—He is in Wellington.

510. Is he alive?—I believe so.

511. *The Chairman.*] What month in 1894 was this?—I cannot remember. It is some time ago now, and the object sought was gained when we obtained the information.

512. *Mr. Tunbridge.*] Which door in the New Zealander were they going in and out of?—Well, I cannot state exactly. I do not think it was the front door of the public bar. In fact, I am pretty certain that was closed. They went in at the side door, where there is a bit of a brick embankment, down a right-of-way. That I took to be the family or private entrance. But, then, I am not sure as to the distance. There was another door which, I think, led into the family part.

513. Which door were the people going in and out using?—There were three ways by which the people disappeared from my view.

514. *The Chairman.*] Were you in the lane or in Manners Street?—I was fairly opposite the hotel in Manners Street.

515. Could you see down the lane?—Yes, because from the place from which I viewed this locality, I could see both sides.

516. *Mr. Tunbridge.*] In making your calculation, did you include all the people who disappeared from your view in either of these places?—Yes. When I was watching, if I was not certain whether any of the people I saw passed into the hotel, or passed out of view across the road, then I did not put them down. All I saw going into these doors I put down.

517. That includes all doors in the street, and the right-of-way to the back premises?—Yes.

518. Do you know if there is a public urinal in there?—I think there is. And, for all you know, the people who went through might have gone to the urinal only, and come out again?—I do not know, of course. Sometimes there are instances in which you cannot positively form an opinion, but your own observations will give you a very clear idea of what is going on.

519. Would there be a pretty good proportion of the 124 going that way?—Probably it was near church-times when they went there.

520. Did you know any of the people who went in?—Yes, I knew several of them.

521. Do you know them by name?—Yes.

522. Can you give their names?—I could, but for their sakes I would rather not give their names. Of course, I do not wish to hide any information, because I am not afraid of what I have done. If folks break the law, they must take the consequences.

523. Briefly, are you able to say that there was a person admitted to that hotel that day who did not express to the people in charge that he was not a *bonâ fide* traveller or lodger?—I am not able to answer that question, beyond the fact that I saw them go in; because, whatever my impressions were as to their intentions in entering the place, that is my business, I cannot prove that they obtained what I think they went in for.

524. Are you able to say whether they described themselves as *bonâ fide* travellers?—They must have travelled a jolly long distance, through some barbed-wire fences, to judge by their appearance. They were ragged in deportment and apparel.

525. Did any of the people going into the hotel carry kits?—They were carrying all kinds of parcels, and some of them were not at all backward in showing that they were carrying bottles. They did not seem to mind the fact that they were carrying kits, or bottles, or jugs, or anything of a carrying capacity, and were not at all backward in showing what the contents were.

526. What is your opinion about Sunday trading in the city at the present time?—Perhaps that is rather vague.

527. What have you observed recently?—Well, from the casual observations I have been able to take—from the same sort of observation I took on these Sundays—I do not things have improved. I thought at the time I took that watch that the trade was being carried on, and from the same feelings I have come to the conclusion, best as I can, that things have not improved except in the way that drinking has increased. If I had taken a watch lately probably I would have found my total greater.

528. You are in the city on Sunday?—Yes.

529. Going about the streets?—Backwards and forwards from church.

530. You notice people going in and out of hotels?—Yes; in the back ways. In some of the instances, if they did go in to use the urinal then the urinal must be placed inside the building.

531. Will you kindly tell us if you went to church last Sunday?—No.

532. Did you observe any last Sunday?—The Sunday before I did. There were two places which I passed, and I passed them at night-time. I have a very good view of one hotel. I believe if I had watched the total would have been just as big, if not bigger, than the others which I have taken.

533. What is the name of that hotel?—The Park Hotel. The number of people who called at that place on various objects was very large. Of course, I cannot say what the objects were.

534. That is within vision of your own place?—Yes; and if I was blind I could not help hearing the demonstrations that go on at times.

535. You observed that right down to the present time?—Yes; and on one Sunday night I had to ask the folks to get off my shop door. They come down from that hotel to recruit their strength and steady their shattered nerves.

536. *The Chairman.*] You say late in the evening?—It is some weeks ago since the Sunday night incident took place.

537. *Mr. Tunbridge.*] It is a question of people going into hotels in crowds right down to the present time?—I did not observe last Sunday. If I had I should very likely have been able to tell the reason of people entering there. Last Sunday morning between 6 and 9 o'clock, I saw folks entering the back way between this hotel and another house, which appears to be the only back entrance into this hotel. They walked into this right-of-way, and I saw no more of them.

538. You cannot say whether they went into the hotel or not?—No. On several occasions when they have come out they have been so ill at ease that they were not able to walk as well as they did when they went in. This was last Sunday.

539. I do not quite follow you about "ill at ease"; what do you mean?—Well, to put it plainly, they were drunk.

540. *Mr. Taylor.*] Did you get any information about any other hotel?—Just these two.

541. *Inspector Pender.*] Did you communicate with the police?—No.

542. Why not?—I thought of that at the time; but what we were told was that the information would be used to the best advantage.

543. That was in 1893 and 1894; but last Sunday, for instance, why did you not go to the constable who lives close by?—To tell you the truth, I was too busy with my own affairs.

544. Do you know the men who were drunk?—No. I did not take any notice of them.

545. Is there any one who can corroborate your statements that the house is rowdy, and that loud talking goes on?—Probably if the inhabitants about the district were communicated with they would bear out what I say.

546. Do you know of any inhabitant in the district?—I could not help noticing it. I went away because I had an appointment, and I was a bit late, and whether anybody was cognisant of what I saw I cannot say. But when you ask me to name inhabitants, I can give you several; but whether they were awake at the time I cannot say. It was between 6 and 9.30 o'clock in the morning.

547. Cannot you give us any more definite time?—No; I had some preparations to make for my appointment, and they occupied all my attention. I had to open the shop-door occasionally, and one of the times I was at the shop-door I noticed this. I only happened to see it because they were in front of my own eyes.

548. *Mr. Taylor.*] You did not notice the time?—No.

549. *The Chairman.*] They came out of the hotel?—Yes.

550. *Mr. Tunbridge.*] I think you said the house was also rowdy and noisy?—No. I was referring to the cases in 1893 and 1894.

551. You did not think it was your duty to go down and tell the constable?—I never thought of that aspect of the case at all. In fact, I think if I had, it would be a most thankless job.

552. Why?—It was not my duty; I was not paid for it, and I am not so public spirited as to do public work for nothing.

553. You do not think it is your duty to assist the police in carrying out the law?—It was too far out of my way to assist the public.

554. *Mr. Poynton.*] What was the distance between your shop and the hotel?—About 500 ft., I suppose.

WEDNESDAY, 9TH MARCH, 1898.

ARTHUR WAKEFORD NICOL examined on oath.

1. *The Chairman.*] What are you, and where do you live?—Plumber, Victoria Avenue, Wellington.

2. *Mr. Taylor.*] Did you assist in 1894 in collecting information at the request of the *Prohibitionist* as to the number of visitors to the various hotels in Wellington on Sunday?—Yes.

3. Did you take notes in connection with the Post Office Hotel?—I did not personally; I helped to take the notes.

4. *The Chairman.*] Whom were you assisting?—Mr. Beaglehole and Mr. Crawford.
5. *Mr. Taylor.*] It was distinctly understood, as far as you were concerned, the information you collected was for the *Prohibitionist* newspaper and not for police purposes?—Yes; I would have had nothing to do with it if it had been otherwise.
6. What hours were you about?—From 7 in the morning till 8 at night.
7. What date was it?—It was on a Sunday in March, as far as I can remember.
8. Was it not a few weeks before the licensing poll was taken in 1894?—I think it was; I am not sure.
9. What was the result of the observations? Do you remember the number of people who went into the Post Office Hotel?—Four hundred and four: that is, not including those whom we thought were lodgers.
10. How did you distinguish a lodger, for instance: what kind of judgment did you bring to bear on the question?—Well, several went in with portmanteaux.
11. And you thought they were *bonâ fide* lodgers?—Yes, travellers coming off the steamers.
12. Any one whom you thought was travelling you tried to distinguish, and did not take note of them?—Yes.
13. Does that hotel do a large luncheon business—a pretty considerable travellers' business?—I think it does.
14. Have you got a note of the numbers who entered, say, between a quarter to 12 a.m. and 2 p.m.; have you the number separate on your list?—No, but I have calculated it out, and I think it comes to about 116.
15. *The Chairman.*] How did you calculate it out?—I have the hours down on a list here.
16. Which was taken at the time you saw the people entering?—As we saw them go in we put the time down.
17. *Colonel Pitt.*] That is, you made those identical notes?—Yes.
18. *Mr. Taylor.*] Was the object in making that separate calculation to give an idea as to how many might have gone in legitimately for lunch?—Yes.
19. Have you made any systematic attempt to collect information in regard to that hotel since that date?—No.
20. So far as you know there has been no systematic attempt to collect information of this kind since?—No.
21. Were you not surprised at the number who entered the hotel?—Yes, I was.
22. Supposing anybody had suggested that three hundred would go into the hotel would you not have thought it unlikely?—Yes.
23. You have made no systematic observation since then? You would not like to express an opinion as to whether things were better or worse now?—No.
24. Did you make observations in regard to any other hotels that day?—I more particularly watched Rylands's.
25. From your standpoint, how many hotels could you see?—Three hotels.
26. Could you see both sides of the corner hotel, or only one face?—One face.
27. And you could see the fronts of two others?—Two others.
28. How many did you see go into Rylands's Hotel?—From 7 in the morning till 10 in the morning I think forty-one went in, and about 1 o'clock—I do not know the exact time—the door was closed, and from that time right through the day nobody could get in. There were twenty-seven persons tried to get in, but they passed on to the next hotel.
29. And was that subsequently closed altogether?—Yes.
30. Was there any other hotel—what was the other hotel you were able to see?—The Pier.
31. What was the result of your observation there?—About eighty people.
32. In the same time?—That was all day.
33. Did any of the people at any of the three hotels show any signs of drunkenness on leaving the houses, do you remember?—No. There was a little disturbance by some of the people coming out of Rylands's Hotel, but it was over money matters I think.
34. You could not hear anything from where you were?—No.
35. Did there seem to be a watch kept on any house from the outside?—Yes.
36. Which house?—The Pier.
37. What was the nature of it?—As far as I noticed there was one person walking up and down all day long, and at intervals he went inside.
38. He did beat duty really, all day?—Yes.
39. Do you ever see any drunkenness on the streets of Wellington on Sundays now?—Occasionally, sometimes more than others.
40. But you have made no particular observations bearing on this question since that date?—No.
41. *The Chairman.*] Did you see any policemen about during that day?—There was one went into the Post Office Hotel, and I think I have got it on my notes, stating that he went in on inspection. It appeared to us he went in to see if everything was all right. I have got the notes here: "A policeman, after investigating, came out."
42. Do you know what he did when he went inside?—Oh, no.
43. How long was he in?—Oh, just a short while.
44. What time was that?—Fifty-two minutes past 10.
45. *The Chairman.*] How long was he in the house?—Oh, just a short while; about five minutes.
46. Was he in uniform?—Yes.
47. *Mr. Taylor.*] Do you remember whether there would be any customers there at that time?—I could not say, but there must have been from the number of people who went in.

48. *The Chairman.*] How many people had entered the house prior to this?—I could calculate it, but I could not tell you now.

49. *Colonel Pitt.*] But you say there must have been people in?—Yes.

50. *Mr. Tunbridge.*] Do you know the name of the constable or his number?—No.

51. Do you know the constable by sight?—No.

52. He was not accompanied by a sergeant?—No.

53. You have your notes: cannot you give us the date?—I cannot give the exact date. It is some Sunday in March.

54. Did you see a sergeant and constable visit this house at all during that day?—No.

55. If they had you would have seen them?—Yes.

56. And that applies to all three hotels?—Of course, at one hotel we could not see all the doors.

57. You are quite sure neither of these three hotels were visited by a sergeant and constable on that particular Sunday?—Yes. I think the date was the 4th March, but I am not sure it was.

58. *Mr. Taylor.*] If Mr. Denton says it was the 4th March you will accept his statement as being correct?—Yes.

59. *Mr. Tunbridge.*] Is this the only list that was kept?—Of that date, yes.

60. Then you gave your notes next week to Mr. Denton?—Yes.

61. You say between 12 and 1.30 you saw 116 people go in?—About that number.

62. Does this hotel provide dinners in the evening and breakfast in the morning?—I am not sure.

63. You do not know it does not?—I do not know it does not.

64. It would not surprise you if you were told it did?—No.

65. Is it not a fact that any one can get a feed at any time during the day if they go in?—I am not aware of it.

66. You say you kept a note on your list of the number of persons who entered carrying portmanteaux?—We made a note on that list, but they were not calculated in the 404.

67. Do you know anything about the lodging accommodation at this particular hotel?—No.

68. You do not know whether there are twenty or thirty lodgers at one time in the house, do you?—No.

69. You kept from your numbers those you saw entering with portmanteaux, but you had no means of identifying all those people in the event of their coming out and re-entering?—No; in some instances we might note where they went in the second time, and some a third time.

70. But you counted each one of those as a separate person: if one person entered three times you would count that as three persons entering?—Yes.

71. What I mean is this: If a person went in with a portmanteau you assumed he was going there to lodge, and that person may have come out half a dozen times and re-entered, and you would have counted him each time as a distinct person?—Yes.

72. You had no means of knowing whether these persons were asked if they were *bonâ fide* travellers?—No.

73. You are not able to say they were not asked?—No.

74. Or if they were lodgers?—No.

75. For all you know every one of these four hundred may have represented himself as a *bonâ fide* traveller, or that he was known to be a lodger, for all you know?—Yes.

76. *Colonel Hume.*] Will you swear there was any violation of the law in one single instance?—No.

JOSEPH BEAGLEHOLE, examined on oath.

77. *The Chairman.*] What are you, and where do you live?—Carpenter, residing in Hopper Street, Wellington.

78. *Mr. Taylor.*] Were you associated with Mr. Nicol in 1894 in collecting information as to the number of visitors to certain hotels on a Sunday in Wellington?—Yes.

79. What hotels can you see from the point where you were fixed that day?—Rylands's Hotel, Post Office Hotel, and the Pier Hotel.

80. Did you assist in making the notes as to the number of visitors?—Yes.

81. You are satisfied the list made out was pretty accurate?—Yes.

82. Were you there about twelve hours?—We started about 7.30, and we finished about 7.30 in the evening.

83. And you remember the number of visitors to the Post Office Hotel?—Well, I have got here over four hundred.

84. Did you purposely omit taking a note on that list of any one you thought was a *bonâ fide* traveller so far as your judgment allowed you?—Yes.

85. You could not tell, of course?—No.

86. If you saw people with portmanteaux you omitted them?—Yes.

87. So far as you could judge, the numbers given represented the general run of visitors?—Yes.

88. You distinctly understood you were not collecting information that was going to be used for prosecutions?—Yes.

89. It was in connection with the controversy as to whether Sunday trading was rife?—Yes.

90. And do you think those figures would bear on the question?—Yes.

91. Have you made any systematic observations since 1894?—No.

92. Did you see any police-officers go there on that Sunday—into the Post Office Hotel?—In the afternoon; about 2.30, I think it was.

93. Have you got it on your notes?—No, I have not got it here. All the same, I saw a police-man go in there about 2.30.

94. *The Chairman.*] Are any of those notes in your writing?—No.

95. *Colonel Pitt.*] Was there any one with the policeman?—I could not say.
96. *Mr. Taylor.*] You cannot say whether there was one or two?—No.
97. Were there half a dozen policemen, or only one?—Only one, I think.
98. *Colonel Pitt.*] In uniform?—Yes.
99. *Mr. Taylor.*] How long did he stop in?—I think he stopped in about five minutes.
100. What other hotel besides the Post Office did you see that day?—The Pier, and Rylands's.
101. Do you remember the number of visitors to Rylands's Hotel?—Yes, there were forty-one.
102. Did any policeman go in there?—No.
103. Now, the Pier Hotel: do you remember the number there?—Yes, eighty-one.
104. *The Chairman.*] You said forty went into Rylands's. Within what time was that; how long did you watch Rylands's?—From 7.30 to 10.30.
105. *Mr. Taylor.*] What happened at 10.30?—It shut up at 10.30 and opened again at 5 in the evening.
106. People commenced to go in at 5 o'clock; is that what you mean?—No, it opened again at 6.30 in the evening.
107. Do you mean to say that people commenced to visit again?—Yes.
108. They could not get in during the previous part of the day?—No.
109. The proprietor was away, apparently?—Yes.
110. You have made no systematic observations since as to the visitors on a Sunday?—No. Here is a note here about a policeman, saying that he entered.
111. Did you take observations in 1893 also?—Yes.
112. Did you see the same hotels in 1893?—Yes.
113. *The Chairman.*] What month?—I do not know the month, but it was on a Sunday. In the Post Office Hotel we had 292.
114. Same hours?—Yes, from 7 in the morning till 7 in the evening. At Rylands's Hotel, 131. That is all, I think.
115. You have no note of the Pier Hotel?—No.
116. *Mr. Taylor.*] In connection with the Post Office Hotel, will you be sure it was not the Post Office Hotel in 1893 you saw a policeman go in after dinner. You seemed in some doubt about that?—It was in 1893.
117. *The Chairman.*] It was not in 1894?—No; in 1893.
118. *Mr. Taylor.*] It is on your notes for 1893?—Yes; it is here.
119. What time was it, about?—3.30 in the afternoon.
120. *The Chairman.*] With whom were you observing at these hotels in 1893?—John Nicol in 1893; Arthur Nicol in 1894.
121. *Mr. Taylor.*] What is the note you have there?—"A policeman entered, and the man on the watch touched the electric bell."
122. *The Chairman.*] Can you say that was done?—Yes; I saw it done.
123. *Mr. Taylor.*] Was that before the policeman entered, or after?—Just when the policeman came round the corner.
124. *The Chairman.*] Was there only one?—Yes, only one.
125. *Mr. Taylor.*] Did the policeman go into the hotel?—Yes.
126. How did he get in. Did he knock at the door?—No; the door was open.
127. It would not be the bar-door; it would be the other door?—Yes; and eight men came out after the policeman went in.
128. That hotel does a pretty fair luncheon business?—In the week it does.
129. You do not know whether it does the same amount of business on Sundays?—I do not know.
130. What hours were you watching Rylands's?—The same hours.
131. Did a member of the Wellington Licensing Bench go into Rylands's on that Sunday in 1893?—No.
132. You do not see a note there?—No.
133. Did any of the visitors to either of these two hotels show signs of having taken liquor when they came out?—Yes.
134. Did that happen in many cases?—No.
135. In some cases?—Yes.
136. *The Chairman.*] What signs did they show?—For instance, at 8.30 two men came out, and they were half-drunk, and they commenced to fight each other.
137. Was that in 1894 or 1893?—1893.
138. Which house did they come from?—Rylands's Hotel.
139. *Colonel Pitt.*] Had you seen those same men go in that morning?—I could not say.
140. *Mr. Tunbridge.*] You saw a constable go into the Post Office Hotel in 1893?—Yes.
141. That was about 3.30 in the afternoon. Have you ever seen constables going into other hotels during your watching?—No.
142. Are you clear on that point?—Well, I mean I did not see them going in on that Sunday.
143. But, I mean any other day you were watching, did you see constables going into the hotels?—I have, at the Star and Garter Hotel.
144. But with reference to the hotels you have given evidence on here?—No.
145. You are clear on that point—you never saw a constable enter other houses?—Yes.
146. You would have seen if he had entered?—Yes.
147. If Mr. Nicol says he saw a constable go into the Post Office Hotel, in 1894, about 10.30 in the morning, that would be incorrect?—No, I do not think so.
148. I thought you said you were clear on that point?—Well, half the time he called out, and I put it down here.

149. I suppose you are very clear about this constable going in in 1893?—Yes, absolutely certain.

150. It is the sort of thing you would take more notice of than an ordinary individual going in?—Yes.

151. What you suggest is that Mr. Nicol may have seen a constable go in in 1894 and you might not?—Whose hotel?

152. In 1894 what hotel were you watching?—All three in 1894.

153. Did you see a constable go in any hotel that day?—No.

154. If one had gone in you would have seen him?—Yes.

155. If Nicol says one did go in, a little before 11 o'clock in the morning, Nicol would be incorrect?—Well, I would not like to say.

156. You say that Rylands's Hotel was open from 7.30 till 10.30 in the morning in 1894?—Yes.

157. And again from 6.30 in the evening?—Yes.

158. You are clear on that point?—Yes, absolutely certain.

159. Then, if Nicol says the hotel was never opened again after 10.30 o'clock all day, he is not right?—He is wrong, yes.

160. You have given the number as entering Rylands's Hotel as forty-one up to 10.30: can you say how many entered after 6.30 in the evening?—No.

161. Then, forty-one is not the sum total for Rylands's that day?—No, it is up to 6.30.

162. How many entered that hotel from 6.30 till 7.30 in the evening?—I could not say; I did not take any notes at all.

163. Are you sure the hotel was open?—Yes.

164. And people were going in?—Yes.

165. And why did you not take notes?—It was too dark to take notes.

166. *Mr. Taylor.*] Are you sure your statement in regard to the house opening after 6.30 does not apply to 1893 and not to 1894? Will you look at your notes for 1893 as far as Rylands's Hotel is concerned, and tell me what time you took your first note?—8 o'clock.

167. And what is the time for the last?—1 o'clock.

168. Are you sure it was not in 1893 when the house was reopened at 6.30? Have you no note after 1 o'clock?—No.

169. This one does not appear to have done any business after 1 o'clock?—No.

170. *Mr. Tunbridge.*] Do you understand from my cross-examination that Mr. Nicol and yourself do not agree?—Yes.

171. If you are making a mistake on a point of that description it is very possible you are making a mistake on other points, is it not? Will you swear you are not making mistakes in other particulars than the particulars I pointed out to you?—Yes, I will.

172. Only that I drew your attention to those discrepancies in the evidence of Mr. Nicol and your evidence, I suppose you would have been equally confident you could not have been making a mistake in respect to those?—No.

173. Did you not believe when you gave your evidence in chief you were stating that which was quite correct?—Yes.

174. And you were quite prepared to swear it was quite correct at the time you gave it?—Yes.

175. But, now Mr. Nicol and yourself do not agree, you say you are not quite prepared to say you are right and he is wrong?—No.

176. *The Chairman.*] Are the entries in 1893 in your own handwriting?—Yes.

177. And is the entry about the policeman in your handwriting?—Yes.

178. The note is, "Two policemen entered, and the man on watch touched the bell and eight men immediately came out, laughing." You mean there were two policemen went in together; not one, now?—Yes.

179. Are these minutes entered accurately at the time?—Yes.

180. *Mr. Tunbridge.*] Is there anything on those notes showing that a member of a Licensing Committee entered Rylands's Hotel on that day in 1893?—No.

181. *Mr. Taylor.*] You have no note there?—No.

182. *The Chairman.*] Did you keep a note of the three hotels?—No.

183. Which did you keep?—I kept Rylands's Hotel and the Post Office Hotel.

184. On the same sheet or different sheets?—On different sheets.

185. *Colonel Hume.*] You say in 1894 Rylands's Hotel was closed at 10.30?—Yes.

186. Because the proprietor was away?—I do not know whether he was away or not; I could not say.

187. Was there any violation of the law in those cases that you have told us of?—I think so.

188. There was?—Yes.

189. Will you state what it was?—The law says that no drink is to be sold on Sunday at all.

190. Yes; but did you see any sold?—Well, I saw persons go into the hotel and come out half drunk, and again I saw people go in with jugs in their kits and come out again.

191. *Mr. Taylor.*] You saw evidences of trading?—Yes.

192. You simply draw inferences?—Yes.

193. *Colonel Hume.*] If Mr. Nicol were to say he did not see any people come out under the influence of liquor at all, would he be right or wrong in your opinion?—Wrong.

194. Wrong, and you would be right?—Yes.

195. *Mr. Taylor.*] Have you got notes there of people coming out under the influence of liquor?—Yes. It says, "One drunken man and two or three men fighting on the road."

196. Did Nicol see the same people that you saw?—I should think so. He ought to have.

197. In fact, the list could not have been compiled in any other way, could it?—Oh, yes. Well, I had the list—

198. Quite so, but these totals have been seen by you and Nicol?—Yes.

199. They were the same people. Nicol could not have seen forty-one people and you forty-one other people—they were the same people?—Yes.

200. Are you clear that yourself and Mr. Nicol saw the same people going into the house?—You did not see forty-one, and he forty-one other people?—No.

201. You saw the same people?—Yes.

202. If you saw a drunken man he ought to have been able to see him too?—Yes.

JAMES ROBERT CRAWFORD examined on oath.

203. *The Chairman.*] What are you, and where do you live?—Blacksmith, Ingestre Street, Wellington.

204. *Mr. Taylor.*] Did you assist in getting information as to the number of visitors to certain hotels on Sundays in Wellington?—Yes.

205. On one or two occasions—one or two years?—Two years, in 1893 and 1894.

206. What were the hotels?—The Pier, the Post Office, and Rylands's. There were three or four of us, and we were taking turn and turn about. Most of the time I was watching the Post Office Hotel.

207. Where you watching the Post Office Hotel most of the time both years?—Yes, I think so.

208. *The Chairman.*] Are those the notes you made at the time?—Yes; the most of them are mine.

209. *Mr. Taylor.*] What were the figures for the Post Office Hotel in 1893?—Two hundred and ninety-two.

210. The Pier?—Thirty-eight.

211. For Rylands's?—There does not appear to be any total made up for Rylands's.

212. *The Chairman.*] What were the hours?—From 7.30 to 7.30.

213. *Mr. Taylor.*] Did you assist in making any observations since then?—No.

214. Only those two years?—Yes, that is all.

215. What were the figures for 1894?—Four hundred and nine for the Post Office and eighty-one for the Pier.

216. Do you remember whether Rylands's Hotel, in 1893, was closed all day?—It was closed in the afternoon and opened again at 6 p.m.

217. Did there appear to be any custom after they opened again at night?—Yes, at the rate of one for every minute and a half for two hours. I had a note of it yesterday, but I mislaid it.

218. The house appeared to be closed part of the day?—From 1 o'clock to 6 o'clock, and then it was open from 6 till 8.

219. *Colonel Pitt.*] You say people went in at the rate of one every minute and a half after 6 o'clock at Rylands's. Is it not strange that Beaglehole and Nicol, who were watching with you, have no note of watching those people?—That is another Nicol who gave evidence here today.

220. But how is it Beaglehole cannot give us the numbers?—I cannot say. I had the note of it, but I cannot find it now. I am almost sure I saw the note of it yesterday here.

221. *The Chairman.*] You did not watch Rylands's?—No. I might have watched for about five minutes.

222. *The Chairman.*] Was any one on watch apparently at any of the houses?—Yes, at the Post Office Hotel there was one on watch all the time.

223. Did you see any policemen?—There were two entered the first year.

224. *Mr. Tunbridge.*] Did you count them in the number?—Yes.

225. Did you see any other policeman go into the hotel besides those two?—There was no one in uniform.

226. Were there any in plain clothes?—I could not say.

227. These two policemen went in in 1893?—Yes.

228. Did you see any go in in 1894?—There was one, I believe.

229. He was in uniform?—Yes.

230. Was there a man watching in 1894 as in 1893?—Yes.

231. Did you observe the man do anything when the police were approaching?—Yes, he put his hand just inside the door as though in the act of ringing an electric bell.

232. Is there any electric bell there?—Yes, I believe so. I cannot be certain, but I may say I am almost certain we heard a bell ring.

233. Did the people who were inside come out?—Yes, just after the police got in the doorway.

234. Do you know what number?—In 1893 there were between eight and twelve came out when the two police-officers went in.

235. In 1894, did you see people coming out when the police constable went in?—That I am not sure about.

236. *Mr. Taylor.*] Are you sure absolutely of the other year?—Yes. You see, the Post Office one year I was on all the time; I was hardly ever away from it.

IRENE DIANNA JONES examined on oath.

237. *The Chairman.*] Where do you live?—No. 1, Ferguson Street, Newtown.

238. *Mr. Taylor.*] Did you assist in getting information in 1894 as to the number of people who visited certain hotels on a Sunday?—I did.

239. What hotel did you get information about?—The Star and Garter, at the corner of Cuba and Webb Streets.

239A. Have you a memorandum of the total number of visitors on that day?—I have.

240. *The Chairman.*] What month was it?—The 4th March, 1894.

241. *Mr. Taylor.*] What were the total number of visitors to the hotel that day?—One hundred and sixty-five.
242. What hours were you watching?—From 7.30 in the morning to 6.47 in the evening.
243. Were you by yourself?—No; Mrs. J. Westfield was with me.
244. She is dead since?—Yes.
245. Did she sign those notes?—Yes; here is her signature and my own.
246. Do the notes give any particulars as to the class of people who frequented the hotel that day?—Yes.
247. Were there any people carrying kits or baskets, or bearing any evidence that they were going to carry liquor away?—Several of that class. Some had slippers on, others were in their shirt-sleeves, and others carrying kits and bottles.
248. Were there any people showing signs of being intoxicated that day?—There is nothing mentioned in the report about that.
249. You knew the information was to be used for the purposes of the *Prohibitionist*, and was not to be used for prosecutions?—Yes.
250. Have you ever made any systematic observation since?—No.
251. Were you not somewhat surprised after finishing this Sunday observation to find such a number of people going to the hotel?—No, I have thought it was always so; in fact, at the hotel near our own house at Newtown, I often see people going in on Sunday.
252. Is that the Park Hotel?—Well, it was called the Waverley Hotel.
253. *Colonel Pitt.*] About refreshments during this day, were you stationed there from 7.30 a.m. till 6.47 p.m. without anything to eat?—I brought my own refreshments.
254. *The Chairman.*] Where were you stationed?—I was in the vicinity of the hotel.
255. You were hidden from public gaze?—I was under cover. I do not know about being hidden from public gaze.
256. *Mr. Tunbridge.*] You have seen people going into the Park Hotel? Yes.
- 256A. Did you know any of the people who were going in there?—I have not taken particular notice of them going in. I do not know their names particularly, but I know they are people who live in the neighbourhood.
257. Can you say where they live?—I did not take that particular notice to say who they were, but I know they are inhabitants of Newtown.
258. Was there any one watching to see if the police were coming?—I did not notice, but while I was watching the Star and Garter there was a man stationed outside the hotel the whole day watching.
259. Did you notice any similar arrangement in respect to the Park Hotel?—I did not take notice.
260. How long ago is it since you have noticed people going into the Park Hotel?—Every Sunday.
261. What time?—When I am coming home from church between 12 and 1.
262. What door did they go in?—The door I saw them go in by was up a right-of-way between the hotel and a private house.
263. You did not know they were going to the hotel beyond going down the right-of-way?—I suppose they were going to the hotel. I do not suppose they were going to the private house.

WILLIAM HURRELL examined on oath.

264. *Mr. Taylor.*] What is your occupation and address?—Carriage maker, Crawford Street, Wellington.
265. Did you assist in collecting information as to the number of visitors to certain hotels in Wellington in one or two years?—In one year.
266. What year was it?—1893.
267. Have you got the date there?—Yes, Sunday, 7th May.
268. What hotel was it?—The New-Zealander in Manners Street.
269. *The Chairman.*] Who was watching with you?—Stanley Chisholm.
270. What hours were you there?—From 8 a.m. till 8.20 p.m.
271. *Mr. Taylor.*] What was the total number of visitors?—Seventy-nine.
272. Any women?—Yes, there were eight.
273. What class of customers were they—did they seem to be travellers, or residents in the neighbourhood?—As far as I could judge I should think there would be one or two travellers, the others I do not think were.
274. You thought the majority of them lived in the neighbourhood?—Yes.
275. Did some carry kits or bottles?—Some carried kits and some carried bottles, and others just came out with all the appearance of having a drink.
276. What do you call appearance?—Coming out and spitting and wiping their mouths.
277. You drew the inference they had just been having liquor?—Yes.
278. Have you made any systematic observation since that date?—None whatever.
279. That was the only hotel you made a systematic observation of that day?—Yes.
280. And you knew you were collecting information for the *Prohibitionist*?—Yes.
281. You have no positive evidence these people got liquor inside?—None whatever.
282. Were you in the vicinity of the hotel when you were making your observations?—Yes.
283. You heard nothing—you were too far away to hear anything, but you could clearly see people who were going in or out?—Yes.
284. *Mr. Tunbridge.*] Did these people go into the building itself?—Yes.
285. Not into the gateway leading to the back premises?—No, into the doorway from the side street.

286. There are two doorways in the side street, which one was it?—The one they went into was the top door, nearer to the street.

287. And only those going in that door you counted, not those going into the gateway below?—Only those going in by that door. We did not see any going in the gateway.

288. Was there anybody watching at the corner of the hotel to see if the police were coming?—Yes.

289. A man?—Yes. He left about 2 o'clock in the afternoon, and returned about 5; but he was there all the morning, and there on watch at night.

290. Did people going into the hotel seem to know he was there?—Yes.

291. And speak to him going by?—Yes.

292. Generally?—Not generally; a good many did.

293. Did you see the police visit the hotel during the day?—Not visit the hotel; there was one went by.

294. Did you see the police speaking to this man?—No.

295. Was there anything to lead you to suppose that the police were in league with the people at the hotel?—No.

296. Did this man, when he saw a policeman coming, do anything to indicate the policeman was coming: did he signal to the people inside?—When we saw the policeman coming he was coming round by the Bank Hotel, and the man went inside and came out again before the policeman had passed by.

297. Was there an exodus of people from the hotel when the policeman hove in sight?—No, sir.

298. Were there any inside at that time, do you know?—No, I could not swear there were.

299. You do not know if those people going there who might not have been lodgers were asked if they were *bonâ fide* travellers or not?—No, sir.

300. For all you know they might have been asked?—For all I know they might have been asked.

301. *Colonel Pitt.*] Can you say positively that no policeman visited the hotel during the Sunday you were watching there?—I can say no policeman visited the hotel from 8 a.m. to 8.20 p.m.

302. *The Chairman.*] You only saw a policeman go by?—There was only one policeman went by in uniform.

303. Was there any man on beat going up and down occasionally?—We only saw one go by on the side of the street the hotel was on. We were not in a position to see the other side of the street.

304. You could only see one side of the street?—Yes.

305. Were you in such a position that you could see with clearness and distinctly people going in and out of the door?—Yes.

PERCY DENTON examined on oath.

305A. *The Chairman.*] What are you, and where do you live?—Watchmaker; residing in Woolcombe Street, Wellington.

306. *Mr. Taylor.*] Did you assist in collecting information as to the amount of Sunday trading that was carried on?—Yes.

307. When was it?—In 1893; but I do not remember the date. It was on a Sunday.

308. *The Chairman.*] Whom were you assisting?—A young fellow named Robb.

309. *Mr. Taylor.*] Is he in Wellington now?—No; he is down South somewhere.

310. What hotel were you collecting information about?—The Panama, at the corner of Taranaki and Vivian Streets.

311. You knew that the information was being collected for the *Prohibitionist*, and not for police purposes?—That is so.

312. What was the total number of visitors at the hotel?—One hundred and thirty-three.

313. How long were you there?—I got there at a quarter to 8 in the morning, and I left at six minutes to 8 in the evening.

314. Did any of them have any bags or kits, or anything with them to indicate that they had been fetching liquor away?—Yes.

315. Did any of them show signs of intoxication?—A few; yes.

316. Were there any women amongst the visitors?—Yes.

317. Did they look like travellers?—No; they did not look very much like travellers.

318. Were they low-class women?—Yes; I think so.

319. *The Chairman.*] How many women were there?—Five.

320. *Mr. Taylor.*] Were there any boys?—Yes; eight boys, and three girls.

321. *The Chairman.*] Included in the 133?—Yes.

322. *Mr. Taylor.*] Have you made any systematic observations since?—No.

323. You have taken no particular notes of the Sunday trading since?—No.

324. Have you occasionally seen evidences of drunkenness on the streets since?—Oh yes, occasionally.

325. You are not in a position to say that any actual sales were made in the house that day?—No, I could not say.

326. But you were quite able enough to see clearly the number of people who entered and left?—Yes.

327. *Mr. Tunbridge.*] Any one watching outside?—Not all day. There was in the early morning, just as the church people were going by. After that there was no one at all.

328. Did you see any police during the day?—No.

329. Did you see any in the street at all?—No.

330. You said you had not been watching with reference to Sunday trading particularly since then?—No, I have not.

331. Do I understand you have taken no actual notice of it?—No actual notice more than any one can see in walking the streets.

332. Is that recently?—Quite lately.

333. Can you mention any particular day or any particular house or any particular person?—No; I have not taken that much notice, but I have seen drunkenness in the streets.

334. For all you know they might have had a bottle of whiskey in their pocket?—Yes.

335. Have you seen Sunday trading at publichouses?—No; I have not looked for it.

FEATHERSTONE HERRON examined on oath.

336. *The Chairman.*] What are you, and where do you reside?—Labourer; and I live at 35, Cuba Street.

337. *Mr. Taylor.*] Do you remember helping to get information as to the number of visitors at certain hotels in Wellington?—Yes.

338. What was the date?—Sunday, the 4th March, 1894.

339. You were told by those who approached you that it was for the *Prohibitionist* newspaper, and not for the police?—That was the understanding. Had I known it was for the police I should not have gone.

340. What hotel was it?—The Army and Navy.

341. *The Chairman.*] Were you alone?—No; I had a mate with me, Mr. A. Tonks.

342. Has the Army and Navy changed its name since?—Yes, I believe it is called the "Terminus" now.

343. What time were you taking notes?—From 7 a.m. to 6 p.m.

344. How many people visited the hotel during that time?—I think about 107.

345. Any women?—There were two middle-aged women and one young woman with an apron on, but she would be the servant-girl.

346. The servant-girl?—We thought it would be the servant-girl. At first we took her to be an outsider, but afterwards we came to the conclusion she must be the servant-girl.

347. Do you remember how you formed that conclusion?—I think she came out again and went in.

348. Were there any boys?—There was one boy; a boy with a kit.

349. Did many of them carry anything of the kind—kit or bag, or jug, or anything?—Not many; there may have been one or two.

350. What do the notes say in that respect?—I have only one note. I have a boy down with a kit. That is the only case.

351. Are those your own notes?—Yes, I wrote this myself.

352. *Mr. Taylor.*] Did you notice any signs of liquor on any of the people as they came out?—I could not swear to it.

353. They all seemed to be passing in and out?—Passing in and out.

354. Did the majority of them stay there any length of time?—I do not remember. We have got no note of them coming out, but I do not remember. I remember one or two coming out and going in again.

355. Not many?—Not many. There are one or two I can remember.

356. So far as your memory will take you, did they stay there long on the average?—I did not take any particular notice.

357. Have you taken any systematic notice as to the Sunday trading since then?—No.

358. Did you see any police on that day?—There was a policeman came on at dinner-time for about three-quarters of an hour.

359. On beat?—Yes, at the corner.

360. Was there any one on watch at the hotel?—On one or two occasions the landlord came outside and walked up and down the footpath for a while.

361. There was no regular watch kept?—No regular watch kept.

362. How long was the constable there?—About three-quarters of an hour. There were no entries during that time.

363. *Colonel Pitt.*] Did you see any member of the Police Force going into the hotel during the time you were watching?—No.

364. *Mr. Taylor.*] Have you had any experience of Sunday trading of any kind since then?—One or two things have brought themselves before me.

365. What was the nature of them?—Well, in one case, about four weeks ago, I met a work-mate of mine—a mate who was working on the drainage with me—I met him on Lambton Quay, and he asked me to go and have a drink.

366. Was that on Sunday?—On Sunday.

367. What time would that be?—Between 2 and 3, as near as I can remember. We were walking down the Quay at the time, and we were about opposite the Ranfurly Hotel when he asked me to go and have a drink. Of course, he was a friend of mine, and I did not want to hurt his feelings. I simply refused. Because he asked me to have a drink I did not report against him.

368. *The Chairman.*] Did you go in?—I refused.

369. *Mr. Taylor.*] Had he had liquor at that time?—I think he had had a little.

370. Did he go into the Ranfurly Hotel?—He walked into the main entrance. He came back to me and said he had had a drink.

371. Where did you go to then?—We walked down the street till we got near the Royal Hotel. He asked me to have a drink again. He went in and said that he had had another drink.

372. He went into a second hotel and came out again?—Yes.

373. Did he join you again?—He joined me again shortly.
374. And you continued your walk?—We continued our walk down towards the Esplanade.
375. Where did he next go to?—He went and had another drink as he passed Dealey's Railway Hotel. In this particular case he went in by a side door.
376. Did you wait for him?—Yes, I waited till he came out.
377. What was the next stopping-place?—We proceeded down to the Esplanade and had a sit down.
378. Did he show any signs of liquor on him at that time?—Yes.
379. Was he different in his manner at that time to what he was when you started to walk with him?—Yes.
380. What did you argue from that?—When he said he had had some drink I believed it from his rather excited manner.
381. What time would elapse between his joining you and your getting down to the Esplanade?—A little over half an hour. He only stayed a short time in each hotel.
382. Were you simply strolling about that afternoon?—We were just walking down the Quay.
383. Has any other fact come under your notice since you collected this information in 1894 to show that Sunday trading was carried on?—No other fact.
384. You have really made no regular observation since 1894?—No.
385. *Mr. Tunbridge.*] Can you say what the date was when you were with this man?—I could not say what the date was; I should say it was about four Sundays ago.
386. Will you give me the name of the man please?—I would not like to commit the man.
387. I want you to give me his name, that is all. The man has probably committed no offence?—The man's name is George Myers.
388. Where does he live?—He lives somewhere off Tinakori Road.
389. Where is he working?—He was working the last time I saw him for some plumber in town, putting in connections in a small street that runs down off Molesworth Street.
390. During the time you were with him he had three drinks?—Yes.
- 390A. Did he say how he got into the hotels—did he represent himself as a *bond fide* traveller, or what?—He did not say anything. I watched him walk in.
391. At the Ranfurly, did he not pass someone when he was going in at the door?—If I remember rightly there were two or three people standing round the door.
392. Was the landlord of the Ranfurly at the door?—No, I did not see him on the door.
393. Did you see anybody who belonged to the house about the door?—Nobody that I knew.
394. *The Chairman.*] Did he speak to the people at the door as he passed in?—No, he passed them.
395. *Mr. Tunbridge.*] As to the Royal, did he speak to any one there?—There was nobody at the door there.
396. He walked straight in?—Yes.
397. The same at the Railway?—At the Railway Hotel he went round to a side door.
398. Are you an abstainer?—Not a strict abstainer.
399. Have you ever visited these hotels yourself on a Sunday?—No, I have never been in any hotel on a Sunday.
400. He never made any statement to you as to how it was he got inside the hotels, whether he made any representations as to who he was or anything of that kind?—He merely said he had been in and had a drink.
401. Did you stay with him any time on the Esplanade?—We were together about an hour on the Esplanade.
402. Where did you go after that?—We walked down towards the town again.
403. Any more drinks?—He had another drink at the Railway Hotel by the side door.
404. He gave you to understand he was going in for another drink?—I understood he had another drink.
405. Where did you go after that?—We walked up the Quay just past Bowen Street, where we parted. He wanted to go further up the street with me, and I tried to persuade him to go home.
406. Was he sober when you first met him?—He was just sociable. I would not say he was drunk. I was under the impression he had had a drink.
407. He did not tell you where he had been before?—No.
408. *Colonel Pitt.*] Did you see any police about any of these hotels?—I do not remember seeing any police about.

ALBERT TONKS examined on oath.

409. *The Chairman.*] What are you, and where do you live?—Saddler, Thompson Street.
410. *Mr. Taylor.*] Do you remember helping Mr. Herron to collect information as to the number of visitors at the Army and Navy Hotel in 1894?—Yes.
411. Do you remember what hours you were there?—From 8 a.m. to about 5-30.
412. What was the total number of visitors to the hotel during that time?—About 107.
413. You worked together that day, taking notes and observations?—Yes.
414. Were some of the people carrying kits or bottles into the hotel?—About one, that I remember.
415. There was more than one, I suppose?—I only remember one.
416. What class of people did they appear to be—did they just appear to be passing in and out of the hotel?—Yes.
417. Did they stay very long?—Not as a rule.
418. You understood at the time the information was not being collected for police purposes?—Yes.

419. Have you made any systematic observations since then?—No.
 420. Did you see any police about the house that day?—No, not while I was there.
 421. None went in?—No.
 422. Do you know what Sunday it was in March?—It was about the 4th March.
 423. Did you see any policeman pass on beat?—No.
 424. You do not remember?—No.
 425. If Mr. Herron says a policeman stayed for three-quarters of an hour outside the hotel would you contradict him?—No, that was my dinner-hour then.
 426. You were off for a while?—Yes.
 427. Do you remember what time that was?—Between 1 and 2 o'clock.
 428. What is stated on the notes with regard to the policeman?—"Policeman hovering round for three-quarters of an hour." That is marked between 12.30 and 2.30.
 429. *Mr. Tunbridge.*] Do I understand you to say you left your watching altogether for that hour?—Yes. I was watching continuously all but that hour.
 430. When did Mr. Herron leave?—He left between 12 and 1.
 431. From 12 to 3 there was only one watching?—Yes.
 432. *The Chairman.*] Who made that entry then, "12.30"?—Mr. Herron.
 433. He was not there?—Well, this has been made out since then.
 434. *Mr. Taylor.*] Where are the original notes?—We put it down roughly, and then copied it out afterwards.
 435. How soon afterwards?—The same night. It was made out from rough notes on the same night.
 436. *The Chairman.*] Then, at some time or other between 12.30 and 2.30, the policeman was there?—Yes. The constable was there between 1 and 2.

AUGUSTUS THOMPSON examined on oath.

437. *The Chairman.*] What are you, and where do you live?—Carpenter, Daniel Street.
 438. *Mr. Taylor.*] Do you remember being with Mr. Petherick in 1894, collecting information as to Sunday trading?—Yes.
 439. Do you remember the date?—It was Sunday, 4th March, I think.
 440. What hotel were you taking notes as to the number of visitors to?—The Newtown Hotel.
 441. Do you remember what time you were there?—From 7.30 to about 5 or 6. I could not tell you the exact time I came away.
 442. Did you take refreshments with you?—No; I went home to get them. I went home between 12 and 1, and Mr. Petherick went afterwards.
 443. What was the total that day?—About 180. There were 154 men, ten women, eight boys, and eight girls.
 444. Were any of them carrying bags or bottles, or jugs, or anything of the kind?—Some of them had a kit, others had something under their coats and cloaks. Of course, we could not see what they were carrying.
 445. Did they look like travellers, or were they people in the neighbourhood?—I think they looked like people in the neighbourhood. I could not say, because I was not living in the neighbourhood at the time.
 446. But they looked like residents?—Yes.
 447. Did any of them show signs of intoxication at all?—Not that I know of.
 448. What impression did you form, that they were just going in and out for drinks?—I could not swear what they were going in for.
 449. Did you see any police about that day?—I saw a constable that was stationed at Newtown go by.
 450. Was there anybody watching in front of the house?—I did not see any one watching.
 451. Have you made any systematic observations since that date?—No.
 452. *The Chairman.*] Have you any experience in the use of stimulants?—No.
 453. You do not know how much it would take to make an ordinary person show he was the worse for it?—No.
 454. *Mr. Taylor.*] Are you a teetotaler?—I am.
 455. *The Chairman.*] You do not know whether one glass would upset a person, or two or three, or more?—No.
 456. You do not know how long these people were in there?—No.

GEORGE PETHERICK examined on oath.

457. *The Chairman.*] What are you, and where do you live?—Bootmaker, Taranaki Street.
 458. *Mr. Taylor.*] Do you remember helping Mr. Thompson to collect information bearing on the question as to how many people visited the Newtown Hotel?—Yes.
 459. Do you remember the date?—Yes, the 4th of March, 1894, on a Sunday.
 460. What time were you taking notes?—From 7 o'clock till about dusk.
 461. Do you remember the total number of visitors?—One hundred and eighty.
 462. Any of them carrying kits or bottles, or anything to show that they were likely to fetch liquor away?—The first entry was of that description. The first entry was a girl, about 7.15. She had a kit. She was let in by the man that was watching the surroundings of the hotel.
 463. Did a number of them carry kits or bottles or vessels of any kind during the day?—Two or three of them. I could not say how many. There were ten women, eight boys, and eight girls.

464. Did they seem to be casual callers?—Yes; perhaps two or three of them stayed in some time.
465. Did you notice any signs of intoxication on any of them when they came out?—Yes, I did; but those that I saw intoxicated coming out were more or less that way when they entered.
466. There were none of them drunk?—Well, it is ———.
467. Definition wanted again?—Yes.
468. Were any police visible during that day?—I saw Constable Carroll four times during the day—twice in the morning and twice in the afternoon.
469. Just pass the hotel?—Yes.
470. Was he in uniform?—In the morning he was; in the afternoon he was in plain clothes.
471. Did any one seem to be on watch during that day belonging to the hotel?—No one seemed to be particularly on watch. There was never a great number in at a time?—just ones and twos.
472. Have you made any systematic observation since that date?—No, I have not.
473. You could give no facts as to whether the state of things to-day is similar to what it was then?—I could not say. I took this to post myself up, so that I could know personally how things were going.
474. *Colonel Hume.*] When you were with Mr. Thompson, did you say to each other, when you saw a man go in, “Well, now, that is a traveller; that is a resident; that is somebody else”—did you consult together, as it were?—Some persons, two or three, went in that I knew personally.
475. You said, “That is So-and-so,” because you knew him. Well, if a doubtful man came along, what did you do then?—I could not say.
476. Did you say to Mr. Thompson, “I do not think that is a resident; that fellow is going to have a drink”?—Not that I am aware of.
477. You did not consult together?—No. At the same time, I would like to say this: although I saw Constable Carroll four times during that day, under the circumstances, it would perhaps be difficult for him to secure a conviction, though there were so many people visited the hotel.
478. When this man came out shaky, or looked as if he had had liquor, you probably said to Mr. Thompson, “That is So-and-so; he is pretty full up,” or something of that sort, “but he was full when he went in”?—Quite likely.
479. Would you be surprised to hear that Mr. Thompson says he never saw anybody come out the worse for liquor that day?—His opinions may differ from mine.
480. But how could your opinions differ if you consulted together?—I do not know that we consulted together.
481. I asked you, and you said “Yes”?—I said, “We may have.” I would not swear so.
482. You are perfectly certain you saw two or three persons come out the worse for liquor, and that they had had liquor before they went in?—Yes.
483. You did not consult with each other about every man that went in and out?—I do not suppose we did consult about every man.
484. How did you arrive at your conclusions that So-and-so was not a traveller, or that So-and-so was a resident of the place, if you did not consult together?—I speak only of those I knew. There were two or three people whom I knew lived in the neighbourhood; others I did not know.
485. Those that came along that you did not know anything about, what did you say about them?—I put them down simply as men. There were four I knew personally.
486. You did not have a systematic consultation together as each one came out and went in?—No.

THURSDAY, 10TH MARCH, 1898.

CHARLES HERBERT TREADWELL was examined on oath.

Mr. Treadwell: I have been solicitor for James Dealy and Stephen Dealy (James Dealy being licensee of the Railway Hotel) for many years. In 1892 Mrs. O'Leary, wife of Constable O'Leary, executed an instrument assigning any interest she might have as next of kin to Daniel Dealy, deceased, to James Dealy and Stephen Dealy.

1. *Colonel Pitt.*] An absolute assignment?—Yes.

2. What is the consideration?—The consideration was this: James Dealy was administrator of Daniel Dealy's estate, and this lady was one of Daniel Dealy's sisters. Well, the estate at the time of Daniel Dealy's death was, as I have often been informed and believe was the case, very largely in debt—there were a great deal more debts than assets—and the next of kin agreed to make over any possible interest they might have to the administrator, James Dealy, who has since been carrying on the hotel for the benefit of himself with his brother Stephen.

3. Who did these two make it over to?—To James and Stephen Dealy.

4. Then, there is no consideration?—It is a release of any interest she might have. The deed is dated in 1892, although I might point out the month and day have never been filled in in ink. That is on account of flaws in the lease, which have taken years to remedy. The deed is as follows:—

THIS DEED, made the nineteenth day of October, one thousand eight hundred and ninety-two, between Hanora Dealy, of the City of Wellington, in New Zealand, spinster, and Catherine O'Leary, wife of Florence O'Leary, of the said City of Wellington, police constable, of the one part, and James Dealy and Stephen Dealy, of the said city, hotelkeepers, of the other part: Whereas Daniel Dealy, late of the said City of Wellington, hotelkeeper, died on or about the twentieth day of August last, intestate, and administration of his estate was on the second day of September last granted out of the Supreme Court of New Zealand, Wellington District, to the said James Dealy: And whereas the lands and premises comprised in the hereinafter in part recited deeds of lease, with the hotel and buildings thereon known as the “Railway Hotel,” were at the date of the death of the said Daniel Dealy vested in him for all the residue then to come and unexpired of a term of twenty-one years from the sixth day of May, one thousand eight hundred and seventy-five: And whereas the said Daniel Dealy died a bachelor, and leaving his

mother and five brothers and three sisters him surviving, and the said Hanora Dealy and Catherine O'Leary are sisters, and the said James Dealy and Stephen Dealy are brothers of the said Daniel Dealy, and the mother and the other brothers and sisters of the said Daniel Dealy reside in Ireland: And whereas by deed of lease dated the thirteenth day of September last, made between Pero te One of the one part, and Daniel Egan of the other part, the said Pero te One did demise and lease unto the said Daniel Egan all that piece or parcel of land containing by admeasurement four perches, more or less, being the lot numbered fourteen by a subdivision of the Pipitea Pa Reserve of the said city, as shown in the plan drawn hereon, coloured in outline red, with the appurtenances thereto, for the term of twenty-one years, to be computed from the sixth day of May, one thousand eight hundred and ninety-six, at the yearly rental of sixty pounds, and subject to the covenants and conditions in the now reciting deed contained or implied: And whereas by deed of lease, bearing date the thirteenth day of September last, made between Teo Tipene, Hone Ngaukaka, Rota te Paki, and Heni Tipene of the one part, and the said Daniel Egan of the other part, the said Teo Tipene, Hone Ngaukaka, Rota te Paki, and Heni Tipene did demise and lease unto the said Daniel Egan all that piece or parcel of land containing by admeasurement twenty-two perches, more or less, being the Lot Number Fifteen by a subdivision of the said Pipitea Pa Reserve as shown in the plan thereof drawn hereon coloured in outline red, with the appurtenances, for the term of twenty-one years from the sixth day of May, one thousand eight hundred and ninety-six, at the yearly rental of one hundred and forty pounds, and subject to the covenants and conditions in the now reciting deed contained or implied: And whereas the said leases, though taken in the name of the said Daniel Egan, were obtained by him for and on behalf of the said James Dealy and Stephen Dealy, and the said Daniel Egan hath agreed to assign and transfer the same to the said James Dealy and Stephen Dealy as tenants in common in equal shares: And whereas a question has arisen as to whether the estate of the said Daniel Dealy is not entitled to or to an interest in the said in part recited leases of the thirteenth day of September last, but the said James Dealy and Stephen Dealy do not admit any such title or interest, and the said Hanora Dealy and Catherine O'Leary do not desire as sisters of the said Daniel Dealy as aforesaid to claim any interest in the said lease, and have agreed to execute these presents for the purpose of releasing such interest, if any: Now this deed witnesseth that in pursuance of the said agreement, and in consideration of the premises, they the said Hanora Dealy and Catherine O'Leary do and each of them doth hereby assign, release, transfer, and assure unto the said James Dealy and Stephen Dealy all those the undivided share and interests (if any) of them the said Hanora Dealy and Catherine O'Leary respectively of and in the said in part recited leases, and of and in the lands and premises expressed to be thereby respectively demised and leased, to hold unto the said James Dealy and Stephen Dealy, their executors, administrators, and assigns, as tenants in common in equal shares for all the respective residues now to come and unexpired of the term of years granted by the said deeds of lease respectively: And this deed further witnesseth that in further pursuance of the said agreement, and in consideration of the premises, they the said Hanora Dealy and Catherine O'Leary do and each of them doth hereby acquit, release, and discharge the said James Dealy and Stephen Dealy and each of them, their and each of their executors, administrators, and assigns, and their respective estates and effects from the respective interests, claims, and demands (if any) of them the said Hanora Dealy and Catherine O'Leary in to or upon the said leases and the lands and premises comprised therein respectively, and of and from all actions, suits, proceedings, accounts, claims, and demands for or in respect of such interests, or for or in respect of any act or thing in anywise relating to the premises.

In witness whereof these presents have been executed by the parties hereto the day and year first above written.

Signed, sealed, and delivered by the said Hanora Dealy, in the presence of—
P. LEVI, Solicitor, Wellington.
Signed, sealed, and delivered by the said Catherine O'Leary, in the presence of—
P. LEVI, Solicitor, Wellington.

HANORA DEALY. (L.S.)

CATHERINE O'LEARY. (L.S.)

5. It is a sort of family arrangement by which these two ladies surrender or release any interest they might have in the estate?—That is the position exactly. The reason I am asked to come here and make this statement is that my client thought the report in last night's *Post* will do him harm, and he wants the matter properly set forth.

6. *The Chairman.*] It has gone forth to the world that his wife is interested in the property, which estate is absolutely James Dealy's own?—That is the position.

7. *Mr. Taylor.*] Did you take instructions from Mrs. O'Leary for the preparation of that deed?—This document is signed by Mrs. O'Leary, and the instructions were given to Mr. Stafford or Mr. Field. I am unable to ascertain which.

8. You do not know now of any conversation that took place between your partner and Mrs. O'Leary at the time the deed was drafted?—No; I cannot say anything of the conversation, that took place some years ago.

9. When was it drafted?—In 1892.

10. Do you know if there is any other deed of any description relating to this property in existence, as between the present licensee and the sisters who signed this document?—I am quite sure there is not.

11. No consideration is to be paid by Dealy to his sister for her share?—I have already explained that James Dealy was administrator of Daniel Dealy's estate. When Daniel Dealy died the debts belonging to the estate were largely in excess of the assets.

12. Do you know if he has paid one brother £1,000?—I know he has not.

13. Supposing Mr. O'Leary said he had done so, he would be wrong?—Certainly.

14. And O'Leary said his wife's interest was worth £1,000?—I do not know the value of the property, but it is an exceedingly sanguine estimate.

15. Instead of Mrs. O'Leary's interest being valued at £1,000 she has no interest at all in it?—She parted with the whole of her interest for nothing, whether it was worth something or nothing.

16. Absolutely without present or future consideration?—Yes, so far as I know. I should say that it was an excellent consideration that the estate was relieved of its liabilities by Dealy.

17. What did you say the others received for their share?—I say Stephen Dealy did not receive £1,000. I believe he received £300. Stephen Dealy was a partner in the concern, and had been working in the hotel since 1892 without receiving any wages.

18. When did he receive payment?—Some time within the last six months.

19. Any deed in connection with the settlement?—Yes; I believe my partner, Mr. Field, prepared a deed.

20. Which of your partners prepared that document?—The release? either Mr. Stafford or Mr. Field; I cannot say which.

21. Has that been registered yet?—It does not require registration.

22. There is really no date on it?—It is dated 1892, and the 19th October is filled in in pencil in the handwriting of, I think, Mr. Field. Mr. Levi was solicitor for Mrs. O'Leary. He was advising her.

23. Has Mrs. O'Leary in that deed actually parted with her interest in that property?—Certainly.

24. When did she part with it?—When she signed the document.

25. What date?—1892.

26. Is it legal to fill in the date with pencil?—Certainly. A document without any date at all is perfectly valid. The date can be otherwise proved. It was not completed because the title was vested in a man named Egan, who was a trustee, but it has since been cleared up. Egan is an uncle of the Dealys.

JOHN JACKSON JOHNSTON was examined on oath.

27. *The Chairman.*] You are a member of the Police Force?—Yes.

28. What rank?—Second-class constable.

29. Where?—Stationed in Wellington.

30. We shall be glad to hear anything you desire to say?—I desire, on behalf of a number of constables in the Wellington Police District, to lay before you what has been for several years past a grievance with the men, and that is, the discontinuance of the long-service pay. Now, you are aware that in 1887 the long-service pay was stopped, and since then there has been nothing but dissatisfaction amongst the men who have joined, and especially amongst those men who have been transferred from the Permanent Artillery. These men now find that constables in the Force who were fortunate enough to be transferred previous to the year I have mentioned are in receipt of 1s. per day extra, long-service pay.

31. All who were transferred prior to that date get 1s. long-service pay?—Yes.

32. And none after?—No. That is the date when the discontent commenced in the Force.

33. Do you mean discontent on the part of those who were in the Force prior to the 10th February, 1887, the date of the circular, or since?—Those in the Force since; and they are the large majority of the men. They have no hope of ever getting on an equal footing with the others, and consequently they are dissatisfied. They have nothing to look forward to, and no encouragement for good conduct, because there is no reward held out for them. This long-service pay was granted purely for long service and good conduct. There has never been much promotion in the Force at the best of times. The men have nothing to gain by expecting anything in that line. It is out of the question. To convince you of the unfairness of the system as it now stands it will be necessary for me to adduce a particular case as an instance—to put my own, as briefly as possible.

34. When did you join?—I joined the Armed Constabulary in 1886.

35. When did you join the Police Force?—In 1889. I served seven months in the Armed Constabulary, and I was transferred to the Auckland forts as third-class gunner, and remained in the Force for over two years. I was transferred in 1889 to the Police Force under Major Gudgeon. I have been doing police duty since. Of course, if I have been unfortunate to lose my long-service pay I have always been extremely lucky in having good officers to serve under, and that has gone a long way.

36. Where has your service in the Police Force been?—In this district. Here is my discharge, and you will see I only got credit for seven days in the Armed Constabulary. At that time they were building fortifications, and they no doubt found my services as a navvy more valuable than as a gunner, and I lost a shilling a day through that for seven months.

37. Why did you lose 1s. per day?—Well, the Permanent Artillery got 6s. per day and the Armed Constabulary got 5s. per day.

38. You joined the Armed Constabulary, and then joined the Permanent Artillery?—Yes, after serving there over seven months.

39. What were you doing?—Building fortifications.

40. Had you any reason at all to expect, when you joined the Police Force in 1889, that you were going to receive an allowance which had been abolished in 1887?—That sort of thing has occurred in the Force before. They reduced the pay 10 per cent. one time, and then made it up again afterwards.

41. Is your object in saying what you have said a desire to express a grievance, in not having received long-service pay, or to show to us the advantage and importance of re-establishing the long-service pay?—It is to have the long-service pay established if possible, because the men will not be satisfied without it. They will be far more satisfied with the long-service pay than with any pension scheme. We do not want to have anything to do with what we have lost by it, but to see the thing established. Mr. William Hutchison was in Wellington some years ago and explained a pension scheme to us; and every man on the station opposed that, because the long-service pay was abolished and we would not be on the same footing as the other men. We were discontented with that.

42. You disagreed with Mr. Hutchison's scheme?—Yes, every man on the station.

43. Do you think that the men would be more satisfied with more pay per day than with a pension scheme?—Yes, the men would be inclined to work out a pension scheme of their own if they got decent pay. Of course, I have completed now twelve years in the New Zealand Forces—namely, nine years in the Police Force and three years in the Permanent Force—twelve years, with good conduct, and it is not worth a penny-piece to me.

44. And you think a system of increased pay at stated periods, say, every five years or so, would be acceptable and satisfactory?—Undoubtedly so. There has been nothing but dissatisfaction ever since that pay was stopped.

45. *Colonel Pitt.*] Have the police formulated any scheme amongst themselves for a pension scheme; you said they would work out a scheme of their own if they got decent pay?—No. They think that any attempt to have a pension scheme would be attended by nothing but failure.

46. They have attempted no scheme of their own yet?—No, not that I am aware of.

47. Do you think they would successfully formulate a scheme without having a lump sum of money to start with?—No, they have no hope whatever. There is the Bank of New Zealand pension fund, that was endowed with £25,000 by the bank at its foundation, and now it is a burden on the whole staff. In the face of this sort of thing the men do not see that a pension scheme would work at all, or give satisfaction.

48. I am speaking of the scheme you say the police would start for themselves?—That is to say, if a man had decent pay he would be able to save something and make ready for a time when he would probably want it.

49. It would be individual saving, but no general scheme?—Yes.

50. *The Chairman.*] You say you yourself have no personal grievance of any kind. Can you tell us of any dissatisfaction existing in the Force as to any other matters in connection with position? The ordinary pay, you say, is not sufficient to enable you to provide for a pension scheme?—I do not consider the pay sufficient.

51. What is the present pay?—My present pay is 7s. 6d. per day. I work on an average between nine and ten hours a day, taking all the year round.

52. Is that the pay of a second-class constable all round?—Yes; but with long-service pay it would mean perhaps 8s. or 8s. 6d. per day. There are men junior to me in the service who are drawing more pay than I am.

53. You mean junior in the service of the colony?—They might not be junior to me in the service of the colony, but junior to me in rank. Perhaps their promotion is of later date than mine, and they are junior to me in rank although not in service, and they draw 1s. per day more than I do, through the long-service arrangement.

55. You want something more in the way of daily pay, to provide for a pension fund?—Yes.

56. You think 7s. 6d. is not sufficient for the class of work you have to do?—Certainly not.

57. Do you live in barracks?—Yes.

58. What are the barrack charges?—From 1s. 6d. to 1s. 9d. for food alone. Then we have to provide for clothing, and one summer on the wharf will destroy a suit of uniform.

59. What do you estimate uniform costs you a year?—I reckon with care one suit a year would do.

60. What does it cost you to keep yourself in uniform?—Taking into consideration boots, from £5 to £6.

61. One witness told us, I think, that it came to about £8, taking into consideration overcoat, two pairs of trousers, and boots?—I have not taken waterproof coat into consideration.

62. Taking these into consideration, does £8 a year cover the expenses of uniform, &c.?—From £8 to £10.

63. Then, uniform and living costs you about £50 a year, out of your present pay of 7s. 6d. a day?—Yes.

64. Tell me why you think the pay is below what it should be?—An ordinary labourer gets 1s. an hour, and overtime at the rate of 1s. 6d. If they are permanently employed by the Harbour Board the Board will permit them to insure their lives for a sum up to £400, and will pay half the premiums.

65. Taking that as a basis for the wharf labourer, you think a constable's pay of 7s. 6d. a day is low?—It is low, considering the unpleasant nature of the work he has to do; and any man with a strong constitution can make a labourer in seven days. It has taken me nine years, with good luck, to make a second-class constable. I do not think I am well paid by any means compared with the other Forces.

66. Can you call our attention to the pay of any Force that is better paid?—Yes; the pay of the Sydney police is 7s. a day to start with, and after twelve months' service you get 1s. a day rise, and you have your uniform found.

67. Anything else found them?—I cannot say.

68. Now, do you know any other colony where the pay is better?—I believe in all the Australian Colonies the men are paid better than they are in the New Zealand Police Force. I may state the New South Wales police get a shilling a day house-allowance for married men.

69. Do married men get house-allowance here?—None whatever, except sergeants and non-commissioned officers.

70. It has been mentioned to us that the handcuffs and batons you use in the Force are not satisfactory; have you anything to say about them?—The baton is satisfactory, but that style of handcuff has been obsolete for years. I find this particularly in the duty I have to do on the wharf. You get a violent prisoner with big wrists and you cannot get the handcuffs on. Then there is the other way about: if you get a man with small wrists they are too large for him, and easily slip.

71. Have you seen better?—Yes; the American style of handcuff is a long way superior to ours. You can make them fit the wrist of any man, no matter how small or large it is.

72. It is suggested that the batons are too heavy, and that you are afraid to use them?—Some of them are.

73. Have you seen any other?—No.

74. With regard to batons, you do not say much?—No.

75. Now, I want you to remember that we are hearing this from you as the voice of the Force, and you express so far as you can your sentiment, and distinguish it if you think you differ from the feeling of the Force generally. Now, I am going to ask you something about the franchise. For some years the members of the Force have been allowed to vote, and I want to know your opinion

upon that. Is it desirable, in your opinion, that the men should have the right to vote, or do you think having the right to vote interferes with their independence, or subjects them to suspicion, or is in any way detrimental to the Force?—My experience of the matter is that it is not detrimental to the Force, in this way: that it is not from the mere fact of a man having a vote at an election that gives him any influence at all. The influence simply comes from his friends, and I think that as the franchise has been extended to the police, they can use their own judgment the same as other men in voting. They can select their candidate, and vote for that candidate without having recourse to anybody to advise them. I speak for myself. I have been here during three or four elections, and I have never yet been asked for my vote by one side or the other, nor has any suggestion been made from outside the Force. We might talk about the matter in the barracks amongst ourselves, but I have never been approached by any outsider.

76. You do not think yourself that it exposes you to any influences, or that you are likely to be made use of in any way for political purposes?—Not the slightest. It is not through having the franchise that the harm comes, when you talk about influence. I know nothing about influence; but it is the people who have a lot of friends who cause the mischief, and they use these friends to get advancement in the Force and for other purposes.

77. It has been suggested that men in your position having the right to vote would feel bound to vote for the party in power?—Oh, not at all. You can go to the ballot-box, and there is nothing to compel you to vote for any one. You can vote for whom you please.

78. You think there is no fear?—Not at all. I would not care if you could turn up my voting-paper to-morrow.

79. You feel no embarrassment in that way?—Not the slightest.

80. Can you tell me, then, that the feeling of the Force is that they are free from any pressure?—Yes. The men do not care. They have no fear in a matter of that sort. They are never influenced in any way to vote except in the way they choose themselves.

81. Have you ever heard any hints from your officers as to how the men are expected to vote?—Never. I have never heard the Inspector here speak of anything of the kind.

82. *Colonel Pitt.*] In Wellington, what instruction do the Police Force get in their duties?—The Sergeant-major (Mason) holds classes once a week, every Thursday afternoon from 2.30 to 3.30. That is, for every one who can possibly attend. Of course, if he does not attend, the senior sergeant is supposed to take over the class.

83. What is the instruction given?—Generally a lecture from the sergeant-major on discipline, and various other things. The men may ask him a lot of questions.

84. Are you instructed what you ought to do or ought not to do in stated cases?—Oh, yes.

85. *The Chairman.*] Do you get another instruction monthly?—If anything has occurred that is worth mentioning the Inspector generally gives instruction as to whether it was well done, or whether it was not done to his satisfaction, and then he points out what should have been done.

86. You get instruction from the Inspector illustrating cases?—Yes.

87. *Colonel Pitt.*] How many men on an average attend these classes weekly?—I suppose there would be about twenty—all the men who are off duty and can attend, both married and single.

88. We were told that all the men in the Force now have to insure their lives?—Yes.

89. Supposing the Government paid the premium of the life insurance, would that meet the grievance you say you have in reference to the long-service pay?—Of course, it would be a relief in one way, no doubt. I think it would hardly be adequate.

90. *Mr. Poynton.*] Is there any discontent about the uncertainty of getting a retiring-allowance?—Yes. Of course, the men would be satisfied if there was a permanent retiring-allowance of one month's pay for each year of service, after four or five years of service.

91. To get it as a right?—Yes.

92. *Colonel Hume.*] You lost 1s. a day, did you not, by being transferred from the Permanent Artillery to the Armed Constabulary Force before coming into the police?—Yes, when I was transferred.

93. Now, had any officer connected with the police anything to do with that loss at all?—No.

94. When you came into the police you knew exactly what pay you were going to get, and knew you were not to get the long-service pay?—Yes.

95. You came in with your eyes wide open?—Yes.

96. Everybody else came in on the same terms?—Of course, we could not all join at the same time.

97. You knew when you joined the Force that you would not get any long-service pay?—I did not know I was not going to get it; I knew it was not then in force.

98. You knew an order had done away with it?—Yes.

99. Did you ever see a scheme that I made out?—I have heard about it.

100. How would that suit the men: that is, increment for service?—That would have been satisfactory to the men no doubt, had it been tried, in the absence of anything else.

101. It would be better than the way it is now?—Certainly.

102. A man would get his increase in the ordinary course of things?—It almost amounted to the long-service pay system.

103. Now, where did you see Mr. Hutchison's scheme?—In the barracks.

104. Were you not paraded before Mr. Hutchison?—Yes; he came into the barrack-room one afternoon and explained the system to us.

105. Do you happen to know whether District Clerk Wright was present on that occasion?—He was not in Wellington then.

106. You say there are men junior to you drawing long-service pay?—Junior in rank, yes.

107. You might have told the Commissioners why that is: did you not get special promotion for gallant conduct?—Yes; I was promoted in 1892 for the arrest of a man named Findlay.

108. If it had not been that you were specially promoted for gallant conduct there would not be any juniors in the service drawing long-service pay?—No; but there might be juniors in the Forces altogether, but not in the Police Force.

109. You said something about your uniform being destroyed: do you not always get compensation when you ask for it?—If it is destroyed in the execution of your duty; but for the ordinary wear and tear you do not get anything.

110. But whenever it has been destroyed in making an arrest you have been compensated?—Yes.

111. Then you said something just now about the American handcuffs being superior to ours; have you examined them carefully?—Yes.

112. Did it strike you that there was anything at all dangerous about them?—No. I know the detective service here use them, and they have no fault to find with them.

113. You said you could make them as small as you liked; what happens to the end when you slide it all the way?—The end protrudes about $\frac{1}{4}$ in.

114. And you could jamb it into a man's head, or he could strike it into yours?—It strikes me as very improbable, because when a man is handcuffed I do not think he could do that.

115. When there is a general election it is necessary to shift men all over the place?—I do not know; it may be so.

116. You must know that they are withdrawn from the country to more important places?—Yes.

117. Therefore these men are disfranchised, are they not. Take Levin, for instance: the chances are the man would be transferred down here, and he would therefore be disfranchised, would he not?—Yes.

118. Then, if it was found out, or if some candidate thought he was any particular colour, would they not have a grievance with the department for having taken this man away because he was of the right or wrong colour; is that possible?—They might have reasons, but I would not care to say that was the reason.

119. Might it not be put forth as a reason?—The man might be very useful in the electorate; it would not be from the fact of his having one single vote that a candidate would have a grievance.

120. Then, I understand you to say that the discontent you speak of in the Force is purely a matter of pay, and retiring-allowance?—Yes.

121. *Colonel Pitt.*] You spoke of the men in the Force having friends. Is there any feeling in the Force that men are advanced or promoted through outside influence?—There may be feeling to that effect, but it is only ordinary barrack-room talk, and there is nothing in it.

122. You think there is nothing in it?—No.

123. *Mr. Tunbridge.*] You said there was a good deal of dissatisfaction owing to there being no encouragement to the men for good conduct?—Yes, undoubtedly.

124. What you meant by that, I presume, is that well-conducted men are not encouraged as they might be to continue well-conducted, and perform their duties satisfactorily?—Yes.

125. And that there has been stagnation in promotion?—Undoubtedly; little or no promotion.

126. What has caused a good deal of that stagnation of promotion in the Force?—No doubt it is due to the absence of any superannuation scheme, when men would retire at a certain age, and of course leave a way clear for their places to be filled up from the ranks.

127. Then, this stagnation is in a great measure to be removed could a superannuation scheme be adopted?—Yes, or compulsory retirement at a certain age.

128. In reference to compulsory retirement at a certain age: do you think the colony generally would like to see a man who has passed thirty or forty years in the service of the colony sent out of the Force on to the world with one year's pay?—I say one month's pay for each year of service.

129. I know; but the present conditions are that they get one year's pay only?—It is most unfair.

130. You do not think the people of the colony generally would like to see that done?—No.

131. Then, there is no alternative but to have some pension fund, or to pay them one month's pay for each year of service?—Yes.

132. Do not you think a pension fund would be preferable to a gratuity?—I do not think so, inasmuch as it is thought the men would be called upon to pay out of their own pockets to keep this pension fund going. It would be like giving them 1s. per day promotion, and taking 6d. or 9d. a day to keep the fund going.

133. Do you know anything of the pension system of other Forces?—No.

134. Do not you know that in most of them the men contribute towards their own pensions?—I believe they do.

135. You would not expect this Force to get pensions on better conditions than others?—No. The only thing is, you cannot start a pension scheme under better conditions than the Bank of New Zealand pension fund started, and now they are trying their utmost to get rid of it.

136. Would you object to a pension scheme where the men had to contribute under any circumstances?—Of course, it is a very argumentative subject, and I have not considered it sufficiently to give an answer.

137. May I put it this way: Do you not think that a pension scheme would be very beneficial to the Force?—I think so, looking at it from the standpoint of the Force at the present time.

138. *The Chairman.*] That is, a pension scheme as against a retiring-allowance?—A retiring-allowance is preferable to a pension scheme under those circumstances.

139. *Mr. Tunbridge.*] That is, assuming you get one month's pay for each year of service?—Yes.

140. Then, you think that a pension system where the men had to contribute would not meet with the approval of the Force generally?—Not as well as a retiring-allowance of one month's pay for each year of service.

141. You think a retiring-allowance as you suggest would be preferable to the men in the Force?—Yes; that is my opinion.

142. You have come here to voice the opinion of many others?—Yes; the feeling of the men.

143. And you think that is the feeling of the men generally?—Yes.

144. That would place you on a similar footing to the Prison Department?—Yes.

145. What do you consider would be a fair remuneration for the Force?—1s. an hour is a fair pay—that is 8s. per day.

146. Do you mean that to apply to a man when he begins police service?—No, because I would say a man beginning is not worth the same amount of pay as a man with two or three years' service.

147. When would you consider a man fit to receive 8s. per day?—After one year's service.

148. Would you give beyond 8s. per day, or would you consider that 8s. was sufficient pay to a man for the work he does?—Certainly not. He is a very poor man who, after five years, is not a better man to the department. The experience alone is worth some consideration.

149. What do you suggest it should rise to; what would you consider the maximum pay of a constable?—Nine shillings per day. Say, after five years' service he should have a rise of 6d., and after ten years another rise of 6d. That would give him 9s. a day.

150. And you think 9s. would be a fair remuneration to a constable after eleven years of service?—Yes.

152. Well, in addition to that, would you suggest that a constable should get his clothing free, or an allowance?—An allowance would be preferable to the men and cheaper to the department.

153. You think they should get that in addition to the scale of pay which you mention?—Yes.

154. Do you also think married men should get house-allowance?—They undoubtedly should. It is only a struggle for existence as it is now.

155. Do you know of any other Force in the Australian Colonies who are paid as liberally as you mention?—I am only going on the lines of the New South Wales Force.

156. Does a constable rise to 9s. per day there?—There are different grades there.

157. Does a senior constable receive as much as 9s. per day?—I dare say. I am not sure of that. The lowest grade of constable there is 8s. per day after one year's service. They call them probationary constables up to twelve months' service.

158. You are speaking of no encouragement for good conduct: as a matter of fact you did get encouragement for good conduct?—Undoubtedly, I have always been treated fair.

159. Until a man does attain the rank of first-class constable he does get encouragement for any act of merit?—Yes; but the chances are very remote.

160. But you do not wish it to go forth that there is no encouragement for good conduct in the Force as it exists?—These opportunities do not often occur, and a man might be in the Force for ten years, with good conduct, and be a good man and it is nothing to him, simply because he is not lucky.

161. *Inspector Pender.*] Do the married men of the Force prefer retiring-allowances to pensions?—I believe they do; the majority of them that we have spoken to prefer them.

162. Have you spoken to some of the married men?—Yes.

163. And they agreed with you?—Yes, they are of the same opinion.

164. *Mr. Tunbridge.*] The feeling among the men with reference to the long-service pay is this: that you, for instance, may be working side by side with a man who is receiving long-service pay, and doing the same duty?—Yes.

165. And gets 1s. a day more than you?—Yes.

166. Although doing exactly the same work?—Yes.

167. That, you say, is a cause of discontent?—Yes.

168. *Mr. Taylor.*] How many men do you represent on this deputation?—I really cannot say the number; the majority of us in the station.

169. How many have you been in consultation with, for instance?—We have discussed it amongst ourselves—all hands in the barrack-room.

170. Do you know anything about the details of the Bank of New Zealand Provident Fund?—Nothing but what I read in the papers, and what one of the officers told me.

171. You have not read what the Private Benefit Societies Commission reported on it?—No. I read the evidence as published in the daily papers.

172. What are the weak points in that scheme? The weak points, from what I can hear from the staff, is that they are paying in so much money to this fund, and it is going to support pensioners who are drawing at the rate of £500 a year from it.

173. You know the amount of their contribution?—I do not know.

174. Do you know whether it is a percentage of salary, or so much per week per man?—I know nothing about the details.

175. There are some men drawing an unfair amount?—Yes.

176. That is really all you know about the scheme?—I know it is not giving satisfaction to the men. The last vote gave a seven-eighth majority against continuing the fund.

177. Who supplies the detectives with the handcuffs?—They buy them.

178. Sooner than buy the obsolete ones in the service?—I think so.

179. As a matter of fact, are there not some constables who buy handcuffs for themselves?—Yes.

180. Do you remember what you pay for your shako?—11s. 6d.

181. Do you know what it costs the department?—I do not know.
182. *Colonel Pitt.*] Does that include the number?—That is issued by the department.
183. *Mr. Taylor.*] Do you know if the department makes any profit on the clothing, or on the hats?—I cannot say.
184. You referred to the instruction classes, and said about twenty on an average attend every Thursday; when did you attend last?—Either last Thursday or the Thursday before.
185. What was the subject of instruction?—On discipline and various other things. The men were asked different questions: assuming such and such a thing to have occurred, what would you do under the circumstances? And, for instance, to give a definition of what a burglary was, and breaking and entering, and whether it was an offence for a man to break into a tent, and so on—general instruction.
186. How many classes have you attended altogether?—I cannot say.
187. Have you been pretty regular?—Yes.
188. Do you go off duty for it?—No, only men off duty.
189. Does the sergeant-major always spend some time every Thursday in lecturing on discipline?—Not every Thursday. He generally starts with discipline and goes right through, taking various subjects from that on. He might give a lecture on the bad effects of drinking while on duty.
190. Well, now, you have attended these lectures some years?—Well, since Sergeant-major Mason has been here. That is not long.
191. Were not the lectures given before?—They have only recently been started.
192. Do you know that an instruction was issued for them to be held?—I cannot say the date.
193. Do you remember an order issuing about the 13th May, 1896, to this effect:—

Drill and Instruction.

(Circular No. 13/96.)

THOSE recruits who may in future join the Force without having been previously drilled will be placed under some qualified constable or non-commissioned officer for the purpose of being drilled in marching, turning, saluting, use of revolvers, handcuffs, and batons, at some convenient hour daily, till passed as efficient by the Inspector. At head-quarter stations all constables available will in future be assembled once a week for the purpose of being instructed and catechized by the non-commissioned officers in the various subjects appertaining to police duties; and once in every month the Inspectors will themselves give a lecture to and catechize the whole of their subordinates that may be available in the various duties they have to carry out as constables.

Wellington, 30th April, 1896.

A. HUME,
Commissioner of Police.

(Published in *N.Z. Police Gazette*, 13th May, 1896.)

- Do you remember that order?—I cannot say I remember the order, but I remember recruits starting drilling, and, no doubt, that would be about the time that order was issued.
194. You say distinctly these weekly instruction classes started with the advent of Sergeant-major Mason?—I do not remember any such classes being in existence before he came here.
195. But you would have attended them had they been held?—Yes.
196. It was in June, 1897, that Sergeant-major Mason came here: is that about your recollection?—Yes.
197. And you did not attend any of these weekly instruction classes before the arrival of Sergeant-major Mason?—No.
198. Had you not your monthly instruction classes regularly before that?—As the men came in the recruits were instructed, no doubt.
199. By the Inspector?—Yes; nearly every parade he gives a lecture—of course, as he finds out that the men want instruction. If he has confidence in the men, and knows they know their duty, he does not go into any details like that.
200. How can you suggest the Inspector knows they know their duty if he does not examine them?—If a man brings a case into Court, and shows they are efficient and know their duty, and make no mistakes, of course, the Inspector has evidence then that the men are up in their duty.
201. Do recruits bring cases up in Court?—Every man brings up his own case.
202. Does he conduct the examination?—No; the Inspector or sergeant-major always conducts the cases. He works up his case and brings forward his witnesses, and by the way he manages his case the Inspector can see whether he is up in his duty.
203. How often will the average constable take a case into Court?—He may have four or five in the one day, or he may only have one in the week.
204. Will the average constable take one case into Court in the week?—Oh yes.
205. Will he take two cases into Court in the week?—I cannot answer that question definitely because I do not know.
206. As a rule, the cases that the constable takes into Court are the general run of minor offences?—They are the majority.
207. Well, now, will experience in that class of case give any constable, recruit or otherwise, the information he wants about his multitudinous duties?—What I think a constable wants is a little common-sense, and that will carry him a long way.
208. Without any knowledge of his power to arrest?—It may go a long way to give him an idea of his duties.
209. Suppose he has no common-sense?—He is not supposed to be in the service.
210. Have all the men in the service got it?—I think they have.
211. You all have copies of Howard Vincent's Guide-book?—Yes.
212. Have you copies of the Police Regulations?—Yes.
213. I suppose you have a pretty good knowledge of them after twelve years' service?—I have a general knowledge of my duties.

214. Now, can you tell us what the regulation is, so far as the constable's right to break open a door in making an arrest is concerned?—He is to be guided by circumstances, of course. If he thinks a crime of a very serious nature is being committed inside, or hears people sing out for assistance, of course it is then his duty to break open the door without demanding entrance. Under those circumstances I would do it. I would not stop to ask for permission to open the door.

215. Does the regulation say you must or must not do that?—I believe the law gives you that privilege, and would protect you in a case like that.

216. Suppose the regulation says he must first state who he is, and his business, would you still act contrary to that—would your common-sense override the regulation?—If I wanted to get into the house, and I thought it was necessary for me to be careful over it, I would say I was a constable, and would tell them I was on duty, and demand an entrance; but if I thought a serious crime was being committed inside the house, I would not wait to do so.

217. What is the regulation with regard to absconding felons?—I might explain, Mr. Taylor, that my particular sphere of duty is amongst the wharves and shipping. I have never had any experience whatever as regards absconding criminals. I only go by practical experience; I do not go by theory at all.

218. You do not know the theory; I want to test the efficacy of these instruction classes?—The instruction has not reached that stage yet. We are on minor subjects. Ordinary constables have nothing to do with absconding criminals. Of course it is a different matter if you are after a criminal who has to be captured. I suppose you mean an absconding criminal is a man in another country who is wanted, and I am not likely to be called upon to bring him back. It is a different question altogether.

219. In regard to a warrant for a man's arrest: supposing you handed that to another constable to execute?—If the warrant is addressed to me I must execute it.

220. No other constable can execute it?—Except it is open to all constables to execute it.

221. Suppose you have a warrant in your name to arrest a man, and you are with Constable Murphy, can either of you execute it?—I am the man who can execute it.

222. Not if you are in his presence?—I think not.

222A. The regulation says: "The constable is bound to follow the directions contained in a warrant, and to execute it with secrecy and dispatch. The power given to him for the purpose of arresting has been already shown. If the warrant cannot be executed immediately it should be executed as soon as possible afterwards. If the prisoner apprehended on a warrant escape, the constable may take him again and again until the object of the warrant is effected. A warrant specially addressed to one constable cannot be legally executed by another." Does that bear on the question?—Of course there are different kinds of warrants. It would be made out and directed to me.

223. The next regulation says, "The constable must execute the warrant himself, or, when he calls in assistance, must be actually present"?—Well, to call in assistance he would have to be present.

224. If you call in assistance, cannot the constable you call in execute it?—No; it must be executed by the constable to whom it is addressed.

225. Not if he was in the same room?—No.

226. Can you remember any subject in which you were instructed at the last classes outside the general term of "discipline"?—Yes; the sergeant-major instructed us in different subjects.

227. I mean any one subject treated upon?—I will give you an instance of what occurred. There was a case in reference to breaking and entering, and what constituted breaking and entering and what constituted burglary; and I think the sergeant-major asked us what would be a dwelling-house, and one of the men raised the question that a tent was a dwelling-place, and there was a great argument on the matter. It was found out afterwards that this man was perfectly right, although a lot of the others would say he was in error.

228. *Colonel Pitt.*] You have been examined on the Criminal Code itself?—Yes.

229. *Mr. Taylor.*] Are any of the constables in suburban stations called into these instruction classes? I mean, take Newtown: would Constable O'Leary come into the instruction classes?—No, I have never seen him there.

230. Supposing a constable, after being six months in a central station, gets charge of a suburban station like Newtown, or of a country station, he would get no more theoretical instruction in his duties, but would simply have to ascertain them for himself as he went along?—Yes, and he has got every facility for doing so.

231. How?—Because a man on a country station gets more experience in the way of theory and of his general duties than a man about town, because he has so many other duties to attend to, and sees and learns a great deal more by theory than a man in the town does.

232. Do not you think that a depot, in which there was a systematic training for every man joining the Force, would be a good thing for the Force?—I do not know; I think common-sense is a great factor in it.

233. If that is your judgment, do you think that our barristers and solicitors would be well fitted to do Court work by common-sense, without any general examination at all?—There is no comparison between the work.

234. As a matter of fact, does a barrister ever arrest a person?—I have not heard of such a case.

235. Is not the arrest of a person a very serious duty?—Yes.

236. And are not many of the relations you occupy with regard to the protection of property important duties?—Yes.

237. Does a barrister occupy any of those relations?—No.

238. If a barrister must have a good knowledge of law before he is qualified for his work, do you not think it is equally important that a constable should have a good knowledge of law before he is

qualified?—I know men who have spent years and years at it, and then have not a good general knowledge.

238A. Do you know of any constable having been removed into Wellington on the general election day? Can you remember any country constable being called into Wellington to do duty on these days?—I cannot distinctly bring to my memory whether they have been. They may have been.

239. Do I understand you to say there is no dissatisfaction with regard to unfair promotions?—Nothing really worth consideration.

239A. To put a theoretical case: Supposing a constable is dismissed for drunkenness—a very glaring case, where the offence is committed in a public place—and, after a few months, is reinstated in his old position in the service, forfeiting neither long-service pay, nor rank, nor station, would you consider that likely to encourage other members of the Force who are decently behaved?—No; it has a very bad effect.

240. Take a case where a constable has been convicted by his department of illegally retaining public moneys for his own profit, and has been disgraced for a few months and then given charge of a country station again, do you not think that has a disheartening effect on a man in the Force who has behaved himself?—Yes.

241. You are not quite sure that there have been many such occurrences throughout the colony?—I do not know.

242. Do you know of any such cases?—No, I have not heard of them.

243. Have you anything to do with enforcing the licensing law?—Yes, I was selected some time ago to visit hotels on Sundays. We reported several of the hotels, and I think all were convicted and fined £5 each, with an indorsement on their licenses; and on another occasion I reported the Pier Hotel for permitting drunkenness on the premises, and on that ground the police opposed the granting of a license to the proprietor. Yes, I have had some experience of the licensing laws.

244. You have been on duty almost exclusively on the wharves during the last few years?—Yes.

245. You think the law is now generally observed so far as Sunday trading is concerned?—Yes.

246. You think it is strictly observed?—Yes.

247. Very strictly? You think it highly improbable that a police officer would get liquor in any of the hotels on Sunday, I mean for his own private consumption?—I can only speak for myself in a matter like that. I never go near a hotel except when I am compelled to do so as a matter of duty. I do not drink myself, and cannot speak for other men.

248. Do not you think you ought to know something about them on duty?—Except what comes under my knowledge. I have not latterly had much to do with them. There are only two hotels on the wharf, the Post Office and the Pier Hotel.

249. You see a good many of the arrivals by the shipping here?—Yes.

250. Do you know whether there are many spielerers in Wellington just now? How do you define a spieler?—I should say a man who frequents racecourses, and who lives by games of chance, and runs gambling games on the racecourse. They are generally of the spieler classes.

251. They are a class you can very easily arrest, on the ground that they have no visible means of support?—It is an easy matter to arrest, but very difficult to prove.

252. Do you think there are many in Wellington just now?—Of course, we are never without some spielerers here. There are some, but so far as my knowledge goes there are very few.

253. You do not know any of them personally?—Yes.

254. Some of them who are now in Wellington?—Yes.

255. What are the names of any of them?—I know a spieler named McLaughlan.

256. Is he here now?—Yes.

257. Any others?—A man named Reardon. These people very seldom come under my notice. We leave them to the Detective Branch. My particular duties are amongst the shipping classes.

258. Do you know any more?—I cannot think of any just now.

259. But you have a pretty fair general knowledge of the town?—Yes.

260. You know the principal thoroughfares well?—Yes.

261. Do you know of any totalisator-shop in Wellington?—No.

262. Do you know if there have been any?—Yes; there is a conviction on record, and I was here at the time they were prosecuted for having tote-shops in Willis Street.

263. You think there are none in Wellington now?—Not that I am aware of. I know there are "bookies."

264. Where are the bookies?—They follow the occupation of bookies, I suppose. For instance, Patterson has been a well-known bookie in Wellington for years, so far as I know.

265. Do you know if any book-makers keep shops in Wellington?—No.

266. Not keeping shops of any kind?—No.

267. Do you know a man named Shotlander; what is he?—He keeps a shop of general clothing.

268. What does he do besides?—I do not know.

269. You do not know if he is a book-maker?—No. I have not had any transactions. I am not a betting-man.

270. You do not bet?—I had a wager once, and I lost my money.

271. How long is that?—Some time ago.

272. How long ago?—When I was in the Artillery.

273. As long ago as that?—Yes.

274. Never had a bet since?—No.

275. Has no one ever complained to you about your betting on the wharf in Wellington?—No. I never had a wager. I might say "I would bet a shilling," for fun.
276. Never had a bet of a shilling?—No.
277. All your bets have been for fun?—Yes.
278. You have bet with no one on the wharf?—No.
279. Do you know any of the billiard-rooms in Wellington?—No, I know there are billiard-rooms.
280. Never in one?—No.
281. You do not know whether any of the spielers have their headquarters in billiard-rooms in Wellington?—No.
282. You never knew of any political influence being invoked in connection with the Police Force?—No.
283. *Mr. Poynton.*] Do you know anything about a supposed jealousy between the Police Force and the Detective Force. There is no jealousy, so far as I know. I can only speak for myself. The detectives have always assisted me, and I make it a point to assist them.
284. It has been said that there is jealousy on account of the best cases being given to the detectives, and that the other men feel aggrieved: apart from yourself, do you know of any other policeman who had a grievance against them for that reason?—No.
285. *The Chairman.*] Is there any feeling in the Force between the uniform men and the detectives arising from a feeling of jealousy?—There has been the very best feeling between the two Forces ever since I have been here.
286. I want you to tell me if what I am about to read to you expresses the true view of the feeling existing in the Force: "I may state there is no love lost between the uniform men and the Detective Branch. They look down on us; and we, knowing what frauds they are, look down on them." Is that prevalent?—No.
287. Again, "When a detective comes to a country station on a case he takes full charge, and we, the uniform men, are subordinate to his orders. He is supposed to possess extra brain-power, and, as a rule, assumes an air of mystery and pooh-poohs any suggestion made by the local police, and thinks Vidocq and Sherlock Holmes mere novices compared to him." You are not aware of any such feeling existing between the uniform men and the Detective Branch?—No, certainly not.
288. *Mr. Tunbridge.*] In regard to the supposititious case put to you by Mr. Taylor about a constable after being six months in the service being sent out to take charge of a country station: do you know of any such case?—No.
289. Is it not a fact that, before a constable is sent out to a country station, he has to be many years in the service?—Many years.
290. Do you not know that the constables stationed at the Upper Hutt, Lower Hutt, and Johnsonville came into town yesterday for duty at the election?—Yes.
291. These men were called into town yesterday from their own districts?—Yes.
292. If there had been a general election yesterday these men would have been disfranchised?—Yes.
293. Now, as regards spielers: do you know if any of these spielers in Wellington have committed offences in Wellington for which they could be arrested?—No.
294. Are spielers as a rule in possession of money in pretty considerable amounts?—You might arrest them and not find a penny-piece on them.
295. As a police-officer, do you not know that if a man has money in his possession that is considered as a visible means of support by the Magistrate, and you cannot sustain a charge?—Yes, undoubtedly.
296. And is it not a rule that spielers are generally supplied with money?—They have a great deal of money.
297. Well, now, as regards the men Reardon and McLaughlan, you say they are book-makers?—They are what I call spielers. I do not always call a book-maker a spieler.
298. Do these men, as far as you know, commit any offence against the law?—No.
299. And unless they do, can the police interfere with them?—No, they have no legal right to.
300. Do you know if Patterson has committed any offence against the law?—No.
301. Does Shotlander commit any offence against the law?—He is a shopkeeper. That is not an offence against the law.
302. *Mr. Taylor.*] As a rule, when a spieler is arrested you do not find a shilling on him?—A spieler of the class I refer to is McLaughlan. He is not a bookie.
303. I think you said a spieler's occupation was to follow race meetings, and play games of chance and what else?—If he has got a show, to use "cronk" dice in gambling.
304. Is it not within your experience in all the large centres of population that the spieling classes are arrested on a charge of having no visible means of support and forced to leave the town?—Yes.
305. And you call Reardon and McLaughlan spielers of that class?—McLaughlan has been convicted as a vagrant.
306. And is he in Wellington now?—I have not seen him for about a week or ten days.
307. Have you never known them to be ordered out of the colony by the Magistrate?—I know of a case where a man has applied for an opportunity to leave the colony, and that has been accorded to him. Under those circumstances the warrant was held back to give him an opportunity to leave, but he was not ordered to leave.
308. And it is about ten days since you saw McLaughlan?—I think so.
309. How long is it since you saw Reardon?—About the same time.
310. Where were they?—Near the old *Evening Post* Office, at the corner of Willis Street,

311. Near Shotlander's shop?—About twenty-five yards away from Shotlander's shop.
312. You name these men as the class of spieler who follow race-meetings, and play games of chance, and use "cronk" dice?—Yes.
313. And you saw them in Wellington about ten days ago?—Yes.
314. *Inspector Pender.*] Has McLaughlan been arrested since?—Yes.
315. Charged with vagrancy?—Yes.
316. And the case was dismissed?—Yes; it was ascertained he had been working a little.
317. You know Reardon has been convicted on several occasions, and has been in gaol for robberies?—Yes.
318. With regard to Sergeant-major Ramsay: you do not recollect his lecturing the men; but is it not a rule or practice for the Sergeant-major at every parade to give the men instruction and tell them about any particular matter that is required?—Yes.
319. That has always been the practice?—Yes; ever since I have been here.
320. And at night, do I not come occasionally and instruct the men before they go out?—Yes; if there was any occasion to do so you have come on parade and told the men.
321. Do you not know as a fact that the spieler are very sharply looked after by the detectives?—Yes; that is so. That is how I came to notice McLaughlan and the other man.
322. Several times you found the solicitors employed by these men complain of the fact that the detectives were always hounding them down?—That is so.
323. In Wellington, I mean?—Yes.

MICHAEL MURPHY was examined on oath.

324. *The Chairman.*] You are a member of the New Zealand Police Force?—Yes.
325. What rank do you hold?—Third-class constable.
326. Where stationed?—Wellington.
327. When did you join the Force?—I joined the Armed Constabulary in 1879, and the police in 1890. I was five years in the Armed Constabulary, five years in the Permanent Artillery, and eight years in the police. I am one of the men Constable Johnston referred to as having lost the long-service pay, because I joined after 1887.
328. Did you ever have it?—No.
329. How did you lose it?—I was not allowed to join before. When the Permanent Artillery first started there were sixty of us drafted, and they wanted thirty-five out of the sixty, and I was one of those picked for the Artillery. Those not picked were told they could either join the police or resign on compensation. I said I wanted to join the police, but I was told I was picked for the Permanent Artillery, and could not join.
330. What pay were you getting in the Artillery?—6s. a day, as second-class gunner. I was in charge of a battery before I left.
331. Was that the formation of the Permanent Artillery you refer to?—Yes; about 1885. Men who were in the Armed Constabulary with me are now getting 2s. a day more than I do in the police here.
332. That is because they were allowed to join the police?—Yes. They were not suited for the Permanent Artillery.
333. And because they have been promoted in rank?—Yes. They were advanced to a certain class after being in the police ten years. I was right through the West Coast in connection with the trouble with the Maoris.
334. Is there anything you are specially delegated to tell us on behalf of the men in the Force?—Constable Johnston has told you.
335. *Mr. Poynton.*] You have heard his evidence and concur with what he says?—Yes.
336. Do you wish to add anything to it?—No.
337. *Colonel Hume.*] Who picked the men for the Permanent Artillery?—Captain Capel.
338. The fact was you were a finely-built man, and they did not want to part with you?—I do not know, but it lost me 1s. a day.
339. *Mr. Tunbridge.*] You heard the evidence of Constable Johnston on pensions. Do you agree with him when he said that compensation of one month's pay for each year of service would be preferable to a pension?—Yes.
340. *Mr. Taylor.*] I would like to ask whether you have considered the question with the particular men Constable Johnston and you represent?—Yes.
341. The question of pension *versus* retiring-allowance?—Yes.
342. You do not know much about the details of the Bank of New Zealand provident scheme?—No.
343. When did you attend the instruction classes last?—I have been away in the Nelson district some time.
344. You do not get instruction unless at headquarters?—No.
345. How long have you been away?—I was away a fortnight at Nelson.
346. Have you been away from Wellington for a month?—No.
347. Did you attend the classes before that?—Yes.
348. Every Thursday?—Yes, when not on duty.
349. How long have you been in Wellington?—Eight years.
350. Do you corroborate Constable Johnston's statement that these classes were only held since the arrival of Sergeant-major Mason?—There were classes for recruits.
351. For recruits, but not for the ordinary constables?—Not for all hands.
352. You do not know what instruction recruits got?—No, I really do not know.
353. Are you on wharf duty?—Yes.
354. Do you know the town?—Pretty well.

355. Do you know of any totalisator shops in Wellington?—Not at present.
356. Not one?—No.
357. Do you know of any other spiellers in addition to those Constable Johnston named?—No.
358. When did you see these two men last?—About three weeks ago or so.
359. Do you know the billiard-rooms of Wellington well?—No, I have not been in a billiard-room in Wellington.
360. You do not wager at all?—No.
361. You think the licensing law is very strictly enforced in Wellington?—It has been lately.
362. Very strictly?—Yes, and especially since the new Commissioner arrived.
363. Does that mean closing at the legal hour at night, and on Sunday?—Yes.
364. How do you know it is strictly enforced?—I can judge when walking about town; you do not see so many men under the influence of drink.
365. On Sunday?—I have not seen any one under the influence of drink on Sunday.
366. Well, then, before the new Commissioner arrived the administration of the licensing law must have been lax?—It might be a little.
367. *Mr. Tunbridge.*] When you saw these two spiellers you spoke of, were they committing any offence for which you could have arrested them?—No.
368. *Inspector Pender.*] It is not more than three weeks since McLaughlan was up before the Court?—No.
369. Do you know if there is any discontent in the Police Force in Wellington?—No; unless about the long-service pay.
370. Nor between the detectives, nor amongst the men generally?—Not the slightest.
371. Do the men generally agree with each other and work together?—They are the greatest of friends.
372. The most of them are young men?—Yes.
373. Are they steady, sober men?—Yes.
374. You have a very good knowledge of discipline, having been in the Artillery, and so on. Do you notice that these men observe the rules of the service very strictly in barracks and other places?—Yes.
375. No disorganization of any kind existing?—No.
376. *Mr. Taylor.*] I would like to know whether the regulations are that the men in the police public office are allowed to smoke?—No.
377. If I found three men in uniform smoking last week it was an unusual occurrence?—Perhaps it was in the waiting-room.
378. *The Chairman.*] I suppose smoking is allowed in the lower mess-room and in the library upstairs?—Yes.
379. Have the men anything to say or to suggest with regard to their quarters?—There are some men coming before the Commission. I would like to put in a certificate for first aid to the injured gained by me and dated the 30th July, 1891.
380. *Colonel Pitt.*] Have you ambulance classes in the Police Force?—No.
381. There is an ambulance litter at the police-station?—Yes, and one at each fire brigade station, and one at the wharf.
382. How long is it since you have had any ambulance instruction?—About six years.
383. Was that a police class solely?—Yes.
384. *The Chairman.*] How long is it since any instruction has been given to the members of the Force as a body in first aid to the injured?—About six years, I think.
385. There has been none since that you are aware of?—No.
386. Are there many men here who gained these certificates with you?—Not many of them. Five or six men stationed at Wellington hold the same certificate.

JOHN JACKSON JOHNSTON was re-examined on oath.

387. *The Chairman.*] What is it you wish to add to your evidence?—I wish to add that the men would consider it a great advantage if their annual leave was allowed to accumulate.
388. To what extent?—Of course we are allowed twelve days annual leave of absence now. We would like it to accumulate to about three weeks or a month, to give a man an opportunity if he wanted it to visit the other colony, to learn anything or to transact private business, which would take more than twelve days.
389. Then, you would like it to accumulate for two or three years?—Yes.
390. Is there anything else?—No.
391. *Colonel Pitt.*] Have you an ambulance certificate?—Yes, I passed a most satisfactory examination, but I could not find my certificate this afternoon.
392. But you have one?—Yes.

JOHN CREWES was examined on oath.

393. *The Chairman.*] You are an ordained minister of religion?—I am an ex-minister of religion.
394. Are you ordained by any Church?—I am qualified for the Christian ministry, but I am not in charge of any church. I am an ex-minister of a Methodist Church. I received ordination in the sense in which it is accepted by Nonconformist ministers in England.
395. Will you kindly tell us what you wish to bring under our notice?—I have looked at this commission of yours and I want to offer a few remarks that I think will come under the words "made more efficient," and, again, I want to speak a few words as to the "general conduct, sobriety, and morality of the members of the Police Force," and in regard to the question of enforcing the laws of the colony. I may say that during most of my lifetime I have been

connected with persons and with societies for dealing with the poor and criminal classes. I had a relative in the London City Mission when I was born, and that caused me in my youth to take an interest in the poor and the criminals, and when I entered the ministry I was placed in close touch with the London City Missions again, in dealing with the poor and criminal classes taken from the streets of London, who were brought down and distributed in the circuit where I was working; since then, at times, I have had a great deal to do with refuge work and that kind of thing. Soon after I arrived in this colony, many years ago, I was brought again into touch with that kind of work, and, taking an interest in it, and dealing as I do with the social and political questions as touching these classes more especially, I have had a good deal of this evidence which has been submitted to the Commission brought to me at different times; and in the course of my work an ex-detective or policeman came to me with some very serious charges against Inspector Pender and the police of Christchurch, and in the interests of the people for whom I was working I watched very closely Inspector Pender, and the Police Court, and the police, so I had my eye on them, watching, as I thought, in the interests of the poor and criminal classes. Some years afterwards my health broke down in the ministry, and my superintendent came to me and said there was a secretary wanted for a Mission doing a kind of work he thought I took a great interest in—the Prison-gate Mission in Christchurch—and he would apply for the position of secretary for me. I was then permitted to visit the Lyttelton Gaol, interview each prisoner coming out, offer the prisoner a home for a fortnight, and do all I could to find them employment. Now, I want to say that, from my point of view, while I have noticed sometimes in the conduct of the police some things of which I have disapproved, my opinion from close observation is this: that, taken as a class of men in the colony, their conduct will compare very favourably with the conduct of any other classes of men that you could find. If you were to have a commission to inquire into the conduct of the medical profession I could say a great deal of the conduct of some of them; or of ministers of religion; or of advocates of temperance. There have been “black sheep” amongst them all; but, taking the police as a class, my opinion is that their conduct compares very favourably with the conduct of most other classes of people in the community. What I want to show more especially is this: that if the Police Force of this colony is to be rendered more efficient, some of the laws of the colony must be altered; and, more than that, there must be encouraged in each city where there is a large gaol a prison-gate mission with which the police shall be encouraged to co-operate.

396. You suggest that has something to do with the efficiency of the police?—Yes.

397. As a body?—Yes. Have you noticed in a recent trial here for murder that the chief gaoler stated here that a man came out from gaol with 1s. 6d. or so in his pocket. Now, if you started as I have often started to find employment for a man just out of gaol with a conviction or two against him, and only 1s. 6d. in his pocket, you would find it a very difficult matter to obtain employment for that man. It is bad enough to be started in this colony with 1s. 6d. and a chance of finding employment before you have spent that money, without having a gaol conviction at the back of it; and my opinion is that it is as much the duty of a policeman to prevent crime, as it is to apprehend a man who has committed a crime and throw him into gaol for it.

398. That is the ground you have for saying it would tend to the efficiency of the police?—Yes.

399. It would tend to prevent crime?—Yes. I hold that a considerable number of persons with whom the police have to deal here, and men who have spent a great deal of time in gaol, are not at heart of what we would call the criminal classes. The men are turned out of gaol, some of them penniless, and the man who becomes a murderer afterwards, it is said, had only 1s. 6d. in his pocket. There is no prison-gate mission in this city, there is no prisoners' aid society, and perhaps the man has not a friend in the colony. Now, what can he do? He must go and steal, or starve; and he is apprehended by the police and thrown back into gaol as a thief or a vagrant. If what we want the police for is to diminish crime in the colony and to keep the citizens in order, then it seems to me that the police should be required to work with some city mission of some kind, a prisoners' aid society, or call it what you like; and if we had such a society, and could get from the police such information as they could give, and they were required to give it, a great deal could be done by these means to render the Police Force very much more efficient than it is at present.

400. Do I understand that you do not suggest that the police should have a prison-gate mission attached to their Force?—I presume from this copy that the Commission is to report to His Excellency, and through this Commission I, as a subject, am now submitting to His Excellency certain recommendations which I think would be likely to increase the efficiency of the Police Force in the colony. And I ask you to ask His Excellency to recommend to his advisers the need of subsidising missions, with which the police shall co-operate, and by which the police shall be rendered more efficient by giving information to this society. If you keep a man outside gaol under the control of the police he is marked, he is branded; but if you put him in the hands of a mission composed of representative people of all churches, and not of the churches, as the case may be, they can deal with him; but the Police Force should co-operate with them and give them what information may be necessary. Then a great deal will be done. In fact, in Christchurch, of all the men who came into the mission of which I was secretary during the nine months not one of them went back into gaol while I was in Christchurch. Inspector Pender was in Christchurch when I was there, and will bear me out; and I am satisfied that can be done here. Then, as to bringing into operation the laws of the colony, I say that important parts of some of them are dead-letters at present. We will take the question of enforcing the licensing laws of the colony, or the laws relating to alcoholic liquors. I have, of course, held since I began to take an interest in this question that the laws touching the liquor question cannot be enforced. It is impossible to enforce some parts of the laws that we have at present to any appreciable extent, and, when they are enforced, the object aimed at is generally never accomplished, for this reason: that, instead of inflicting a punishment upon the worst men engaged in the liquor trade, the punishment is generally inflicted on the best men in the trade.

401. *Colonel Pitt.*] How do you make that out?—Because a man who is so unscrupulous that he will swear to anything has around him a number of persons who are like their master, and it is very well known to persons—or it is very well known to me, from what I have noticed in the Police Court—that when you have a man who is very unscrupulous no conviction can be got against him, because he will swear to anything, and his employés will swear to anything, and that the evidence is such that no Magistrate can convict him. Then, sometimes the police catch a man, who, knowing that it is the general custom to evade the law to a certain extent, has done so, and when he is brought into Court his conscience will not allow him to commit perjury, and so that man is fined. I venture to say if you look up the records of this colony as to the men who have been accused, and the men who have been convicted, you will find that the men who have been convicted are the better men, while the worst kind of hotelkeepers have been allowed to go scot-free. While you have a law that permits drink to be supplied to *bonâ fide* travellers on Sundays, or you permit drink to be supplied to lodgers and their friends, it will be impossible to convict the worst class of hotelkeeper. You may now and again secure a conviction against a man who will not perjure himself, but against the worse men you never will, hardly ever, obtain anything like convictions.

402. *The Chairman.*] You have spoken of the sale of liquor on Sundays: do you refer to the sale on Sundays as the most serious form of the breaches of the licensing law?—I do not say anything about the worst class. I do not deal as to the major sin, or crime, or whatever it may be. I am dealing with certain Acts of Parliament, which must be amended in the direction I have indicated if they are to be enforced at all. I would like, if I am permitted, to refer you to the fact that, while this Commission states that lately allegations and statements have been made, I think I am prepared to show that such statements and allegations have been made time after time during the whole time I have been in the colony. I have a report here of a meeting which appointed a deputation to wait on the Minister of Justice, when Sir Robert Stout was Premier of the colony, to deal with this very question. On the 1st March, 1886, there was a conference held in Wellington under the auspices of the New Zealand Alliance, and at that conference there were statements made quite as strong as against the police and the Magistrates touching the administration of the Licensing Act, especially in regard to Sunday trading, as anything you have had before you here. You will notice that sometimes an attempt is made to show that just recently things have been worse than they were some time ago. Now, my observation has convinced me that such is not the case. Such cases against the police as you had brought before you here were charged against the police by Mr. Harding, Sir William Fox, and other people. This was the deputation appointed to wait, in 1886, on the then Minister of Justice, and this is what Mr. Harding said on that occasion: “He (Mr. Harding) knew a place where sly-grog selling was carried on in his district. He had asked a policeman once whether the police could stop Sunday trading, and the policeman replied they virtually had instructions not to interfere.” I am simply stating this to show that what is stated to have taken place lately has been charged against the police and the Magistrates ever since we have had this kind of Licensing Act that allowed liquor to be supplied to *bonâ fide* travellers, and to hotel employés, lodgers, and their friends on Sunday; and it is to support what I said, that while you have that in the Licensing Act it will be impossible for the police to satisfactorily enforce the provisions of it. To show that things are no worse than they were before, and that no political capital, at any rate, should be made out of what is going on at present, I will quote what is said to have been said by the late Sir William Fox himself on the occasion referred to: “Sir William Fox related the story of a case in which two men had been made helplessly drunk; that was sworn to by the chief detective, and yet the hotelkeeper had not been prosecuted. It was proved that the men were made drunk, and the excuse for the one man who robbed the other was that he was so drunk that he did not know what he was doing”; so you will see that these charges have been going on, at any rate, ever since the time when that meeting was held in the City of Wellington, on the 1st March, 1886, and can have no reference to influence that has been brought to bear recently as to the conduct of the police. I am endeavouring to show that while you have conditions in the Licensing Act such as I have drawn attention to it will be impossible to enforce that Act satisfactorily, and all my testimony is to that point. Then there is another, and that touches on the efficiency of the police in dealing with crime. There are no poor men in this colony more grossly misrepresented than some of the men are who are unable to maintain or who refuse to contribute to the maintainance of their wives and families, and it seems to me that if you had this mission of which I have been speaking, and the police could be allowed to work with this mission, a great deal could be done to diminish that class of evil. Now I speak from this standpoint, because I have had to take the place of men coming out of gaol, and I have had to go and find them employment. As I understand it, when a man who has been put in gaol for failing to support his wife and family comes out he is quite as much in the same position as when he was thrown in, and he is handicapped with a gaol record against him. Sometimes after he has been out for a considerable time we can only find employment for a man, especially in the winter, where he can just support himself, and where he can provide just a few shillings.

403. Does that affect in any way the efficiency or the administration of the Police Force?—I am dealing with a matter of fact, and with the case of a man with whom the Police Force of the colony had to deal, and who wrote to me explaining his position, and fearing what was coming, while at the same time he was ready if possible to obey the law. Well, I want to show that to render the Police Force more efficient in dealing with that class of crime it is necessary for them to work with such a mission as I have explained, so that a man may have a chance to pay towards the maintenance of his wife and family.

404. That is making the police more useful, not more efficient?—If the object of the police is not only to bring a man to judgment, but to get him to maintain his wife and family, which I presume it is, and not simply to cause him so much pain or to inflict punishment on any man, I think it would be greatly increasing the efficiency of the Police Force if I could show you how

to enable the men to do it; not simply how they could be used to inflict punishment. There is another question which has been a cause of complaint, that there is a great deal of crime undetected in the colony. I want from my observation, and from what I know, to show that there are a great many criminals who are not convicted, while at the same time their crime is detected; and I think it would be well to show that, at any rate, you may put down as crime not detected every crime committed by a man who is not convicted; but my observation goes to show that the police detect crime, but they cannot owing to the nature of things secure convictions because of the state of the law under which they have to work. Now, for instance, I hold that when you come to deal with the question of capital punishment, or taking the crime of murder, I have known the police to detect crime all right, and sheet it home to the murderers, and yet the man has walked out of Court snapping his fingers at the police, and the law, and everything else. Well, it would be wrong to say that that crime was not detected.

405. Is there anything further you wish to say from your own observations?—I have observed what I have said; and I want you to recommend to his Excellency to render the police more efficient to prevent murder, and secure the punishment of criminals, and alteration of certain laws. I want the law as to capital punishment to be altered.

406. *Inspector Pender.*] You are in the habit of attending the Courts very often?—Yes.

407. What is your opinion with regard to the efficiency or otherwise of the police in prosecuting crime and bringing it before the Court?—My opinion is that the police of this city at any rate, and I can say the same of Christchurch when I was there, as are thoroughly efficient as in any other part where I have been.

408. During the time you were employed in connection with the mission, did the police render you any assistance they could in the discharge of your duties?—Very great assistance, and that is why I am here, to try and get that amount of assistance for a mission here. I am satisfied that the police rendered me very great assistance.

409. *Mr. Taylor.*] I would like to ask Mr. Crewes whether he of his own knowledge knows anything about the extent to which the licensing law is enforced in Wellington?—I know by frequently attending the Police Courts, and watching what goes on in the city.

410. How often do you go the Police Court in Wellington?—Whenever an important case is on, or whenever a poor person to whom I think I can be of service is being tried.

411. How often—once a week or once a fortnight?—Sometimes, perhaps, half a dozen times a week; and sometimes, perhaps, not once a fortnight. As often as I find I can be of assistance at all.

412. Do you know whether the licensing law is being observed in Wellington on Sunday?—I have just said it is not observed in Wellington or anywhere else.

413. What do you know about it? Can you tell us an instance during the last year where it has not been observed? I do not want to know what you think. Do you know of your own knowledge that the law is not observed?—I suspect; that is all I can say. I see persons who are the worse for liquor on Sundays, and if I see more than one—several—I presume there has been a breach of the law; but I cannot say whether the men got the liquor on Sunday or on Saturday. I see persons go in and out of hotels, but I cannot swear if they get liquor.

414. You say that punishment is generally inflicted on the best men, when a case comes before the Court. Can you name one?—I have never taken note of a name, but I am prepared to swear to the fact, or what I have observed since I came to the colony. There was a case recently in this city in which it was stated by the Magistrate himself that he was sorry, or something to that effect, that the man had to be punished.

415. Who was it?—I do not know the party's name, but I know it is a pretty general thing.

416. You know of no facts in connection with the matter of your own knowledge?—Yes; I say it is a fact that while you have this Act in existence it cannot be enforced.

417. That is an opinion?—That is what I have seen in the Police Court.

418. You said there were "black sheep" in the Police Force, and amongst public men, and amongst those who advocate temperance. Is that only a general statement, or will you give us details?—It is not general. For all the statements I have made I have facts. If I were to give you the names of temperance workers whose moral character would not bear light I would be giving names for half an hour.

419. Could you go on for half an hour with names of the other classes you mention?—I would not say that. I would not know until I had finished, but I presume I could.

420. I want to know whether you can give us a single instance to support your general statement in reference to your use of the term "black sheep" in any of the classes you have mentioned?—I am not prepared here to drag in the names of medical men or ministers of religion, and, more than that, I say that the very last thing the reformer who wishes to reform men would do would be to drag their names into the light before the public and publish them to the world. You know that as well as I do.

421. Do you know any details in connection with the deputation you referred to in 1886?—I have taken the official report of the New Zealand Alliance.

422. But of your own knowledge; you have no knowledge at all as to the accuracy of the statements made in 1886 which you have quoted?—I have the official report of the Alliance as to what was said by Sir William Fox, and as to what took place at the meeting.

423. Can you of your own knowledge prove what Sir William Fox said?—I take it on the Alliance report.

424. *The Chairman.*] You have no personal knowledge as to what took place at that deputation?—No.

425. *Mr. Tunbridge.*] Do you attribute the illicit drinking and selling that is going on to the inactivity of the police, or to the unsatisfactory state of the law?—There are other things to be taken into consideration; but I say more to the unsatisfactory state of the law than to the negligence of the police.

WILLIAM CAMPBELL examined on oath.

426. *The Chairman.*] You hold the rank of chief detective in the Police Force?—Yes.
427. *Mr. Taylor.*] When did you join the Force?—In 1879.
428. What districts have you served in since?—In the Wellington District ever since.
429. Have you been in Wellington City all that time?—I was stationed in the Botanical Gardens for a short period after joining.
430. With the exception of a short time in the Botanical Gardens you have been in Wellington all the time?—Yes.
431. Were you ever ordered for removal?—Yes.
432. Where to—to Christchurch?—Yes.
433. Why did you not go?—The order was countermanded. Major Gudgeon was Commissioner of Police at that time.
434. Do you know why?—Yes. There was an inquiry held in reference to Detective Kirby. A report was furnished about me by Detective Kirby, of which I had no knowledge, and subsequently, when Commissioner Hume took over the Force, the matter was investigated by Colonel Hume. The order was then countermanded, and instead of me being removed, Detective Kirby was transferred.
435. Where was he removed to?—Auckland.
436. What was the nature of the report?—I arrested a man for a certain offence, and he was committed for trial. A friend of the prisoner gave me some information, and, in the Supreme Court, Mr. Jellicoe, who appeared for the accused, asked me if it was not a fact that a friend of the prisoner had given me some information about the case. I said that was so. Detective Kirby reported me for divulging the name of a person in the Court who had supplied me with information of a confidential nature. I was not aware that he had made this report until Colonel Hume took over the Police Force, when I learned about it.
437. Was the matter recorded in your defaulter's sheet?—No; it was simply an order to be removed.
438. Then, you were to be removed because of a reported offence that you were not tried for?—That is so.
439. You were tried in Colonel Hume's time?—The matter was investigated then.
440. What report did you make against Kirby?—I did not make any report, but I told him in the presence of Colonel Hume and Inspector Thompson that it was common talk that he was in league with the keeper of a gambling-house in Wellington.
441. Was that place situated in Willis Street?—It was a tobacconist's shop, almost opposite the Oriental Hotel.
442. Was that charge investigated?—Not that I am aware of. Of course, I did not make a direct charge. I simply told him it was common talk that he was in league with the keeper of this gambling saloon in Willis Street.
443. Was it not investigated so far as you know?—No.
444. If the charge had been investigated you would have been called?—Yes.
445. Do you not think that a statement of that kind was of sufficient importance to have been investigated?—I cannot say exactly.
446. In the light of subsequent events, do you not think it ought to have been investigated?—It would have been better. Probably the Commissioner made some investigation without calling me, but I have no knowledge that an investigation was made.
447. *The Chairman.*] Was it at the inquiry you made that statement?—Yes.
448. Held by whom?—Commissioner Hume.
449. *Mr. Taylor.*] Is that the only time you have reported Detective Kirby for being mixed up with gambling?—Yes; he left the district.
450. Did you never report him for taking hush-money from the same institution?—No, I never made any official report.
451. Do you regard it as not a part of a detective's business to take cognisance of breaches of the licensing law?—It has not hitherto been the rule.
452. What do you mean—up to what date?—Up to the present. In my experience I have never known a detective to enforce the licensing law, because detectives usually get valuable information about criminals from hotelkeepers, and, if a hotelkeeper got it into his head that detectives were just watching him for breaches of the licensing law, they would not get very much more information from that quarter.
453. You are about the hotels pretty often?—Yes.
454. You see a great many breaches of the law during the course of the year?—I have seen some.
455. Knowing that you are not to report them, you do not bother about them?—No.
456. Have you ever reported a breach of the Licensing Act?—No, not since 1879.
457. Of course you would not exempt any other kind of offence; burglary and so on you regard as your duty to report on?—Yes.
458. And acts of arson?—Yes.
459. And all the criminal offences?—Yes.
460. In 1891, Colonel Hume in his report states that the Detective Force is in an unsatisfactory state. Do you remember that report?—I think I remember something about it.
461. He goes on to say, "Owing, perhaps, to the fact that men have been selected for this branch more from the number of arrests made by them when constables, or the number and verbosity of reports furnished, or worse than all, perhaps, from political influence or favouritism, instead of from special intelligence, or natural gifts and extraordinary powers." Were you aware of that dissatisfaction?—No.

462. The Detective Force, as far as you are aware, were always satisfied?—We have always worked well, not only with the Detective Branch, but with the general Police Force. That is, in the Wellington District.

463. What practice do you follow here: do you make written reports to your Inspector on all matters you are instructed to inquire into?—Yes.

464. Do you make reports about your whereabouts during the day?—We have a day-book in which we enter our daily movements.

465. Briefly or extensively?—Briefly. We cannot say every place we have been. Each officer has to enter the particular work he has been doing.

466. Do you think the licensing law is observed in Wellington on Sunday, from your observations?—Well, I have no doubt there are breaches of the law, but I do not think that is increasing.

467. How can you tell whether it has not been increasing if you have never taken definite observations?—I am judging from what I have seen in the streets.

468. What evidence would you take—the number of drunken persons on Sunday in the streets?—Yes; and the number of persons going in and out of hotels.

469. Have you seen some numbers go in and out of hotels on Sunday?—Not so many.

470. Since when?—Within the last few months.

471. Since the new Commissioner arrived?—Yes; the hotelkeepers appear to be more careful.

472. Have there been more prosecutions since the new Commissioner came than during the same period before he arrived?—Yes.

473. Would you take that as an indication that the publicans are becoming more careful, or the police more vigilant?—I think it is both.

474. How will that work out; if the publicans are becoming more careful, how is it that there have been more convictions since Commissioner Tunbridge arrived?—I mean since the convictions have taken place.

475. When was the last case—was it not last week?—Yes.

476. Then, it is during the last fortnight that the publicans have become more careful?—More than that. Since the new Commissioner arrived there has been a tendency to be more careful.

477. The Commissioner has been here since October last—not five months—and you say there have been more prosecutions for Sunday trading during those months than during the preceding five months?—Yes.

478. You think that argues there is less Sunday-trading carried on, or more?—Less.

479. And the police are doing their duty more vigilantly in regard to the licensing law?—They have special instructions from the new Commissioner to give special attention to breaches of the licensing law.

480. Do you know that of your own knowledge?—From the men.

481. Have you been told that instructions have been issued to the men?—Yes.

482. What man told you that?—I cannot give any particular name; but I heard that the new Commissioner issued special instructions to look after breaches of the Licensing Act.

483. You do not know it for a fact?—Simply from hearsay.

484. Do you know whether it is the custom for certain hotelkeepers to put a watch by the door on Sundays, as a guard against surprise by the police?—I have heard it is so.

485. And you cannot say from your own knowledge, although you have been in Wellington since 1879?—Not from my own knowledge.

486. And you do not know that it is the custom of publicans to keep a watch on their houses?—I cannot say definitely. I have seen men standing outside, but I cannot say for certain they were put there by the hotelkeeper to watch.

487. Do you know of any special precautions taken to guard against surprises?—I have heard about electric bells; but the hotelkeepers say they are for the convenience of boarders.

488. Where are they situated?—Outside, by the door.

489. Have you ever known them in Wellington to be placed under the window-sill?—No. I have never known of any instance.

490. Have you noticed that many of these men outside public-houses on Sunday seem to be doing beat duty?—I have seen one or two of them.

491. Do you know of the existence of any tote-shops in Wellington?—As I have reported some time ago, there are one or two offices kept by book-makers, but I would not call them tote-shops, for the simple reason that they do not do any betting inside. They do their betting on the streets. They keep their office simply for correspondence.

492. Have you a copy of your report?—Not here.

493. What is the date of your last report?—About two months ago.

494. You say you have had several convictions here?—Yes.

495. Of what kind?—Tote-shops.

496. Will you give us the definition of a tote-shop?—A tobacconist's shop used for tote-betting, the tobacconist's business being used as a cover for the betting business. We have had several convictions. The way we used to manage was: We generally got a stranger and sent him in to the parties to back on certain races, and they kept books with the names of the races and the names of the persons who had invested, with the amounts. We had a warrant all ready to raid the shop, and, as soon as the person went in and invested, we took possession, and not only had the witness who invested the money but the books as well.

497. When was that class of prosecution last made?—A good number of years ago.

498. Five years ago?—It must be more than that.

499. Seven years?—I cannot say, but I know several raids were made some years ago.

500. And the outcome was that one prosecution you spoke of?—More than that. We made it a rule to raid all the shops on the same day, and different men went to the different places. Since

then there have been hardly any tote-shops; in fact, there are none. I do not say that betting has lessened at all, but it is done in a different way.

501. How is it done now?—It is done in the street, by what is called “straight-out” wagering.

502. How do they work that?—Well, they lay 5 to 2, or 7 to 2. That is what they call “straight-out” wagering.

503. Not the name of the horses?—They do it in a way they understand themselves. I do not say it is tote-odds, but they know it is.

504. Do they enter the names of the horses?—No. They know themselves.

505. Have they a cipher?—They must have.

506. You have never seen one of these books in which they make their entries?—I have made it my business to make inquiries of people who have seen them.

507. And they do not put down the names of the horses?—No.

508. Simply a record of the wager?—Yes.

509. And the name of the person?—No.

510. They used to put in both?—Yes, but then they also used to put down the name of the particular race and horse.

511. That would help you to get witnesses?—Yes.

512. You think in Wellington they have ceased entering the names of people doing business with them?—There is no doubt about that.

513. You cannot speak of any other centre?—No.

514. You say, since that time—five years or more—there have been no tote-shops?—Not what I would call tote-shops. I do not say betting has not gone on just the same.

515. Supposing Mr. Pirani said there was a tote-shop in Featherston Street?—They are not there to my knowledge.

516. You do not know of them?—No.

517. Do you know of one in Grey Street?—I have already referred to that in my report as an office kept by a book-maker.

518. Is it kept by a book-maker?—I see him using it there, and standing outside.

519. Does he stand outside all day?—Yes, I have seen him whenever I have passed along.

520. Does he sit down?—On the window-sill, sometimes he does.

521. Is there one in a lane off Willis Street?—Not to my knowledge.

522. Do you know Anderson’s place, in Willis Street?—Yes.

523. Do you know a billiard-saloon just this side?—Yes.

524. Have you ever been inside?—Yes.

525. Who is it occupied by?—Mr. Wise.

526. Have you been inside often?—Yes, pretty frequently.

527. Can you recognise that plan of it?—Yes.

528. Are there two billiard-tables—one in the large room and then another further on?—I have been in there, but I am not certain.

529. Have you been in the small room alongside the billiard-room?—No, I have not been in the private part of the saloon.

530. Have you ever been in the compartment marked “private room”?—No.

531. Have you ever seen it open?—No.

532. Is there any sign on the door?—Not that I remember.

533. Is it not marked “private”?—It may be. I have never heard it suggested that there is anything wrong there.

534. Would you arrest any one for gambling? Is card-playing for money, gambling? Supposing a number of youths gathered in that room for the purpose of gambling—would that be gambling?—Yes, that would be termed a gambling-house.

535. How often have you been in that billiard saloon?—I cannot say, but my attention has never been drawn to that place as a gambling saloon. Of all the matters I have heard I have never heard any person suggesting gambling going on there.

536. Is there any tote-shop or betting-office in Lambton Quay?—No.

537. Any in Manners Street?—No. I have heard it suggested that there is one there at a tobacconist’s shop in Manners Street, but I never saw anything going on there in the nature of betting.

538. Is there a tobacconist in Manners Street named Whittaker?—No, a second-hand dealer of that name.

539. Have you ever been inside there?—I have. I should not think there is any means of exit except by coming out through the front door. There are only two rooms.

540. I would like to ask whether that is not a betting office?—I have only heard it suggested. I know nothing of my own knowledge.

541. Is that one you reported on?—No.

542. Did you follow it up when you heard about it?—Yes; but I could not get anything definite.

543. You referred to a betting office in Grey Street; where is the second one you reported on?—It was also in Grey Street.

544. Pretty expensive sites there?—Yes.

545. Not the poorest part of the town?—No.

546. How do they run these offices?—From what I can see of them, they use the office for correspondence and receiving telegrams.

547. Have you been inside any one of them?—Yes.

548. What for?—To see what was going on.

549. What did you see?—A few papers lying about, but no books of any kind.

550. You did not examine any of the papers?—No; I had no warrant. I went round to see for myself what was going on.

551. How do you know, then, that they use the office for the receipt of telegrams, and so on; do you suggest they keep no record of them?—They may do so in their private homes, but not in their offices.

552. It is just merely a registered office?—Yes.

553. Do you know if betting goes on between these men and infants under twenty-one?—I have known instances.

554. Have you never heard of young fellows under twenty-one who bet?—No complaints of that kind have ever come under my notice.

555. There have been no prosecutions for this class of offence since the time you refer to?—Prosecutions for offences on the racecourse.

556. But not in the towns?—No.

557. Do you think during the past five years there have been no offences?—I can only speak of what I know. I am of opinion that betting goes on in Wellington, but the recognised tote-shops that we frequently hear about are not here now.

558. *The Chairman.*] Have not a number of people in the streets been charged with loitering on the streets?—Yes.

559. *Mr. Taylor.*] Do you think the gambling evil is on the increase in Wellington?—I do not think so.

560. Then, if Inspector Pender expressed the opinion that it was so, you would think he was wrong?—It is a matter of opinion. I know there are not so many tote-shops in Wellington as there were, and there is not the same facility for young people to go and gamble. I do not know one tote-shop now.

561. Are there none at all?—Not one. There are offices kept by book-makers, but I cannot class them as tote-shops.

562. You think the ingenuity of the Detective Force is not equal to the task of catching these men?—As the law now stands it is impossible.

563. You do not think that any minors are betting in Wellington, so far as you know?—Not to my knowledge.

564. Where was Detective Kirby stationed prior to his dismissal from the Force?—In Napier.

565. How long is it since he was here?—He has not been here since 1890.

566. Did you know anything about his habits when he was here?—Only what I have said.

567. Was he not pretty familiar with the book-making fraternity?—He was.

568. Very familiar?—He had the name of it.

569. Have you not seen him frequently in familiar conversation with book-makers?—I have.

570. And with spielers?—I have seen him talking with spielers.

571. Pretty familiarly?—I have seen him talking to them.

572. Do you know the Empire Hotel?—I do.

573. Is that quite a commercial hotel?—It has always been recognised as a commercial hotel.

574. Much frequented by the racing class?—Yes.

575. More so than any other hotel in Wellington?—I think so.

576. Have you been round in the racing season; I mean, for instance, at night-time, when the racing days are on?—Yes.

577. You go pretty often round the Empire?—Yes.

578. Do you think any betting takes place inside the Empire?—It is quite possible. I never saw any.

579. You are a very observant man I should think?—Yes, I generally see what is going on around me, when I am walking about.

580. Have you ever seen any prominent Government officials about the Empire?—I cannot say that I have.

581. Can you say that you have not?—Of course, I have seen most respectable men in the Empire Hotel.

582. All respectable men?—I do not say all.

583. On race-nights have you ever seen any spielers about the precincts of that hotel?—Yes, book-makers and spielers, but the majority of them are book-makers.

584. I suppose where they are you make your appearance pretty often?—Yes, I am generally about.

585. You do not remember seeing any prominent officials connected with your own department consorting with book-makers?—No.

586. Never?—No.

587. Then, at the present time you say that the betting evil is on the decrease in Wellington?—Well, I do not think it is on the increase.

588. Is it stationary?—I do not think it is on the increase, but betting is going on. There is no doubt about that.

589. You do not think it is worse?—No. A number of men who were recognised as betting-men or book-makers have knocked off, because they get the worst of it. They have lost money on it.

590. And there is no betting with minors?—There has never been a case come under my notice, and there has never been any complaint about it.

591. Would you also wait to take action in a matter like that until you received a complaint? Not if I saw the offence myself.

592. You have never taken any special steps to try and get proof of an offence of that kind?—Decidedly so.

593. Of what kind?—The other detectives have been sent out to try and obtain convictions.
594. What age are the detectives?—From about twenty-five up to thirty.
595. They could bet legally?—I do not know that it would be legal if sent out on special duty.
596. And you never succeeded?—No.
597. Not during the past five years?—No. It is a difficult matter to get any one outside to give evidence in a case like that, because they commit an offence themselves when they make a wager with a book-maker.
598. Do you know Shotlander's shop?—Yes.
599. What business does he carry on?—He is a furrier and clothier.
600. Do you think he carries on any other business?—He attends races at the Hutt course.
601. Would you class him as a book-maker?—I think he combines book-making with his business as furrier and clothier.
602. Do you know if he keeps men outside?—There are a number of book-makers hanging about the Empire Hotel, and he is amongst them.
603. Does he keep any one to attend to the shop inside?—No.
604. Who attends to the shop?—Only himself.
605. Do you regard the shop as a *bona fide* business, or simply as an accessory of his betting business?—I think it is a very good business.
606. And yet he is principally on the street?—He is generally there. I think he does a very good business.
607. You say the spielers congregate about his shop?—Generally there is a number of book-makers about the Empire Hotel, and his shop is close by.
608. Do you ever see any spielers about?—I term a "spieler" a man who goes to the race-course and plays confidence tricks, and I think book-making is not quite so bad as that.
609. Do you know any spielers at all?—Yes, a number.
610. In Wellington?—There were a few here recently, but I think they are not generally present. Very few are at large about Wellington at the present time.
611. Can you name any that are at large?—I cannot say there are any about just now. They all go under the heading of book-makers.
612. Do you know a man named McLaughlan?—Yes.
613. Is he a spiler?—He has a shop now in Manners Street, and is working at his trade as bootmaker.
614. You think he is a *bona fide* tradesman now?—Yes, I think he is trying to get an honest living now at his trade.
615. Do you know a man named Reardon?—Yes.
616. Is he in Wellington?—Yes.
617. When did you see him last?—A few days ago. He has been working in the Union Steam Ship Company's yard for the past six months as a labourer.
618. You do not know of any *bona fide* spielers at the present time?—There is not one that I know.
619. The town is quite swept of them?—Yes. Yes, I have never known the town more free of spielers than at the present time.
620. There are a good many book-makers?—Yes.
621. How many do you suppose there are in Wellington at the present time?—Eight or nine recognised book-makers.
622. And you think they are all keeping within the bounds of the law?—I cannot catch them.
623. And you have tried your very best?—Yes, and I am satisfied that as the law stands at present you cannot catch them.
624. What is your principal difficulty; how should the law be altered?—To make all sorts of betting illegal—straight-out wagering, for instance. It is not an offence at present, unless they confine themselves to one particular place.
625. *Mr. Tumbridge.*] With reference to detective officers not reporting breaches of the licensing law when they come under their observation: do you know my opinion on that?—I saw your opinion the other day.
626. And what was that?—That in any case where a detective failed to report a breach of the licensing law it would be treated as a neglect of duty.
627. Was that on some papers I minuted with reference to one of the detective officers?—Yes.
628. Where he contended he had never been expected to report such cases?—Yes.
629. I did not hold it was a detective's primary duty to look after publichouses, but what I hold is that where any breaches of the licensing law come under his notice, and where they are not reported, I would treat that as a neglect of duty?—That is so.
630. *Inspector Pender.*] Do you recollect Patterson being fined £25?—Yes.
631. That was within the last three years?—I cannot speak from memory, but he has been fined two or three times.
632. Do you not also recollect making a raid on a gambling-house up in Willis Street?—Yes.
633. That is not five years ago?—No, it is less than three years and a half ago.
634. How many were arrested?—Fourteen were arrested, but that was for keeping a gambling-house. The frequenters were all fined, and the occupier was sentenced to three months' imprisonment.
635. The police had to break in the doors and climb over fences?—Yes.
636. In Patterson's case the police had to enter by force—by warrants, at all events?—Yes.
637. Do you recollect that after these convictions a number of book-makers who were living in town gave up their business?—Yes.
638. Do you not know that very recently we tried a blind—to back with some of them in the streets?—We have continually tried, all along.

639. We got a strange man, and he failed?—Yes.

640. They suspected what he was about?—They will not bet with strangers. It is impossible to get a case against them at the present time as the law stands.

641. *Colonel Hume.*] You charged the late Detective Kirby with being mixed up with gambling?—I did not charge him.

642. You stated he was?—Yes, I said so in cross-examination.

643. You and Kirby never got on well together?—That was the first complaint he ever made against me.

644. I mean to say you were never friends?—I did not care about the man from what I had heard. I never showed any feeling towards him in the office. I did my duty; but from what I heard I did not care to be with him in the office.

645. If the Inspector was making any inquiry into the business it is not likely he would have employed either you or Kirby?—I should think not.

646. He would probably get some other detective?—Yes.

647. Were you here with Detective Herbert?—I was.

648. How did you and he get on together?—We never had any disagreements.

649. You did not pull together very well; you were not very friendly with him and did not work very amicably with him?—We may have had some words amongst ourselves, but no complaint was ever made on either side.

650. I suppose you have to talk to these spielers a good deal?—Yes.

651. You get some valuable information from them?—Yes, I have to talk with all classes of people.

652. Then, you would not be the least surprised to see a detective standing in a hotel talking with a spieler?—No, I would not.

653. When a crime is reported, is it optional with you who you send out, or does the Inspector consult with you?—It depends who takes the report, and the particular time. The person to whom the complaint is made usually investigates the case, and all crime that is reported is entered in the crime-book kept for that purpose in the watch-house, and the general police have access to it, and take the description of the offenders as well as the detectives.

654. That is the case with all reported crime?—Yes.

655. It is not true that the chief detective takes the pick of the cases and passes on the refuse to the others?—That is not so.

CHARLES ROBERT BROBERG was examined on oath.

656. *The Chairman.*] What is your present rank?—Third-class constable.

657. Doing plain-clothes duty?—Yes.

658. *Mr. Taylor.*] When did you join the Force?—In January, 1895.

659. You were in the Permanent Artillery?—Yes.

660. You have been doing duty here ever since?—No; I was in Dunedin until July last year.

661. Did you do duty in Dunedin?—Yes.

662. On the streets?—For a short time.

663. Plain-clothes duty?—Yes.

664. In Dunedin did you know of the existence of any tote-shops?—There was one shop suspected for a time, and there has since been a conviction obtained in that case.

665. What kind of a shop?—It was a commission agent's office, in the Arcade.

666. What kind of office was it in appearance?—I was never inside of it. I have only seen it from the outside.

667. Did you know the proprietors by sight?—Yes, I knew one proprietor.

668. Did you ever see him near his office?—No, always on the street.

669. I mean not in the office, but near the office?—I cannot say that I have or that I have not.

670. When you say "street," what do you mean?—Princes Street.

671. That is all you know in Dunedin?—Yes.

672. Do you know of any in Wellington?—No.

673. Do you not know of the existence of an office of that kind in Grey Street?—No.

674. Would you be surprised to hear that two offices of that description and bearing that reputation and kept by book-makers are in Grey Street?—I know of one man in Grey Street who I believe has an office there. He is a man who is connected with horse-racing. That is all I know.

675. Do you know of a second place of that description in Grey Street—of an office kept by a man who is mixed up with horse-racing?—No.

676. You know of the existence of no tote-shops in Wellington?—No.

677. Any spielers, to your knowledge, in Wellington?—I do not think that I could fix upon any just now. There were some race meetings in the country yesterday, and that class of people generally frequent those places.

678. Do you think there were any here before yesterday?—I have known spielers to be in town.

679. Within the last month?—You see there have been a series of race-meetings at Hawera, Wanganui, Woodville, and Palmerston, and they have been all round there, so I cannot say when they were in town.

680. Were they in town within the last two months?—I should say so.

681. How many of them?—I knew about three.

682. Is that all?—Yes, who live here. Of course, plenty pass through the place, but they do not stop long.

683. Are these men you know still following that life?—To the best of my knowledge they are at the races now.

684. You do not call them book-makers ; they are spielers?—They are men who frequent race-courses and take people down if they get a chance.
685. Are their headquarters in Wellington?—Yes, they live here.
686. What is the name?—McLaughlan.
687. Is he in business in Wellington?—Yes, he is now.
688. How long since?—About a month or six weeks.
689. Is he away at the races?—I think so.
690. You say he is still a spieler, and belonging to that class?—I would not like to say so. I think he tried to turn over a new leaf. He started bootmaking, and carried on his business for a month or six weeks.
691. Do you know where his shop is?—Yes.
692. Is it closed?—No, it is open.
693. Who is in it?—Some other man is carrying on the business.
694. And the other men are simply casual visitors?—Yes.
695. You know Shotlander's shop?—I do.
696. It is not a tote-shop?—I never knew it to be such.
697. Ever been inside it?—Yes.
698. Pretty often?—Only once.
699. Just to chat with the proprietor?—I was passing the other day, and in consequence of what you said he invited me in.
700. Did you discuss the matter with him?—I did not.
701. What conversation passed?—He asked me to come in and see if his place looked like a "tote-shop," or words to that effect. I went inside, and he showed me some rugs and other garments that he had been selling and dealing with.
702. Do you know whether any tote-shops in the colony are carried on under the guise of business shops?—I do not.
703. Have you ever been in Auckland?—Yes.
704. Are there any tobacconist shops there which are practically tote-shops?—I have not been there for two or three years.
705. When you were there?—No.
706. Are you aware that tote-shops in any part of the colony are being carried on under the guise of tobacconist shops?—No.
707. Are you doing plain-clothes duty in the Detective Force?—Yes, in Wellington.
708. Do you know a billiard saloon near Anderson's shop in Willis Street?—Yes.
709. Ever been inside?—Yes, I think I was there one day.
710. You do not know much about the class of people who frequent it?—No, I do not.
711. In regard to licensing laws, do you regard it as part of your duty to report breaches of the Licensing Act?—If a case came under my notice I should regard it as my duty to report it.
712. Did a case ever come under your notice?—I do not think so.
713. You never saw a breach of the Licensing Act since you entered the Force?—No.
714. Are you an observant man, and keen in making observations?—Not particularly. I do not go looking for breaches of the Licensing Act.
715. You never see them now?—No.
716. Do you regard it as your duty to make a report, supposing you saw one?—Yes.
717. Do you ever see any signs of drunkenness on the streets of Wellington on Sunday?—No.
718. Never?—I think I saw a man one day under the influence of liquor.
719. Are you much on the streets on Sunday?—Yes, a good deal, but not so much as other days.
720. You think the licensing law is pretty well observed in Wellington by the licensees?—I do not think it is very bad. I think it is pretty well observed.
721. How long ago is it since you saw that one person?—Between four and five months.
722. Do you think there is no betting with minors in Wellington?—I have never seen a case of it.
723. Never seen any book-makers betting with boys and young men?—Not with persons I would take to be under twenty-one.
724. You would be a good judge as to whether a person was under twenty-one years of age?—I suppose I would be.
725. Do you think there is any going on?—I say I have not seen a case, and of course I do not know.
726. What are the habits of the "tote" men—I do not mean book-makers—how do they carry on their business?—What is the difference?
727. Do you recognise any difference between the tote-man and the book-maker?—No. I think if you asked a man in the habit of laying "tote" odds he would call himself a book-maker.
728. How long did you do ordinary street duty in uniform in Dunedin?—About four months and a half.
729. Then you went on plain-clothes duty?—Yes.
730. Did you make application to be put on plain-clothes duty?—I did not.
731. You were put on by Inspector Pardy?—Yes.
732. Do you know how book-makers usually record their bets—the men who lay "tote" odds?—Yes; they will record their bets in a book so that only they can understand it.
733. How do they do it?—For instance, a man invests 5s. on a certain horse. Alongside of the amount they put down a straight-out legal price in their book. Well, if any other person got hold of that book and examined it, it would be apparently a straight-out wager and a legal wager.
734. Supposing I invested 5s. on a horse, what would they enter in the book?—He would put down your name or initial, or, if he knew you, some other initials altogether. He would put down

the name of the horse and the amount invested, and would carry it on and put down another amount. For instance, he might put down a £1, and that would represent the price laid; and you could not tell from that book but that it is a fair *bona fide* wager.

735. Do not you get a totalisator dividend paid to you instead of the amount in the book?—A proportion of the dividend, in proportion to the amount you invest.

736. Supposing there is a dividend of £10 on a £1 ticket, and you invested 5s. with a book-maker, what would you get?—£2 10s.

737. Have you seen them making these entries?—I have not.

738. How do you know of cases?—I have had a case and prosecuted it.

739. Where was that?—In Dunedin, on the racecourse.

740. Did you get their books?—I examined their books there.

741. Is it illegal to lay "tote" odds in the streets?—Yes.

742. Would you prosecute a man for laying "tote" odds in Willis Street?—Yes.

743. If you could get information?—Yes.

744. Do you know the Empire Hotel pretty well?—Yes.

745. Is the vicinity of the Empire Hotel more frequented by that class of men than other hotels?—It is generally below the Empire Hotel.

746. Near whose place?—Outside the "Red Bird" byke shop.

747. Do you think gambling is increasing in Wellington?—I do not know.

748. Do you think it is decreasing?—I can hardly say. I have not been here long enough.

749. You do not think any gambling with minors is taking place?—No complaint has ever been made to me, and I have never seen a case.

750. *Inspector Pender.*] Were you employed some time ago in trying to catch some of these men?—Yes.

751. And you had a stranger with you?—Yes.

752. I believe they were too knowing for you?—Yes. He only got a wager on with one man, and that man nullified it the next minute, and said it was a straight bet. He "tumbled" to it.

753. So far as you know, since you came here, every effort has been made to enforce the law as it stands in regard to tote-betting?—Yes, there is only one way it can be coped with, and I have endeavoured to get material to cope with it in that way, and it is very hard to do so. There is only one method, and if I gave publicity to it it would be detrimental.

754. We tried several plans?—Yes.

755. You have been in the Force in Dunedin some time?—Yes.

756. Have you seen any disagreement, or any confusion of any sort amongst the Detective Force there and the men, or do they work together?—No, I have never seen any of that. I have always found one body willing to help the other, particularly in Wellington.

757. You know a good deal of discipline and order, having been in the Artillery. Is there any appearance of disorder or disorganization in the Force here?—No.

FRIDAY, 11TH MARCH, 1898.

ARTHUR HUME, examination on oath continued.

1. *Mr. Taylor.*] With regard to Matthew O'Brien, who was referred to on 18th February last, have you any report from Mr. Bush, Stipendiary Magistrate, in regard to that constable?—No.

2. Have you any reports from his Inspector at all, bearing on his conduct at any time, apart from his convictions and defaulter's sheet?—On the 8th June, 1897, Inspector Hickson reports: "While speaking to a gentleman in High Street, at 9 o'clock this morning, I saw First-class Constable Matthew O'Brien, No. 221, come out of the Central Hotel. He was in uniform at the time, and required for duty at the Supreme Court. This constable is a tippler, and his appearance is that of a sot. I have cautioned him several times: Please see correspondence forwarded on 1st May, 1897, No. 812." That was sent to me, and my minute is: "Before dealing with this case I would like to know what the constable means by the concluding paragraph of his report. If it is correct, what was your object in exempting him from duty from 5 o'clock on Friday till 9 o'clock on Monday?" On 16th June, 1897, the Inspector reports: "I attach Constable O'Brien's explanation. I exempted him from duty because I was of opinion that his appearance was, if not wholly, at least partly, due to excessive drinking; and, as he was a witness in two cases of assault for hearing at the Supreme Court, I desired that he should present a respectable appearance—and this I told him at the time." Then, on the 24th June, I forwarded the following to Inspector Hickson: "First-class Constable O'Brien is fined £1 for being in the Central Hotel in uniform at the time he was required as a witness at the Supreme Court, and an entry will be made in his defaulter's sheet. Had you suspended this constable on the Friday previous to the Supreme Court sitting, as you should have done, instead of exempting him from duty, I should probably have recommended his being got rid of. Please severely caution him, and say that if he does not at once give up his drinking habits I shall not hesitate to recommend his dismissal." Then, Inspector Hickson reports on the 30th June: "Referring to your minute of the 24th instant, I have cautioned Constable O'Brien as directed. I did not suspend him on the 28th May as there was then no charge against him, and I did not consider him unfit for duty, neither did the two sergeants whose attention I directed to the constable consider that he was then unfit for duty, although the constable's appearance resembled that of a man who had been tippling. He was not then under the influence of liquor, but looked as if suffering from the after effects of drink. Constable O'Brien complained that he was unwell and had been so for some time. I am of opinion his illness and peculiar appearance resulted at least partly if not wholly from drink; but, as such could not be proved, I considered it best to send him home, so that by getting a rest he would have an opportunity to recover before the Supreme

Court opened." I may point out that, though a man appears to be drinking, there is no charge against him, and what can you do? He was removed from Helensville to be under the Inspector's eye. That is all we could do.

3. *The Chairman.*] This you do not regard as a charge against him?—No, Sir.

4. *Mr. Poynton.*] But there was a charge against him, and you fined him £1?—I fined him £1 on the 24th June.

5. *Mr. Taylor.*] I ask you whether there are no reports there, having reference to the neglect to keep his books posted up while at Helensville, indicating that that was attributable to drunkenness?—No. It has just struck me that Mr. Bush may have reported to the Justice Department. He would report to that department, and not to the Police Department, as to work in connection with the Clerk of the Court.

6. *Colonel Pitt.*] Do you know that there was a report?—No, I do not; but it has just struck me that is how a report may have been made by Mr. Bush.

7. *Mr. Taylor.*] Is there no reference there to his habits at all?—No, not a word.

8. *Colonel Pitt.*] If the Stipendiary Magistrate reported to the Justice Department as to the conduct of a constable, would not the Justice Department send that to the Commissioner of Police?—Yes, but it would be returned to the Justice Department.

9. Have you any report besides that?—Here is one by myself, dated 29th May, 1895: "Constable O'Brien is fined 5s. for neglecting to keep his books posted up to date, and he is further deprived of the charge of a station." He was removed to Auckland a short time afterwards.

10. You have got no reports from Auckland since?—Only the one I read to you. There is a complaint about want of tact on the part of O'Brien. It is in reference to an assault on one Thomas McCluskey, and Inspector Hickson reports: "Constable O'Brien states the injured man could not say who had assaulted him, and he made many rambling and contradictory statements; and yet he took him to the Magistrate's Court to lay information. I wish to see Constable O'Brien in my office to-day.—1/4/97." Then, further, the Inspector says, "If Constable O'Brien had got the blood washed off the man's face it would have been seen that the cut was so slight that it would not be necessary to take him to a doctor. The man was very much muddled; but because he asked the constable to take him to the Court, so that he could lay information for a warrant or summons, the constable complied with his request, and left him there. I have already told the constable that he should not have taken the man in such condition as he was in to the Court, that he should have obtained from the man full particulars as to who had assaulted him. Has a warrant or summons been issued in the case? When Constable O'Brien was before me, he stated that the watchhouse-keeper and several constables were in the watchhouse when he found the man there, and none of them appeared to notice him. I require the names of the constables who were in the watchhouse, and the watchhouse-keeper's explanation." Then, there are reports from the constables. Then the Inspector sends this: "I have inquired into this with the view of pointing out to the constables who were in the watchhouse when Thomas McCluskey came in to make complaint, that one of them should have attended to him, and not have waited until the watchhouse-keeper would be disengaged. The watchhouse-keeper, Constable Crean, was taking a charge preferred against a prisoner named Small I desire to draw your attention to the want of tact displayed by Constable O'Brien." Before that was decided, I suppose his drinking in the hotel comes up, when he was fined £1.

11. *Mr. Taylor.*] Was he removed?—I cannot tell you when he was removed, but he has been removed to Napier.

12. Have you got the date of his removal?—No, I believe it was in August, 1897.

13. Do you regard Inspector Hickson as a pretty strict disciplinarian?—Yes.

14. Do you regard Inspector Emerson as likely to keep a strict eye on a man of these habits?—It is not so much a question of the Inspector as the sergeant.

15. Who is sergeant at Napier?—Sergeant Mitchell, I think.

16. Do you regard Inspector Emerson as being a man likely to be strict in these matters?—I have no reason to find fault with his doing.

17. Do you say he is as strict as Inspector Hickson?—No, I do not think he is.

18. In the light of the evidence we have had this morning, do you think O'Brien's promotion to the position of first-class constable in February, 1897, was calculated to add to the efficiency of the Force?—Well, there is nothing proved against him. If you boil this report down: "I am of opinion his illness was, if not wholly, at least partly due to drink." What is the use of that?

19. Do you think the responsible duties a policeman has to perform to the public are not sufficient to warrant the department in having only steady men in the Force?—In this particular case the man had twenty years' service, and in view of that service, and when you find he has only three reports against him, I think he is fit for promotion from the second class.

20. Irrespective of his habits as far as sobriety is concerned?—I cannot take general charges. I will not judge a man on general charges.

21. Does not the department attempt to make itself familiar with the actual character of police officers?—Yes.

22. If you hear general charges, is it not the duty of the department to specially investigate?—You cannot investigate general charges, that is a moral impossibility.

23. But when the charges bear on a specific individual?—Not unless you can give specific instances.

24. I mean a charge of insobriety?—How can you inquire into that? I do not see how general charges can be inquired into.

25. *Mr. Tunbridge.*] As to the department inquiring into the general conduct of the officers: if the Inspectors were allowed to send confidential reports to the Commissioner, that were not accessible to the various constables, would not that very materially assist the Commissioner in

weeding out those men who have questionable general characters?—Most certainly it would; but that system was done away with.

26. That system of Inspectors submitting confidential reports to the Commissioner was done away with by the issue of a circular that has been quoted here?—Yes.

27. Do you personally agree with that?—No, I do not.

28. You think Inspectors should be allowed to send confidential reports to the Commissioner as to a man's general character, which should not be seen by the officers to whom they refer?—Yes.

29. Do you think if that were allowed there would be greater opportunity of weeding out those men of questionable general character?—Yes.

30. At the present moment the Inspector can only bring under the notice of the Commissioner direct charges?—Direct and specific charges.

30A. *Mr. Taylor.*] Was that circular issued on your suggestion?—I cannot tell you. As far as my memory serves me, it was issued from something that was said in the House.

31. *The Chairman.*] You cannot say whether it was on your recommendation or not?—I cannot say whether the Minister instructed me, or whether I did it; but I have a distinct recollection that something sprung up in the House.

32. *Mr. Taylor.*] Was O'Brien off duty on sick leave in December, 1896?—I have the return of the Auckland sick-list for the month of December, 1896. It states that No. 221, Second-class Constable Matthew O'Brien, was sick from the 1st December, 1896, to the 23rd December, 1896—twenty-three days—from severe debility. If you wish to know anything more about that, you must ask the Inspector at Auckland.

33. Have you Constable Treanor's papers?—Yes.

34. What steps were taken for the arrest of Gower, after his escape from Woodville?—The usual crime-reports were sent all over the country, and I think I may swear that telegrams were sent by Inspector Emerson all over his district, and to all the principal ports. The last thing was that I thought I heard of him in Western Australia, and I telegraphed over or sent a crime-report. This is the telegram: "*Vide our Gazette, 1895, page 140. Alfred Gower said to be driving a team in Perth. Arrest desirable.*"

35. Did you get a reply to that?—No; I never do from Western Australia. It is a most extraordinary thing. The date of the telegram is the 23rd February, 1897. Detective Campbell gave the information I think. His report is as follows: "I beg to report that I have been informed by a man just returned from Western Australia that Alfred Gower is in Perth, and is employed driving a team of horses. I understand a man named Cavill, a butcher in the employ of Mrs. Ross, of Woodville, has a photo. of Gower." Inspector Emerson instructs Constable Williams, of Woodville, on the 16th February, 1897: "Please endeavour to obtain Gower's photograph, and ascertain from Monckton Brothers if they would be prepared to guarantee expenses of bringing offender back to New Zealand if the police in Western Australia effect offender's arrest." They would not guarantee; but, notwithstanding that, I thought it was such an important case that I sent that telegram.

36. Was there no further correspondence after the telegram?—No, not a word.

37. Is there no limit of time for which a man can be punished for a crime?—Oh, no. The only chance is, as in this case—let the matter alone and wait for some one to tell us. Of course, we sent our *Gazette* to all the Australasian Colonies.

38. This was a charge of cattle-stealing—is that a very serious offence?—Yes; and hard to discover.

39. I think the documents that you quoted went to show that the evidence was pretty clear?—Oh yes, in this case.

40. Do you think, in the interests of justice, sufficient energy has been shown in the attempt to get this man?—I think so, most certainly. I do not know what more could have been done.

41. Did you get his photograph?—I do not know. That will be in the Inspector's office in Napier.

42. *Mr. Tunbridge.*] Did you take it for granted that if the Western Australian police had secured any information they would have communicated with you?—Oh, yes. I said, "Arrest desirable." That means they are to use every exertion. If the two words, "arrest desirable," were not added they probably would not exert themselves very much. When they put in a telegram to us, or we to them, "arrest desirable," that means that extra exertions are to be made.

43. *Colonel Pitt.*] I understood you to say that Western Australia never does answer?—If they arrest a man they let us know at once.

44. *Mr. Tunbridge.*] What you wish to say is, they do not acknowledge receipt, or say what has been done, unless there is some result?—That is so.

45. *Mr. Taylor.*] Can they arrest a man without documents from this colony?—Oh, yes.

46. Now, with regard to Constable Roche, when did he join the service?—About 1881.

47. When was he transferred from Eketahuna to Amberley?—The order was dated the 13th March, 1893. Telegram to Inspector Pender: "Please transfer Constable Roche from Eketahuna to Amberley. He will be replaced by Constable Nestor from the latter station."

48. Where was he stationed when he joined the Force?—I cannot tell.

49. Since Constable Roche has been at Amberley, have you received a number of communications from Father Tracey about him?—I think I received one letter from Father Tracey, and I think I received one letter from Miss Harding.

50. Who is Miss Harding?—She is Father Tracey's housekeeper. They were marked "private"—at least the one from Father Tracey was—and I think I destroyed them.

51. Did they ask for his removal?—Yes, and an inquiry too, I think. However, I told them to go to Inspector Broham and report it to him.

52. You refused to interfere?—That is so. I think, now, I sent the first letter I received to Inspector Broham, and I think I got an explanation from Constable Roche on it. After my reply, I think, he wrote back to me and said, under the circumstances, he would do no more.

53. I would now like Roche's defaulter's sheet read?—He was appointed third-class constable on the 27th September, 1881. He has a clean defaulter's sheet.

54. What is his merit-sheet?—"October, 1884: Prosecution of Ann Moles for sly-grog selling; fined £5 and costs; reward of £1, at Paikakariki. June, 1885: Seizure of cask of beer unlawfully stamped; £1 reward by Customs. July, 1885: Prosecution of Thatcher; fined £20 and costs for sly-grog selling; £3 reward. March, 1886: John Thomas Pepperill, fined for sly-grog selling; £1 10s. reward. April, 1886: Prosecution of T. Poff (fined £5 and costs) for sly-grog selling; £2 reward. May, 1886: Prosecution of T. Poff (fined £50 and costs) for sly-grog selling; £3 reward. October, 1886: Seizure under the Beer Duty Act; £1 from Customs. October, 1889: For information which led to the arrest of Charles Edward Beckman, a fraudulent bankrupt, and the recovery of £283 5s. 10d. belonging to his creditors; £20 reward by the Official Assignee at Masterton. 1893: Beer Duty Act conviction; 10s. by Customs. 1894: Beer Duty Act conviction; 10s. by Customs. 1894: Conviction of D. Scott for sly-grog selling at Cheviot; £3. 1895: Beer Duty Act conviction; £1 by Customs. 1897: Arrest of Sheehan for murder; £5, and promoted to first-class constable.

55. In the district where Roche was stationed—Eketahuna and that district—sly-grog selling was pretty common?—I do not know whether sly-grog selling was common. We were after a still there for some time.

56. What was the first request you had for his removal from Eketahuna?—The first request was a petition signed by thirty-three residents, praying for his removal from Eketahuna to some other district, and assigning reasons for their request, the chief of which was that he had shown partiality in the discharge of his duties. A lengthy reply was made by the constable, and then the late Inspector Thompson reported as follows:—

During the whole time Constable Roche has been stationed at Eketahuna, he has discharged his police duties in a very painstaking and satisfactory manner, and, as the two local Justices testify, with strict impartiality. It would certainly have a very discouraging and disheartening effect on the Police Force generally if a well-conducted constable could under such circumstances be removed from his station by a few persistent local personal enemies raising a groundless and unreasoning clamour against him.

Also, in February, 1891, Mr. Alexander, J.P., wrote as follows to the Minister:—

Being a Justice of the Peace for this district, I have many opportunities of knowing whether or not Constable Roche, of Eketahuna, is impartial in his conduct. I have much pleasure in stating that, as far as my knowledge goes, and no one in this district has a better opportunity of knowing, he is fair in his dealings with all the people, diligent in his duties as constable, and just the kind of man we require here.

Then, I wrote this to the petitioners on the 24th February, 1891:—

With reference to a petition you were the bearer of, addressed to the Hon. the Defence Minister from some of the residents of Eketahuna and the surrounding district, for the removal of Constable Roche from Eketahuna to some other district, I am directed by the Hon. the Defence Minister to inform you and those signing the petition above referred to that the complaints made against this official by yourself and others have been very fully inquired into, together with the constable's explanations, with the result that the Hon. Mr. Seddon can see no sufficient grounds to justify him in complying with the prayer of the petition.

That is addressed to Mr. Maurice Kelliher, of Eketahuna.

57. Was there a petition against his removal?—Yes; there were several, containing about 218 signatures altogether. Then, there is a covering letter from Mr. Hogg with regard to one or more—I am not sure how many—of these petitions Mr. Hogg forwarded: "I have been requested to forward the petition which I enclose in reference to the constable at Eketahuna. Should you wish to communicate with the petitioners, a letter addressed to Mr. Dowsett will receive attention." Then there is the minute of Mr. Seddon, the Minister: "Inform Mr. Hogg petitions to hand, also that there has been a request to have the constable in question removed; that it is unfortunate to have any police-officer the shuttlecock between contending parties. Inquiries will be made." That is dated the 4th October, 1891.

58. *Mr. Taylor.*] What happened then?—That paper was sent to me by instruction.

59. *Colonel Pitt.*] The result there is, Mr. Hogg was informed—what?—Well, I do not know, I am sure. It did not go through my office.

60. *Mr. Taylor.*: I propose to hand in some letters bearing on the case.

61. Do you recognise this signature?—Yes, it is the Premier's.

62. Whose handwriting is it in?—I think it is in the handwriting of the private secretary to the Premier, Mr. Hamer.

63. What is the date of it?—24th February, 1891.

64. Do you also recognise the signature of another letter addressed to Mr. Hogg as that of the Premier?—Yes.

65. Do you recognise the signature to four letters addressed to Mr. A. Anderson, Mr. George, Mr. Morris, and Mr. J. Smith, as that of Mr. Hogg?—Yes; there is no doubt that is Mr. Hogg's handwriting.

DEAR SIR,—

Minister's Office, Wellington, 24th February, 1891.
I am in receipt of your letter of the 12th instant with reference to the reported removal of Constable Roche from Eketahuna. In reply I have to state that there is no intention of interfering with existing arrangements at present.

Mr. George, Alfredton.

Yours faithfully,
R. J. SEDDON.

DEAR MR. ANDERSON,

As I told you, I brought Constable Roche's claims before the Hon. Mr. Seddon. I enclose a portion of a letter I have just received from him which relates to my application on his behalf. I am sorry the reply is not more encouraging.

Alexander Anderson, Esq.

11th August, 1891.
Yours, &c.,
A. W. HOGG.

. . . As regards Constable Roche, I find on inquiry that there are twenty-eight before him on the list of third-class constables, many of whom, like him, have had charge of important stations, and have several entries in their merit-sheets; and as there are more first- and second-class constables than are required, I cannot at present see my way to carry out your recommendation for his promotion.

A. W. Hogg, Esq., M.H.R., Wellington.

I have, &c.,

R. J. SEDDON.

DEAR MR. MORRIS,—

Masterton, 12th October, 1891.

Quite a number of the residents of Eketahuna have written me in reference to the removal of Constable Roche. I would be most sorry to see him wronged in the slightest degree; and knowing that petitions, &c., were being sent to Wellington with the view of getting him transferred, I have urged the head of his department to do nothing in any way that would injure him. If I am allowed the opportunity I shall be only too glad to represent the good opinion expressed in your letter concerning him.

Yours, &c.

A. W. Hogg.

DEAR MR. GEORGE,—

Masterton, 12th October, 1891.

The good opinion you have of Constable Roche I reciprocate. I have regarded him always as a straightforward, honest, and efficient officer, and personally I would like to see him rewarded and promoted. Unfortunately, like not a few good officers in his line, he has made a lot of bad friends, and although I have intervened repeatedly I am doubtful of the upshot. Some of Mr. Roche's most sincere friends suggest that he should be transferred, and at one time I was under the impression that for his own peace and prospects a change would be an advantage, but he seems to think otherwise. I am sorry that Mr. Seddon did not call on you when he was in this district the other day, so that you could have had some conversation with him on the subject. There is no doubt it is a great misfortune for poor Roche that he has made such a lot of bitter foes. I hope before long to pay a visit to Alfredton and see you. Wishing you and family all the compliments of the season, and with best regards.

Yours, &c.,

A. W. Hogg.

DEAR SIR,—

Masterton, 12th October, 1891.

The statements you refer to in your letter are untrue and unfounded. I bear Constable Roche no grudge, and, esteeming him as a capable officer, I would far sooner do him a friendly turn than an injury.

I am, &c.,

A. W. Hogg.

Mr. J. Smith, Parkville.

66. *Mr. Taylor.*] With regard to McArdle: Was anything done in regard to the strictures passed by the Magistrate with reference to McArdle's conduct in a fruit-stealing case?—No.

67. Did Mr. Hutchison, S.M., at any time send you a complaint about McArdle's conduct?—There is a report here. It is directed to Mr. Pender, dated the 25th March, 1896:—

It was stated by counsel for the defendant, on the hearing of the case, *McArdle v. Searl*, that he had it from Sergeant McArdle that the prosecution was at the direction of the Magistrate. It is true that afterwards counsel admitted that he had not it direct from the sergeant, but he gave it to be understood that the latter was the original source of his information. If this be as I think, Sergeant McArdle should be called upon to explain his conduct. I am led to believe there may be something in this allegation, because I know that the sergeant quite erroneously formed that idea, though I contradicted it as soon as I became aware of it. I understand, too, that in a local paper the same statement was made, and afterwards contradicted without any communication with me. It would seem that the sergeant makes statements to newspaper touts as to communications with the Magistrate. If this is so, I shall decline in future all verbal communications with him. I think it is intolerable if communications with the Magistrate are distorted and communicated to the Press. You, of course, know that I did not direct, and had not the power to direct, a prosecution, although I think the prosecution was a legitimate and proper one.

That was sent for the Sergeant's explanation, which was as follows:—

I respectfully report that on the opening of the case here on the 21st instant, *Police v. Searl*, Mr. Pownall, counsel for the defence, raised innumerable objections to the Magistrate sitting to hear the case. Amongst his many objections, counsel said the Magistrate had directed the prosecution, and that Sergeant McArdle had told him so. The Magistrate, apparently, became annoyed, and was not giving me any right to defend myself against this untruth. I asked permission to defend myself, and then asked Mr. Pownall if I had ever said so to him or any one else who could now come forward. Mr. Pownall was frank enough in open Court to say I did not. Further explanation would have been given, but the Magistrate would not listen. I challenge any one to say that I had quite erroneously formed any idea, or that the sergeant is guilty of making such statements to newspaper touts as to communications to him verbally by the Magistrate, as all newspaper men are kept at a civil distance. I do trust that the Magistrate will at all times place on paper any instructions he may deem necessary for the police here, as that rule would be preferable to verbal instructions; as why should I have written to my Inspector on the 14th February last as being directed by the Magistrate to proceed against Mr. Searl if I had not been so directed, and which is denied by the Magistrate, and forwarded to District Office on the 25th February last? Therefore, instruction in writing would seem the more suitable system.

Then, the Inspector sends it on to the Commissioner with this note:—

The charges made by the Stipendiary Magistrate against the sergeant are so serious that I have thought it advisable to submit the matter for your information and instructions. It was published in the newspapers here, as telegraphed from Masterton, that the Stipendiary Magistrate directed the police to prosecute Searl. Sergeant McArdle, however, denies that he had supplied the correspondent with the information, or that he had anything to do with circulating the report. Things are not working smoothly for some time past at Masterton, and I would again request your consideration of the sergeant's application for a transfer to some other station, forwarded to you on the 5th instant.

Then, my memorandum to the Minister: "This is another complaint against the sergeant in charge of the police at Masterton." Then, on the 16th May, 1896: "No reply necessary.—T. THOMPSON." I think in the meantime McArdle had left. He was under orders for transfer, and he was transferred on the 28th May, 1896.

68. *The Chairman.*] What was the date of his application for transfer?—Oh, long before that. He applied on the 4th March, 1896. He was under orders for transfer, and I suppose that was why no reply was necessary.

69. *Mr. Taylor.*] Have you Constable Cooper's papers there?—Yes.

70. *Colonel Pitt.*] What is he?—He is second-class constable, stationed at Opunake, I think. His name is Charles Cooper.

71. *Mr. Taylor.*] When did he join the Force?—He joined the Force on the 29th May, 1873. I think he was reappointed, but I cannot find any record as to his going out of the Force. He was reduced to third-class constable on transfer from police on 23rd October, 1885. He went back to the Armed Constabulary Force; but I cannot tell you when he left the police.

72. Have you any complaints from Pahiatua against him?—Yes, a number; which one do you want?

73. Have you any correspondence there from Mr. Hogg?—No.

74. Will you read the report of night-watchman Dryden to the Minister of Justice?—Yes, it is as follows:—

SIR,—

Pahiatua, 4th May, 1896.

I hereby beg to respectfully call your attention to the conduct of Constable Cooper, of this town, towards myself on the evening of the 28th April, 1896, and Wednesday, the 29th April, 1896, with a view to your department having judicious inquiries made with regard to the same. The true facts of the case are these: As far as I can remember on the evening referred to I met a man called Constable, about 10 p.m., and he asked me to have a drink in the Club Hotel, kept by a man named Seymour. When we went into the bar, Seymour followed us and said to the barmaid quite loud, "Don't dish up any drinks to those two cadgers until you see the money." I naturally resented this remark, and called Seymour to account, and after a few heated words between he and I, Seymour took off his coat to fight me, when my friend Constable, thinking there was going to be a row, went to leave the hotel. Seymour followed Constable, and assaulted him behind a door. I then left by another entrance, and went round to the side entrance, where I found Seymour illtreating Constable, and Mrs. Seymour trying to take her husband away; also Constable Cooper, who had been sitting in one of the side rooms previous to the assault, standing looking on. I endeavoured to stop Seymour, and being unable, caught him by the collar and pulled him out of the door on to the street. Constable Cooper then caught hold of me, and called Constable Watty to assist him to arrest me. I said, "You need not be afraid, I will go with you quietly; but, firstly, I wish to know on what charge you arrest me." I also appealed to the public who were standing around us, to take notice whether I was drunk or not. Constable Cooper then replied, "I am arresting you for making a row in Seymour's." I then went to go to the lockup, but found my brother on the road, and I asked him to come and bail me out. He then said to Constable Cooper, "He is not drunk, Cooper: what are you arresting him for?" Cooper replied, "For making a row in Seymour's." My brother then said, "All right, Adam, come on to the station, and I will see that you get out." After putting me in the cell and searching me, the two constables left, my brother going to look for a Justice to sign my release; but it then being after 11 p.m. they were all in bed, and I had consequently to remain in the cell until 9.45 a.m. the following morning, when Constable Cooper placed an order in my hand commanding me to appear at the Court at 10 a.m. the same morning, leaving me just fifteen minutes to go home, wash myself, retain a solicitor, and collect witnesses on my own behalf. I just managed to get a solicitor by a bit of good fortune, and appear at Court at the time stated. I then asked for an adjournment, to allow me time to get witnesses to appear for me; but Constable Cooper strongly objected to the same, with a view, I have no doubt, of gagging fair evidence being brought forward; but my solicitor demanded an adjournment, which was granted by the Bench till 2 p.m. that same afternoon, when I appeared with my witnesses. Constable Cooper then charged me with three offences—viz., being drunk and disorderly, assaulting Mr. Seymour, and using obscene language in a public place. None of these charges were sustained by Mr. Justice Reese and Mr. Justice Dawson, who were on the bench hearing this case; in fact, Constable Cooper's witnesses' evidence went in my favour. One witness (Constable Watty) called by Constable Cooper, told the Bench that I should not have been arrested at all; but he simply obeyed his superior to show that he was subordinate. The Bench hinted to Constable Cooper that my arrest was illegal, and I have no doubt if you refer to those two gentlemen they will give you a pretty good idea of the case on its merits. I think you will find that Constable Cooper's evidence in the case, as a constable, was anything but what it should have been, as he showed bias very strongly. The reason for this arises from the following facts, which I can prove to your satisfaction. I have for some time past commented on his conduct as a policeman, in frequenting three hotels in this town in uniform, and drinking till all hours of the night and morning, night after night, which is a fact he cannot disprove. The reason for my comment was that I always thought a constable's first duty was to show a good example to the general public. If the department sees fit to communicate with me I will give them a great many more facts, which would take me too long to write, and which will show you that Constable Cooper should be dealt with by the department. I have sustained the following hardships through my illegal arrest: I am nightwatchman for the Borough of Pahiatua, also librarian to the public library, and, when arrested, I had the keys of several rooms, with lights burning in them all that night. Constable Cooper kept those keys at the police-station instead of sending them to some responsible person and informing them of my position. This has imperilled my livelihood to a great extent. Constable Cooper also used very low and abusive language towards me while I was in the cell in the morning, in the presence of my brother and Constable Watty, because I would not sweep out the cell for him: to wit, "You are a bloody low blackguard." My solicitor informs me that my arrest was altogether illegal—that I should sue for compensation; but, as I am not in a financial position to do so, I pray that you will give me all the redress in your power. I had a conversation with a respectable citizen a couple of days ago about this matter, and I told him that I intended to place this before you, and he remarked, "It's no good, Dryden, Cooper has got too much political backing for you to buck against, as the people here have already learned." Nevertheless, I hope that such is not the case, and have every confidence that my case will receive just and impartial notice at your hands.—I have, &c.,

The Hon. the Minister of Justice, Wellington.

ADAM DRYDEN.

On the 7th May, 1896, I sent it to Inspector Pender for full inquiry and report. On the 15th June, 1896, Inspector Pender reports:—

With reference to the charges made by Mr. Adam Dryden, nightwatchman at Pahiatua, against Constables Cooper and Watty, for: (1) wrongful arrest (see defaulter's sheet marked "A"); and (2) frequenting publichouses when on duty (see defaulter's sheets marked "B" and "C" attached): I beg to forward herewith the statements of the complainant and his witnesses, also the explanations of the constables in answer to the charges. With respect to the charge of wrongful arrest, I submit that as the matter has been investigated and disposed of by a bench of Magistrates, Mr. Dryden should be informed that if he wishes to pursue the matter further, his proper course is by civil action. As regards the charges of frequenting publichouses when on duty: in my opinion the statements of the complainant and his witnesses are not sufficiently conclusive, in the face of the constables' explanations, to justify me in bringing the constables before the Court. I therefore recommend that Mr. Dryden be informed that if he wishes he can himself lay informations against the constables in the usual way, and have the charges investigated on oath by the Bench. I am afraid Mr. Dryden, in making these charges, was actuated by motives of revenge; at the same time I regret to see that Constable Cooper in his reports has made use of language respecting Dryden and some of his witnesses that I submit is very reprehensible on the part of a member of the Force in charge of a station.

75. Colonel Pitt.] What does he mean by "take him before the Court for frequenting publichouses"?—That is what Dryden must have asked for, I suppose.

76. What became of that report of Inspector Pender; did you report on it yourself?—Yes.

77. What is the nature of it?—I reported on the 13th July, 1896:—

Be good enough to inform Constable Cooper, with reference to the numerous complaints that have been brought against him as to the manner in which he performs his duty at Pahiatua, that the Minister, to whom the matter has been referred, finds that the constable was in the Club Hotel about 9 p.m. on the 28th April last, when a row occurred, and, though the landlady heard the row from upstairs and had time to go down below to the bar, the constable did not turn out of the private room in which he was for some time afterwards, which is most reprehensible and improper. Again, this constable did not let Dryden out on bail on night of 28th April last, though his brother undertook to get a J.P., because, the constable says, it would only have given him the trouble of arresting him again that night; and though the constable states this man was very drunk, yet next day the charge of drunkenness

was dismissed, and the other charges were withdrawn by the constable. This is considered most unsatisfactory. The constable then goes on to say that Dryden is the most brutal and unprincipled man he has ever come across, a fearful drunkard, and he has been allowed to carry on to such a length that he began to think he was not to be interfered with. Now, the constable shows gross neglect in allowing this man to carry on in the way he did, and then lock him up when he was not drunk. Again, the Minister is much surprised at the improper and vindictively worded reports sent in by the constable, and considers he has proved himself unfit to have charge of a station. He is therefore transferred to Masterton, and it will depend on his future conduct whether he gets charge of a station hereafter or not. He will in his defaulter's sheet be charged with neglect of duty and sending in improperly worded reports when in charge of a station, and shown as severely reprimanded and deprived of the charge of a station. As regards Constable Watty, he was removed from Palmerston North for borrowing money from persons in the district; and as he has been, by his own showing, again borrowing money in the district (*vide* Police Regulation 26), the Minister therefore directs that his services be dispensed with, and he will therefore be paid up to and for to-day.

78. *The Chairman.*] Did Watty get compensation?—I think he did, later on. He did not get any then.

79. *Mr. Taylor.*] Did he not receive £50 or £60 compensation later on?—It is not on these papers.

80. *Colonel Pitt.*] Do you know if he got any compensation at all?—He got something; I cannot say how much.

81. You do not remember whether it was £60?—I think it was.

82. *Mr. Taylor.*] Have you a complaint there from a Mr. Crewe, J.P., that Cooper was indebted to publicans and tradespeople in Pahiatua?—There is a letter from a Mr. Crewe in respect to the action of the police in the case of the disputed ownership of a heifer.

83. Is there not another complaint from Mr. Crewe?—Inspector Pender in his report says:—

In compliance with request contained in the two letters attached, dated the 13th instant, received from Mr. D. Crewe, auctioneer, Pahiatua, and Constable Cooper, in charge of police at Pahiatua, I proceeded to Pahiatua on the 18th instant, and investigated the complaints referred to therein, and shown in the defaulters' sheets attached, marked "A," "B," and "C." I interviewed Mr. Crewe, whose statements I attach, which were submitted to Constables Cooper and Watty, whose explanations are also forwarded herewith. I also forward the statements of Mr. Knight, the butcher, and Mr. Moore, the stationer. I was unable to see Mr. McArdle. With reference to the charge against Constable Cooper for improperly laying an information against Mr. Gower for stealing a cow (see defaulter's sheet "A"), in my opinion, the constable simply did his duty. It appears the cow was stolen from a Mrs. Harvey, and was soon after traced to the possession of Mr. Gower, who refused to tell Constable Cooper how he became possessed of it until he was brought to Court. With respect to the charge of incurring debts, &c., made against Constable Cooper (see defaulter's sheet "B"), the constable's liabilities, so far as I could ascertain, are not very much. The charge against Constable Watty (defaulter's sheet "C") appears to be more serious. It seems the constable has been in financial troubles for some time past, and was sued in the Courts at Palmerston and Pahiatua. Both constables are sober, steady men. There can be no doubt but Mr. Crewe brought these charges against the two constables on account of the action taken by them against Mr. Gower for stealing the cow. The case against Gower was dismissed, but will likely come on again in another form.

28th June, 1896.

P. PENDER.

83A. That report of Inspector Pender was a week after the Minister had ordered Cooper's removal from Pahiatua to Masterton?—Yes; he was removed before the report came in. There was nothing done. There was nothing entered in his sheet. It was not proved.

84. What was your comment on it?—This is a minute of mine, dated the 4th July, 1896:—

The whole of the papers show a very unsatisfactory state of affairs as regards police matters at Pahiatua, and, from the very improper wording of the replies forwarded by Constable Cooper, and also from the fact that he recently reported adversely on an hotel at Mangatainoka without sufficient grounds for so doing, and at the same time made a most offensive allusion to a member of the Waipawa Licensing Committee, I think he should be deprived of the charge of a station and placed under a sergeant. I agree with Inspector Pender when he says that Mr. Dryden has his remedy in the Court if he considers he was wrongly arrested by Constable Cooper. I do not think there is any proof that the constable owes money in Pahiatua. As regards Constable Watty, he had to be moved from Palmerston to Pahiatua for borrowing money from brothel-keepers. I believe he is hopelessly involved, and for that reason I consider him unfit for the Force; but, as he says he will be clear of debt in six months, perhaps would be inclined to give him that time to clear himself.

Following that, I wrote on the 13th July, 1896, the memorandum to Inspector Pender, which I have already read.

85. I will ask now for a report from Mr. Tosswill, solicitor, Pahiatua?—I have not got any such report. It would very likely have been sent to Inspector Pender. It may not have come to me at all.

86. He was moved to Masterton when?—On the 13th July, 1896.

87. He was unfit then, in your opinion, to have charge of a country station?—Yes.

88. When was he given charge of Opunake?—Just as I gave over—October, 1897.

89. Do I understand clearly you have no correspondence from Mr. Hogg on that file?—Yes, clearly, no correspondence.

90. Did you make that appointment to Opunake entirely on your own motion?—Yes; entirely on my own motion. I do not think a soul spoke to me about it. I was up at Masterton, and saw a stout man walking about. I made inquiries as to how he did his duties, and heard a very good account of him. He had given satisfaction at Masterton, and I thought he ought to have another chance by getting a station.

FRANK WALDEGRAVE examined on oath.

91. *The Chairman.*] You are Under-Secretary for Justice, Mr. Waldegrave?—Yes.

92. *Mr. Taylor.*] I wanted to ask you in reference to the appointment of Constable Roche as Clerk of the Court at Eketahuna. When was he appointed Clerk of the Court?—On the 1st April, 1893. He was bailiff before he was appointed Clerk of the Court.

93. Was he at Eketahuna in 1893?—Yes; his appointment dated from the 1st April, 1893.

94. Not for Eketahuna, surely?—Yes.

95. *Colonel Pitt.*] It has been stated to us that he was transferred to Amberley on 13th March, 1893?—Well, there is the official record. The appointment was made in March, but it dated from the 1st April, 1893. It was signed by the Governor on the 3rd March.

96. *Colonel Hume.*] Did he ever take it up?—I think he did, but I would not like to say from memory.

97. *Mr. Taylor.*] What I really want to get at is this: Whether in 1891 an order appointing him Clerk of the Court at Eketahuna was not made, and held back by the Justice Department at the request of the Defence Department?—Speaking from memory, I should say not; but I would not like to answer definitely without looking up the records. I will look up the records and let you know later.

[*Mr. Waldegrave* left the room, and returned later in the day, continuing his evidence as follows:—]

Witness: Mr. Taylor wanted to know about an appointment which he thought had been made of Constable Roche to the Clerkship of the Court at Eketahuna, in 1891. I have looked up the matter since, and I find that Constable Roche was not appointed Clerk of the Court at Eketahuna in 1891. It is quite true it was intended to appoint him Clerk of the Court. The position was this: up to the end of 1891 the Clerk of the Court at Masterton had been in the habit of visiting the outlying Courts from Masterton. He visited Carterton, Greytown, Featherston, and Eketahuna, as Mr. Wardell will recollect very well. In 1891 it was thought it would be an economical arrangement to appoint the constables at these places to be Clerks of the Court. By that means the travelling-expenses of the clerk would be saved, and also he would be able to do without his assistant-clerk at Masterton. In pursuance of that arrangement the constables at Featherston, Greytown, and Carterton were appointed to be clerks at those places; and I am rather inclined to think, although it does not appear on the papers, that there was no constable stationed at Eketahuna at that time, but that one was going there. I say at once, it was the intention to appoint the constable whether he was there or whether he was going there. That being the position at that time, on the 8th October, 1891—just at the time these changes were being made—the Clerk of the Court at Pahiatua, Mr. Reeve, wrote, saying: “I understand that Mr. Freeth, Clerk of the Court at Masterton, will no longer visit the Court at Eketahuna, and that some change in present arrangements in connection with that Court is contemplated. Such being the case, I beg to make application for the appointment of Clerk of the Eketahuna Court. I can easily do the business in conjunction with the Pahiatua Court, as it is not much more than sixteen miles from here, and I have still a little time on my hands.” Perhaps Mr. Taylor would like me to explain Mr. Reeve’s position. Mr. Reeve was Clerk of the Court and Clerk to the County Council at a place called Waiau, in Canterbury. He was retired from the position of Clerk of the Court on the ground of retrenchment, and he finally found his way to Pahiatua, where he started in business as a commission agent. When it was decided to appoint a clerk at Pahiatua the appointment of Clerk was given to Mr. Reeve on account of his former service, because it was thought he was entitled to some consideration, and he was perfectly familiar with the duties. He got some small salary—I forget how much it was, £10 or £12 a year—for the work. He applied to have this position as Clerk of the Court at Eketahuna conferred on him in addition to the clerkship at Pahiatua. The letter was forwarded through the Magistrate, with the note: “Forwarded for favourable consideration.” The reply sent back to the Magistrate was: “I beg to acknowledge the receipt of your memorandum forwarding Mr. Reeve’s application for appointment as Clerk of the Resident Magistrate’s Court at Eketahuna. Will you be good enough to inform Mr. Reeve that it is proposed to appoint a constable who will shortly be stationed at Eketahuna to be Clerk of the Court there, and so save travelling expenses.” That was returned by Colonel Roberts, who was then Magistrate, with a memorandum to the effect that Mr. Reeve was willing to take the appointment. Then the Under-Secretary wrote back to the Magistrate, and said that if Mr. Reeve “is willing to visit Eketahuna as often as may be necessary and do the clerk’s work there for £10 a year, and if he will be content with that, and you concur, I shall be glad to recommend his appointment.” The £10 a year, I may mention, is the amount allowed to constables for acting as Clerks of the Court. Of course, from a departmental point of view, it mattered very little whether we gave it to the constable or another person as long as the cost was no greater. Mr. Reeve replied: “I am willing to do the work at the Eketahuna Court as per Mr. Haselden’s memorandum of the 16th October, 1891—that is to say, I am prepared to visit Eketahuna twice a month, as Mr. Freeth has been doing in the past, for £10 per annum, though, of course, £1 per month would be nearer the mark.” Thereupon he was appointed on the 1st November, 1891, and that continued till 1893, when in response to local representations that it was inconvenient to have only a visiting Clerk of the Court, Constable Roche was appointed clerk at Eketahuna; but before he took up the duties I find he was exchanged with Constable Nestor, who was stationed at Amberley, and Nestor was appointed at Eketahuna, and the local constable, whoever he may happen to be, has been Clerk of the Court since.

98. *Mr. Taylor.*] Was not an appointment actually prepared for Roche in 1891?—No, nor was he notified he would be appointed. It was purely a matter done within our own department.

99. Did any one support Mr. Reeve’s application?—It was supported by both the Magistrate and the Under-Secretary.

100. No outside references?—Absolutely none.

101. Have you got a report by Mr. Bush, S.M., on Matthew O’Brien, as to O’Brien’s conduct at Helensville?—Yes. What do you wish to know?

102. The nature of the report?—It was a report forwarding a copy of a memorandum which had been sent by the Magistrate to Constable O’Brien, who was Clerk of the Court at Helensville, telling him that he was not to employ outside aid in doing the work of his office. It had been discovered that he had been employing a local resident to assist him in the work of the Resident Magistrate’s Court. The constable stated that he had employed this outside aid in consequence of over-pressure of police duty. The correspondence was forwarded to the department. The constable did not stay there long after that. He was replaced by another constable. Mr. Bush also complained that O’Brien had omitted to serve a summons on a witness.

103. Do you know where Mr. Bush is now?—He is stationed at the Thames.

104. *The Chairman.*] There is no reference in those papers to the man's character?—Absolutely nothing. There is a letter on the file from the Justices residing at Helensville asking that a civilian Clerk of the Court be appointed.

105. *Mr. Taylor.*] Was a clerk appointed?—No. The constable is still doing the duties.

106. Doing them satisfactorily?—Yes. I do not know what his name is now. I think it is Kelly. Kelly succeeded O'Brien.

107. At any rate, as far as you know, he is doing the work satisfactorily?—Yes; we have no complaints.

108. A petition was received for the appointment of a civilian clerk, on the ground that the duties of Clerk of the Court interfered with his police duties?—Well, on the ground that he had so many appointments. The constable who succeeded O'Brien was in the ordinary course appointed Clerk of the Court.

109. And he has had all the same offices?—I suppose so, but I cannot say.

110. *Colonel Hume.*] I would like to ask Mr. Waldegrave whether O'Brien was sent to Helensville as Clerk of the Court, or whether some vacancy happening, and he being stationed at Helensville, was made Clerk of the Court?—I am speaking from memory now. There was a civilian—I do not know what his other occupation was, but I think he was connected with local government—who was Clerk of the Court. He committed suicide. The constable who was stationed at Helensville, and whose name was Forman, was at once appointed Clerk of the Court. When Forman left, his successor—I do not recollect his name, I think it was O'Connell—was appointed Clerk of the Court in succession to Forman; and when he left, his successor, O'Brien, was appointed Clerk of the Court. O'Brien simply took up the duties of his predecessor.

111. Can you give the date that O'Brien was appointed Clerk of the Court at Helensville?—No, I have not got it here, but if you have got the date of his transfer to Helensville, that would be the date on which he was appointed Clerk of the Court. There has to be a fresh appointment for every man, signed by the Governor.

112. *Mr. Tunbridge.*] Do you consider the fact that Constable O'Brien omitted to serve that private summons, and employed outside aid to assist him as Clerk of the Court, would in any way reflect on his ability to discharge the ordinary duties of a police-constable?—Well, of course, I do not pretend to be a judge of police duty. If you ask me whether I think it demanded severe punishment as Clerk of the Court, I will tell you at once, No.

113. Is it not possible O'Brien may be a very efficient police-officer but an inefficient Clerk of the Court?—Of course, that is a very common thing.

114. Do you consider, because he failed in carrying out his duties as Clerk of the Court successfully, that it naturally follows he will not be able to carry out his duties as police-constable successfully?—Certainly not.

115. *The Chairman.*] Was he held to be performing his duties inefficiently?—Well, we considered that it was not the proper thing for him to employ an outsider in his office, and he stated that he had not the time for the Court work. If you look at his handwriting you will see he is not a man cut out for clerical work.

116. *Mr. Taylor.*] I would like to ask whether your department has much trouble with constables who are Clerks of the Court, so far as performance of their duties is concerned?—No, certainly not. I think, on the whole, they do remarkably well. Considering they very often go to the Courts without any training, I think they do remarkably well, on the whole.

117. *Mr. Poynton.*] It is a very great saving?—A very great saving. It would be absolutely impossible to maintain Courts in the outside districts unless the constables were utilised. Of course, I know very well the Magistrates do not care about it, simply because they like to have a Clerk of the Court who is purely devoted to Court duties, and who can act as their clerk properly, and assist them in taking notes and many other things they have to do.

118. In many of these outside districts there are only thirty or forty complaints in the year, and it would be absurd to appoint a Clerk of the Court to do that work solely?—Yes.

119. *The Chairman.*] Besides Clerks of the Court they are bailiffs?—Yes, nearly all of them.

120. You have not had many complaints about performing their duties as Clerks of the Court?—No.

121. Have you had many complaints about their duties as bailiffs?—I should not say many complaints. We have complaints from time to time, but, considering the number of the constables, I should say the proportion is very small.

122. Are they complaints of a personal character or complaints of a general character—I mean of a character which affects the whole system?—They are complaints more of delays.

123. Any complaints against the system?—Oh, no; and not complaints against the characters of the men.

124. There was a question raised about the system of constables having other duties to perform. The complaints which you have received with regard to the performance of their duties as bailiffs have been personal?—If you put it that way, it might be taken as complaints against individual constables. I would rather you said they were complaints as to delays, and not complaints of misconduct.

125. *Mr. Poynton.*] How many constables are employed as Clerks of the Court?—Between eighty and ninety.

SATURDAY, 12TH MARCH, 1898.

ARTHUR HUME: examination on oath continued.

Colonel Hume: In continuation of my evidence yesterday, I wish to inform Mr. Taylor that I can find no complaint made by Mr. Tosswill, solicitor, against Constable Cooper. I produce a copy from the letter-book of a letter from the Defence Minister to Mr. A. W. Hogg, M.H.R., dated the 7th August, 1891, as follows:—

SIR,—

7th August, 1891.

I have the honour to acknowledge the receipt of your letter of the 4th instant, and to inform you in reply that F. W. Bezar some time ago when tested for the Permanent Artillery was found to be under the required chest measurement, and I have, however, issued instructions for him to be again measured, and if found up to the required standard, he will be appointed when a vacancy occurs. As regards Constable Roche, I find on inquiry that there are twenty-eight before him on the list of third-class constables, many of whom like him have had charge of important stations, and have several entries in their merit-sheets, and, as there are more first- and second-class constables than are required, I cannot at present see my way to carry out your recommendation for his promotion.

I have, &c.,

R. J. SEDDON.

A. W. Hogg, Esq., M.H.R., Wellington.

I should like to explain to the Commissioners the reason this letter is not on the file. It was looked for yesterday, but was not there. Instead, there is a pencil-note in the letter-book on the top of the letter, "No inward letter.—J.E." That means that the inward letter was marked "private," and when a letter is marked private the Defence Minister very often turns down the corner, and says, "Reply to this accordingly," or whatever it is, and then the letter is destroyed. It is not put on the file because it is marked "private." Not only members' letters, but letters from any one which are marked "private," are not put on the file. You asked also for a letter to Mr. Hogg, dated the 1st November, 1893. I have no such letter in my letter-book; therefore, it will probably be from the Private Secretary to the Minister.

1. *Mr. Taylor.*] I propose just now to run through this return, and fill in certain particulars. What is the first name, Colonel Hume?—William Patrick Patton.

2. Who was he recommended by?—It does not say; it is on the old form, but there is a memorandum here from Mr. Thompson, Inspector: "Health and physique apparently good. Looks about the age stated."

3. Had he been previously in the Force?—Yes.

4. Does it say why he left?—No.

5. What is the next one?—John Bell, recommended by Inspector Weldon and Rev. Dr. Stuart, and had been previously in the Force; then, John Cullinane, who is not recommended by anybody. He applied in 1891, and was enrolled in 1891, and had previously served. Next, Charles Edgar Harrington Trevelyan, whose application is on the old form. He was enrolled in 1889, and had formerly served nine months in the Armed Constabulary Force in New Zealand, and two years and three months in the Queensland Police. Next, John Bennett Dales, recommended by Inspector Moore. He was in the Prisons Department, and was transferred from there to the police on the 18th November, 1889. Next, Walter Phillips, who was enrolled on the 1st May, 1890. He was late Superintendent of Police, Tasmania, and was recommended by J. Heywood, Esq., of the Treasury. Next, Michael Foley, and there is no application form. On his papers is this minute by Commissioner Gudgeon to the Defence Minister: "This man was taken on as a district or rather probationary constable about two years since, at a time when it was intended to take men on occasionally at small pay until they showed their fitness for the work. Foley is, however, the only man of the sort we have, and as he has turned out exceedingly well, I would suggest placing him on the same footing as all other constables. He now receives £100 per annum"; and this is further minuted, "Approved.—W.R.R., 14/12/89." The next is Valentine Hooper, and Major Gudgeon writes to the Defence Minister, and asks permission to enrol Hooper, whom he describes as "late of the Life Guards, a young man, educated, 6 ft. 3 in. in height, and suitable in every respect," and according to the minute this recommendation was verbally approved. The next is Owen Cummins, who was recommended by Major Gudgeon. The next, James Allman, who was recommended by his brother, Captain Allman, who is now Marine Adviser, Colonel Bailey, of the Cape Mounted Rifles, and Colonel Dartnell, of the Natal Mounted Police; and he was enrolled on the 7th June, 1890. The next, James Black, who was recommended by Colonel Goring. He had been three years and three months in the Permanent Artillery, and was enrolled on the 16th April, 1892. The next, E. Bretherton, who was enrolled on the 20th June, 1890. I do not know how this man got in, he has always been a mystery. Apparently, from a telegram on his file, he was recommended by Bishop Luck, of Auckland. He is out of the Force now. The next, Patrick Dennis O'Connell, who was enrolled on the 18th September, 1890, and was transferred from the Prisons Department. He was recommended by B. McClendon, Esq., Poverty Bay, Captain Baker, commanding the Field Force, Ohinemutu, and Dr. Lewes, Ohinemutu. The next, Arthur Baker. There is no history about him, but there is a memorandum from me on the 2nd December, 1890, to the Hon. the Defence Minister, as follows: "The undersigned has the honour to request permission to enroll as third-class constable Arthur Baker, late Warwickshire Constabulary, who the undersigned believes will make a good constable.—A. HUMÉ, Commissioner. Approved.—H.A.A." The next, Thomas Frederick Donovan, who was transferred from the Prisons Department to the police on the 1st April, 1891. He was recommended by the Gaoler at Lyttelton, and the reason I took him into the Prisons Department was that he was an officer in the prison at Dartmoor with me at Home. The next, James O'Reilly, who was transferred from the Prisons Department on the 1st April, 1891, and was recommended by A. R. Guinness, M.H.R., and E. A. Burke, Greymouth. The next, George Winduss, who was recommended by R. H. J. Reeves, M.H.R., Captain Gleadow, Mr. Guinness, M.H.R., and Judge Kenny, on the 1st April, 1891. The next, Alexander Hattie, appointed on the 3rd August, 1891, and recommended by F. McGuire, M.H.R., and E. M. Smith, M.H.R. He had former service in the Royal Irish Constabulary, and New Zealand Armed Constabulary, and in Wellington Gaol. The next, Gavin Wilson, appointed on the 13th August, 1891, and recommended by Captain Loveday, commanding Heretaunga Mounted Rifles. The applicant says, "I can only refer to my discharge certificate," which was from the Royal Horse Guards Blue. I may state this is a man I think I took on on my own responsibility. The next, John Forster, appointed on the 12th January, 1892, and recommended by G. A. Preece, S.M. at Napier, and Mr. Sidey, ironmonger, Napier, and by the Hon. R. J. Seddon. He had been before in the police, from the 22nd November, 1878, to the 22nd June, 1887. The next, Walter Smith,

appointed on the 22nd May, 1894, and recommended by Sir Edwin Gurnett, ex-mayor, and A. W. Scarr, ex-mayor of Leeds, York. He had been in the Leeds Police as sergeant, and came out to better his position. The next, George Pearce, appointed on the 8th April, 1896, and recommended by J. Dickey, J.P., Mangere, Auckland, and William Woodward, M.A. That, I think, was one of my appointments. The man was in the Union Steamship Company's service, and I wanted a seaman at that time for boat-work. The next, Thomas Cullinane, enrolled on the 8th April, 1896, and recommended by Dr. Cahill. He was an attendant in the Wellington Asylum. The next, John Cummins, enrolled on the 8th April, 1896, and recommended by Allan McGuire and Captain Falconer, Wellington. The next, Patrick Cotter, enrolled on the 8th April, 1896, and recommended by Dr. Thomas, of Timaru, and Dr. Cahill, Wellington. The next, John Lardner, enrolled on the 11th April, 1896, and recommended by Thomas Thompson, M.H.R., Father Gillam, and Mr. Thomas O'Brien. The next, Thomas Edward De Norville, enrolled on the 17th April, 1896, and recommended by J. Roulston, J.P., Belmont, Mr. J. D. Goodwin, Pukekohe. The next, George Holbrook Nixon, enrolled on the 14th April, 1896, and recommended by Seymour Thorne George, Mr. Duthie, manager of the National Bank of New Zealand, and Mr. F. Lawry, M.H.R., all of Auckland. The next, Thomas Ryan, enrolled on the 17th April, 1896, and recommended by Captain Anderson, s.s. "Manapouri." The next, William Baker, enrolled on the 20th April, 1896. The next, John Thomas Cowan, enrolled on the 20th April, 1896, and recommended by F. Lawry, M.H.R., John Knox, J.P., and E. T. Davy, Hamilton. The next, William Arthur Matthews, enrolled on the 20th April, 1896, and recommended by Major Harris, South Franklyn Mounted Rifles, R. F. Webster, Pukekohe, J. H. Wright, J.P., Pukekohe, and Mr. Trenwith, Councillor, Auckland. Next, William David Lawrence Thomson, enrolled on the 22nd April, 1896, and recommended by Mr. Thomas Dwan, J.P., Wellington, and Hatch and Company, Charleston. Next, Owen Cummins, enrolled on the 22nd April, 1896, and recommended by Mr. Thomas Thompson and Mr. A. McGuire, Auckland, Sergeant Gamble, Major Harris, M.H.R., and F. Lawry, M.H.R. Next, John McConnell, enrolled on the 29th April, 1896, and recommended by Mr. Thomas Thompson, J.P., Messrs. Morpeth Brothers, and Captains Miller and Parker, two Volunteer captains in Auckland. Next, John Matthew Jackson, enrolled on the 1st May, 1896, and recommended by Captain Sullivan, s.s. "Paeroa," and J. B. Brittain, Auckland. Next, Daniel Connolly, enrolled on the 14th May, 1896, and recommended by the Rev. Father Devoy and Dr. Martin, Wellington. Next, James Henry, enrolled on the 18th May, 1896, and recommended by G. J. Mason, Chairman Temuka Town Board, Francis Archer, Clerk Temuka Town Board, and Sir William Blundell, Temuka. Next, Joseph Swindale Williams, enrolled on the 20th May, 1896, and recommended by Major Steward, M.H.R., and Mr. Thomas Duncan, M.H.R. Next, Robert Brownlee, enrolled on the 23rd May, 1896, and recommended by Major Harris, Rev. Mr. Macfarlane, and Mr. J. King. He was in the Pukekohe Volunteers. Next, Douglas Morton Mackenzie, enrolled on the 19th June, 1896, and recommended by Edward Waddell, Temuka, and James Scott, Winchester. Next, William Driver Potter, enrolled on the 22nd June, 1896, and recommended by William McGill, Wellington. He was in the Timaru Rifles. Next, Charles Dalton, enrolled on the 2nd July, 1896, and recommended by Major Harris, M.H.R. Next, Francis William O'Connell, enrolled on the 3rd July, 1896, and recommended by Mr. Anderson, City Engineer, Auckland, and James Marriott and Andrew Brannigan. He was an attendant in the Avondale Asylum. Next, John Walter Hollis, enrolled on the 22nd June, 1896, and recommended by E. M. Smith, M.H.R., and C. Pool and W. Warwick. He had been a private for four years in the Queen's Westminster Royal Volunteers. Next, Arthur Sidney Bird, enrolled on the 4th July, 1896, and recommended by A. Morrison, M.H.R., and William Milne, M.A., Caversham. He had been a warder in the Asylum. Next, Andrew Phelan, enrolled on the 4th July, 1896, and recommended by William Reid and Hugh Gourley, Dunedin. He had been in the Royal Irish Constabulary. Next, Alfred Hastings Jones, enrolled on the 21st July, 1896, and recommended by Mr. McNab, M.H.R., and W. B. Fraser, J.P., manager of the Bank of New Zealand, Wyndham. He had been a member of the Gore Rifles for two years. Next, George Thomas Russell, enrolled on the 22nd October, 1896, and recommended by F. Lawry, M.H.R., Mr. Kidd, manager, Auckland Tramways, and Mr. Samuel Williams, commission agent, Exchange Buildings, Auckland. He had been previously seventeen years in the New Zealand Armed Constabulary Force and Police Force. Next, Donald McKenzie, enrolled on the 8th February, 1897, and recommended by T. L. Buick, M.H.R., and J. Redwood, J.P. Next, Patrick Stackpoole, enrolled on the 9th February, 1897, and recommended by Rev. Father Grogan and Mr. Cornford, solicitor, Napier. Next, John McLeod, enrolled on the 9th February, 1897, and recommended by John Newlands, merchant, Mahino, and John Gillan, Oamaru. Next, Duncan McQuarrie, enrolled on the 11th February, 1897, and recommended by Hon. J. G. Ward, Captain Hawkins, Hon. Mr. Feldwick, and Mr. Bain. Next, Thomas Keenan, enrolled on the 11th February, 1897, and recommended by J. Stevens, M.H.R., and John McEldowney, Marton. Next, Archie Hooker, enrolled on the 11th February, 1897, and recommended by E. Nelson and Mr. Okey, New Plymouth, and John McKenzie. Next, James Cahill, enrolled on the 11th February, 1897, and recommended by Samuel Carnell, M.H.R., M. T. Miller, Napier, and Mr. Michael Foley. Next, Ernest Bingham, enrolled on the 13th February, 1897, and recommended by James Gilmour and William Russell, Southland. Next, Joseph Henry Boreham, enrolled on the 15th February, 1897, and recommended by Hon. George Jones, M.L.C., and Thomas Duncan, M.H.R. Next, Andrew McDonnell, enrolled on the 15th February, 1897, and recommended by C. H. Mills, M.H.R., F. R. Robinson, manager, New Zealand Loan and Mercantile Agency Company, Blenheim, and Redwood Brothers, Spring Creek. Next, Thomas James Wilton, enrolled on the 17th February, 1897, and recommended by Bagnall Brothers, sawmill proprietors, Thames, and John Osborne, storekeeper, Thames. Next, Thomas Cain, enrolled on the 18th February, 1897, and recommended by Mr. White, J.P., and Thomas Bain and James Mack, Auckland. Next, Donald Charles Fraser, enrolled on the 18th February, 1897, and recommended by Rev. Father Lynch, Dunedin, and

Sergeant Dwyer, Police Force. Next, Joseph Henry Harrison, enrolled on the 18th February, 1897, and recommended by W. Hall-Jones. Next, Edward Michael Johnson, enrolled on the 18th February, 1897, and recommended by Mr. Maslin, M.H.R., and William Corbett, schoolmaster. Next, John McNamara, enrolled on the 18th February, 1897, and recommended by W. S. Smith, J.P., Amberley, Rev. Father Tracey, Amberley, and R. B. Holdsworth, Balcairn. Next, James Stewart, enrolled on the 22nd February, 1897, and recommended by James Hazlett and Hugh Gourley, Dunedin. He had been eleven years in the Otago Hussars. Next, John Skinner, enrolled on the 26th February, 1897, and recommended by John Lough and James Smith & Son, Greenfields Station, Lawrence. Charles Parker was enrolled on the 23rd May, 1888, and transferred from the Prisons Department. I desire now to put in a return with regard to the allowance to the men on leave [Exhibit 20].

DUNEDIN.

THURSDAY, 17TH MARCH, 1898.

WILLIAM STONE PARDY, examined on oath.

1. *The Chairman.*] You are Inspector of Police, stationed at Dunedin?—Yes.
2. How long have you been in the service?—I have been twenty-eight years under the General Government.
3. And was that when you first joined the New Zealand Police?—Oh, no. I joined the Armed Constabulary in 1870, but prior to that I served in the Victorian Police and in the Southland Police and the Canterbury Police.
4. What is your age?—Sixty-two.
5. We would like to hear from you a general account of the numbers, condition, and efficiency of the Force under your command?—As far as the working of the police is concerned in this district, everything is going on very smoothly and the duties are properly carried out, and, perhaps, with an exception or so I have a sober lot of men. I have had some very bad cases in the police since I have been here, but they have been got rid of.
6. What are the numbers of the men under your command in this district?—112 is the full strength, including sergeants and constables, but it is very seldom we are up to that.
7. But how many men have you of different ranks under you?—I have 111 at the present time.
8. What ranks are they?—Well, I could not exactly say now, as there have been promotions recently, but I can get a return for you.
9. As a class you have got rid of the bad characters, and now they are a satisfactory body of men?—I have got rid of the bad characters, and now they are a very satisfactory body of men. The great drawback was recruiting the men solely from the Permanent Artillery. We got a very inferior class of men from the Artillery. An odd man now and again was very fair, but as a rule they were very inferior men and very unsteady men, and I am sorry to say many of them were very untruthful. I could not believe what they said. As far as I myself am concerned, I have no complaints to make, but there are a few things I would like to suggest for the good of the Force. First with regard to promotions, I say that from my long experience there should be a general fitness of a man for promotion, and not seniority; but if fitness and seniority went together, then certainly seniority should have a say: in fact, it should be imperative. But to promote men on seniority would simply destroy the efficiency of the Force entirely, as there would be no emulation. There would be nothing to induce men to exert themselves, and a good man and an intelligent man would do no more than the loafer and the indolent. They would naturally say, "Why should we work and kill ourselves, and these loafers, in front of us will get promotion before us." Of course I am sorry to say we do get some very useless men in the police at times, and they are generally the men who make the most complaint. I know the history, of course, of the whole thing from beginning to end, and when the Forces were amalgamated, the provincial Forces in the south were a long way over-officered, both in commissioned and non-commissioned officers, the result being that for years past promotion has been almost nil.
- 9A. What do you attribute that to?—I attribute that to the Forces being over-officered when the amalgamation of the provinces took place twenty-one years ago.
10. You attribute slow promotion mainly to that?—Well, there has been very little promotion—scarcely any. It has been rather the other way. I would point out there were six officers in Otago; I could not give you the number of sergeants. There were five officers in Canterbury, and an overwhelming number of sergeants. There were two or three officers in Westland, and any number of sergeants; in fact, there were more officers than constables; the same in Nelson and Marlborough. Of course, in the North Island that did not exist; there was rather a deficiency there. The great fault, rendering so much discontent in the Force, and to a great extent destroying its efficiency, is the continuous political interference of members of Parliament. If they would leave the Force alone, and leave it to the officers to conduct it, I think there would be very little cause for complaint. And it is not the good men that get political influence. The good men stand on their own merits, and then, of course, when they see men through political influence who do not deserve it get the plums they naturally feel aggrieved. This is not a thing of to-day or yesterday; it has been going on for years; in fact, ever since the amalgamation. In the provincial days there was no political interference with the police, and consequently they were an efficient Force right

through the colony, but as long as this political influence goes on we never shall have an efficient Force. I say that every constable, or an officer—I do not care who it is—if he goes and tries to use political influence should be dismissed from the Force, and if that was once done we should hear very little more of it. Directly a transfer is ordered a petition is got up. I am well aware it is at the instigation of the constable or sergeant, whoever it may be, for the people do not act spontaneously in these things. The people are indifferent whether a man is transferred or not, but, of course, generally out of good nature they sign these petitions. I say that once a man is ordered for transfer it should be carried out, unless it is detrimental to the service. Before a transfer is ordered some inquiry should be made as to how it affects the service—whether it would be detrimental to it to shift a man from a certain position. Some men are fitted for one thing and some for another. Some stations are much more important than others, and men should be sent to these stations according to the calibre of their minds. Neither seniority or anything else should be considered in connection with that—that is, if the efficiency of the Force is to be the first consideration.

11. You would set aside seniority—you would not take that into consideration in this case?—Not as regards all out-stations. For instance, what I say is: one man may be fitted to take charge of an important station and another man would not be. Then, if a man is fitted to take charge of an important station, even though he is junior to the other, then I say seniority should be put aside for the time being.

12. I understand you to say that in all cases you would put qualifications before seniority?—Before seniority.

13. But where the qualifications are equal you would give seniority the preference?—Oh, by all means, certainly. I may point out the real work of the police is done by a few energetic men, the balance simply fill up the ranks, simply do ordinary street duty—running in street drunks, walking beats, and so on; but the real mental work is confined to the few. To do that work efficiently it is often necessary—as I have again and again myself—to follow up crime night and day through all weathers, and stop at nothing in the way of fatigue. If you do you will probably lose a chance of bringing the criminal to justice. To get men to do this there must be some reward—not a paltry reward of a pound or two, but some advancement in the Force—and if they cannot see that before them they cannot be expected to throw out their energies, their industry, and their ability. It is contrary to human nature. I do not wish to say anything further on that point. What I have said is simple truth and simple fact, so that I cannot improve upon it by saying anything further. Now, I come to the reference to the men doing duty. Men newly joined receive £120 a year. I certainly consider that inadequate. A policeman's life is a very hard one, to make the best of it. He is exposed to all weathers. Night and day he must turn out if duty require him, and as a general rule their health breaks down long before that of men in other employments. Directly they put on their uniform and are sent on the streets they are open to temptations, or, rather, I should say, subject to temptations that no other class of officials are. Therefore, I think their pay should be something better than that of the ordinary labourer if you wish to keep those men honest and honourable, which they should be. I think I can bring a person before your mind's eye showing the inadequacy of the pay, in this way: The pay is £120 a year—that is, 6s. 3d. per diem; you take 4d. off that. In the case of a young man first joining, his deductions for insurance will be 4d.; of course, with an older man it would be more. It is 4d. within a fraction. At the very lowest there is 6d. a day for uniform. I am putting it at the very lowest at that. I am speaking more particularly of married men now than single. The married man is obliged to live for the convenience of the service as near to the centre of the city as possible, where the rents are at their highest. Then deduct 1s. 6d. per diem for rent, and you cannot get a decent house for a constable under 10s. a week, or within a fraction of 1s. 6d. per diem.

14. That is the average rental for cottages of that class?—Ordinary cottages; unless they live in some of those dirty slums, and that of course would be a discredit to the Force, and you could not expect men to do it. After making these deductions you see there is a mere pittance for a man to keep himself and his wife and family on. He is at a disadvantage with other employes—other occupations in life—in this way: he cannot supplement it in any way. He has the bare pay, and that is all he has got. How can a man on that pay live decently, and make provision for old age or sickness. Now, as regards superannuation allowance, I look on that as almost imperative if we wish to keep up the efficiency of the Force. Young men who may be anxious to get an increase of pay now are not in a fit position to judge. It is only a man like myself who has served long years in the police, and has seen the results, that can speak with any confidence on the matter, and therefore I speak most earnestly on this point. I have seen so much misery resulting from policemen no longer fit for service leaving their employment and being entirely unfitted from the nature of their former employment for either tillage or trade, and any few pounds they may have saved up through economy and carefulness have slipped through their fingers before they knew where it was, and then they are left in their old age in penury and poverty through no fault of their own. Now, as regards superannuation, it is simply useless to talk about their getting it when they are sixty years of age. Not one-half of the men at the present time in the Force will remain in till they are sixty. Their health will break down before that. I myself have scarcely any contemporary now. The men in the police with me in my young days are all dead and gone, or broken down in health long before they arrived at my age. It should be calculated on a basis of the years of service. For instance, I would suggest fifteen years, twenty years, twenty-five years, and thirty years. I think when a man has done thirty years he certainly should be entitled to superannuation.

15. What period would you start with?—There would be different amounts of pension according to those periods. I say fifteen years should be the lowest. If a man cannot serve fifteen years he could not be healthy when he joined the Force—that is, if he does not meet with any injury.

16. *Colonel Pitt.*] You say there should be different scales of pensions?—An increased scale for different periods.

17. But you said “superannuation allowance”?—I do not mean an allowance; I mean pension. The other is a compassionate allowance.

18. You are not speaking of superannuation allowance at all?—Oh, no; pension.

19. You would make it compulsory to retire at what age?—After thirty years—that is, if their health has failed. A man should certainly remain if he is fitted to do the duties; but you will find very few strong men that will last longer. As a rule, you will not find many beyond thirty years fit for duty. Of course, it should be imperative that there should be a medical examination. The men should go before a medical Board to show they are no longer fitted for the Force. It should be a very strict examination, not a mere perfunctory one, otherwise the thing may be abused. A man might perhaps go into a publichouse or some other business, and try to do what we would call, in vulgar terms, the “pension dodge.” There should be a very strict examination before they are retired. Of course, you cannot compute this on the life insurance business—it is so different; and what I would suggest is this: In Australia each of the Forces has a pension fund something on the principle I have been indicating. Of course I cannot give you details. I would suggest that the Commissioners of Police in Sydney and Melbourne be written to and asked to forward rules and regulations, and copies of their statutes, on the business. I may say New Zealand’s is the only Police Force I have known in the British Empire where there is no pension. Of course in forming a pension fund a certain deduction should be made from the men’s pay. That is, I believe, done in Australia; in fact, I am certain of it myself, because I looked over the regulations many years ago, in the hope of getting a pension fund started. I, however, forget the details now.

20. *The Chairman.*] Would that deduction, in your suggestion, take the place of life insurance or would it be an addition?—The necessity for that would no longer exist.

21. You would do away with that?—Yes. I must say a few words about this life insurance system to show the hardship of it. You see, they are insured to receive the amount at sixty years of age. Well, now, speaking a long way within the lines—that is, judging by my past experience—more than half of those men will be out of the Force before they are fifty, simply through breakdown of health, if from no other cause. Well, in view of the calculation I have stated, to show how impossible it is to make provision for old age, how are they to keep this payment of insurance up after they have left the Force? They cannot do it, and they simply have to accept what they call the surrender value. Now as regards uniform, strange to say the police are the only department in the Government service that have to find their own uniform. There is the Gaol, Post Office, Telegraph, and Railways, from the highest official down, uniforms are found for them: yet the police have to pay for theirs.

22. *The Chairman.*] Even the Volunteers get an allowance for their uniform?—Even they get an allowance. Of course, that is voluntary service, and I will not refer to that. A man may meet with some misfortune, and may be discharged from the Force when he has been on three months. There is his uniform, and he has no longer any use for it unless his wife is a handy woman and can cut it up and make use of it. As regards long-service pay, of course they are getting long-service pay in one sense now, because there are three ranks, if within reasonable time they advance from one rank to another. That is really long-service pay; but, instead of getting long-service pay as senior members of the Force, it would be better if Government would vote a sum annually towards the pension fund. It would not be much that would be required, and that would relieve the Government of any contributions in the way of compassionate allowance or any other allowance.

23. Would you suggest the present holders of long-service pay be deprived of it?—No, I would not, because they are old men; but I would not give it to the new men.

24. But it is not being given to the new men?—No, it is not; but I have seen an agitation amongst some of the younger men to get long-service pay, and not trouble about a pension. Of course, they look to the present. They do not look to the time when they will be old men. Instead of giving long-service pay to the whole of the men it would be far better for Government to pay something annually towards assisting the pension fund. Of course, the present long-service men are old men. They did good service in their time (most of them), and in a few years they will go out, and the present long-service pay will become extinct—in fact, they are disappearing very fast now. I do not know that there is anything else I wish to say, except you wish to question me on anything. Of course, I may have missed some things.

25. About the pay, you say that these deductions leave so little that there is not much opportunity of saving anything?—It is a mere pittance.

26. Well, subject to the deductions you have mentioned, they have 3s. 11d. a day to pay for their provisions and so on. Now, compared with the ordinary rate of labour, and intelligent labour, do you think the rate of pay is sufficient in this colony; do you think it is reasonable and proper pay for men performing the duties of constables in the country?—No. For instance, I do not consider £120 a year, the junior rate of pay, is sufficient to keep a man honest, which is the great desideratum in the Police Force. They are surrounded by temptations; and here is a man, say, with a sick wife and children, what is he to do? How can you blame him for giving way to temptation?

27. The low rate of pay, taken together with the special disadvantages that married men suffer under, tends to discourage marriage amongst these men, and lead them to other modes of life?—Certainly.

28. You look on that as one of the causes—discouraging marriage amongst the young men of the police?—Yes. A man who marries is marrying into poverty, and not only bringing misery on himself but on the unfortunate woman and their progeny. I say the police should be paid better

than the ordinary run of pay, for this reason: they are placed under such disadvantages; they can in no way supplement their incomes; and on duty they must go, no matter what the time, the weather, or anything else.

29. With regard to the medical examination you referred to, from your experience in the Force, do you think there is need for any alteration in the present system of medical examinations and the giving of medical certificates?—Yes; I feel very strongly on that point—very strong indeed. In the former provincial days we had police surgeons, but since the amalgamation we have not.

30. Do you think it is desirable to have them?—I regard it as one of the greatest reforms that could be made—to appoint thoroughly reliable police surgeons, men of the first standing in their profession. I will give you an instance of this kind of thing; it is a simple one. I will not mention names. A man is put on his beat, and he gets rolling drunk. He has sense enough to make for the police-station, and he staggers down past the Presbyterian Church just at the time the ministers are holding their annual conference. He went rolling by in uniform, and got down to the police-station, and crept in and got to his bed. The sergeant was walking up and down his beat, and could not find him. At last, when he was sober, he turns up and eats some onions to destroy the smell of his breath, and goes straight away to a doctor, and gets this doctor's certificate that he was sober, in spite of the fact that prior to going to the doctor the sergeants had seen him and declared him to be under the influence of liquor. In spite of that, he gets a doctor's certificate to say he was sober. That is only one instance out of a great number. A short time ago a man who had been drinking left his beat suddenly, slipped away home, and declared himself sick. Next morning in comes a certificate to say he was suffering from sciatica. Of course, no medical man can tell whether you are suffering from sciatica or not. It is one of those diseases or complaints you cannot diagnose; but still, there is the certificate, and you are powerless, although, in my opinion, the man was drunk. In another instance, a man was taken off his beat drunk. Here, I may say, I am not quick to judge my men. I show a great amount of charity towards them, but at the same time I am not blind. He got a doctor's certificate to say he was suffering from colic. Of course, I was powerless. I could not go against the doctor's certificate.

31. There is another matter, with regard to the exercise of the franchise by the members of the Force, does your experience enable you to say whether the exercise of that franchise has been injurious to the condition or organization of the Force?—I do not think it has, because before they had the franchise some men attained their own objects by making themselves officious in electioneering matters. If a constable has the franchise he simply has a vote, and a single vote does not go for much nowadays; and it would be rather incongruous for a man not to have a vote while his wife has. Of course he could work the oracle through his wife and daughters, or sons, and I do not see why the police should be singled out to be struck off the franchise more than others. The Railway Department, which is far more numerous, and the Post Office Department, and many others, all have the privilege. But, what I would say, from my long experience of human nature, and as an outsider in politics, is, strike off the whole of the Government officials from the electoral roll. Those drawing public pay should expect disfranchisement. Of course it is purely optional with a man whether he exercises it or not; but to single out the police alone I think would be throwing suspicion on a large body of men that, as a rule, are very honest. As regards myself, I never bother about it. No one has ever asked me for my vote, and I do not trouble to vote. Of course some constables' wives are very active in politics. I heard of two up north who hired a buggy and went off and spent the day in canvassing for their favourite candidate. While wives can do that I do not see that there is much use in taking the franchise from their husbands. Of course that is hearsay.

32. What is the average of men's lives in the Force? Do you say that, from your experience in the Force, they do not remain in the Force much after fifty?—Well, very few even up to that. You see their health breaks down from the nature of their employment. When men are out all night long, night after night, in all weathers, it must tell on their constitutions, especially if the men turn out weak-chested, or there is any natural defect in their constitution. Of course, that being the weak point, it gets attacked, although otherwise they may be strong healthy men.

33. Do you think night-duty has anything to do with that: I understand night-duty is eight hours without change?—Well, I cannot see how it can be avoided unless there was a large increase in the number of men. In the summer months, perhaps, a less number of men would be required on after daylight, but during the winter time I do not know how it could be avoided unless there was a large increase in the Force. Of course, it is a long dreary night; there is no doubt about it. I have done it myself, and I know what it is.

34. Can men go through it as a rule without refreshment, or do they carry refreshments with them?—They go through it as a rule without refreshments.

35. Are they forbidden to take refreshments with them?—No, they are allowed to take refreshments. If a coffee-stall were on their beat, there would be no objection to their taking a cup of coffee—anything but intoxicating liquors. In fact, hot coffee during the night would make the night a mere bagatelle as far as the dreariness of the thing was concerned. With regard to licensing, I would like to say a few words, because the public at large are very ignorant of the powers of the police, and the result is the police are continually abused for not enforcing a law which does not in reality exist. Take the first point—gambling. It is no offence against the licensing law for any number of people, local or otherwise, to play cards to any amount in stakes all day long, all night long, and all day Sunday. It is no offence to have a house full of local residents, to keep their houses open, lit up all night, and all day on Sunday. And, as to serving anybody with liquor, if they have a lodger with a conveniently elastic conscience, to come forward and swear he paid for it, they cannot be punished. It is no offence to supply liquor to a drunken man. It must be sold. Again and again have the police in Dunedin visited houses on Sundays, and late at night, or rather early in the morning

during prohibited hours, and found a large number of people there who were not either boarders or travellers, and yet, as they saw no drinking going on—it was no doubt cleared away before they got in—they were powerless. All they can do is, like the King of France, go in and go out again; and the people remain there, and as soon as their backs are turned, they go on drinking again.

36. *The Chairman.*] Do you know the English law on this subject?—If we had the law of England the police would be able to regulate the trade, but we have not. When they passed the Act of 1881, which I consider a disgrace to the statute-book through its imperfections, I believe the English Act was taken as a model, but the English Act was so enasculated as to render our Act as it was passed unworkable. Now, in statutes of far less importance to the community than the Licensing Act, it is made compulsory for persons suspected of contravening the law to give their names and addresses, and if they give the police false names and addresses there is a severe penalty attached to it, but in the Licensing Act there is no such provision. A constable and a sergeant go into a hotel, and find a number of people there who they are strongly convinced are neither lodgers nor travellers. They ask for their names, with a view to calling them as witnesses: “My name is Tom Brown.” “Where do you belong to?” “Taranaki,” or “Wellington,” as the reply may come. They are powerless to do anything. If a man said, “Go to hell and mind your own business”: there you are—you can do nothing; and that has been often said to myself. There ought to be a clause in the Licensing Act to compel all persons found on licensed premises during prohibited hours to give their correct names and addresses. Again, it states here that “selling liquor” must be proved. Well, the police cannot actually prove that a sale took place. In the English Act, I believe—Mr. Tunbridge will correct me if I am wrong—but I know in the provincial Acts, which were well drafted Acts, it was stated that “no licensed person shall sell, supply, or suffer the same to be drunk.” Any alcoholic liquor, or any liquor, supplied before the hour of 12 could not be drunk after. If our Act said that, we should have no difficulty in enforcing the Act, because the police could go in, and if they found persons drinking they could compel them to give their names, so as to produce them in Court as witnesses. There is the fact that liquor was supplied, and all we would want was to prove that it was alcoholic liquor, and that it was supplied to these men. If they said, “We got it before 12,” we could say, “You are drinking it after closing-time.” But where the difficulty comes in is the selling. It is a very difficult thing to prove selling. It is a thing that should not arise at all—supplying should be sufficient. They had no difficulty in the olden days in enforcing the laws, because they were modelled on common-sense. Further than that, there should be a penalty for any strangers, except boarders or travellers or relatives of the licensee, being on the premises after closing-hours. What do people want on premises drinking after 11 o’clock? If the law is to be carried out, and the trade regulated, the law must be made to enable those in authority to enforce it properly.

37. With such a state of the law as you are now sketching, do you feel, after your experience, there would be no difficulty in regulating the trade so as to keep it strictly within the terms of the law?—Yes; but what is wanted is a law that is workable. The majority of hotelkeepers are very anxious to observe the law; but then you see when it cannot be enforced they are placed at a disadvantage. If they conduct their business strictly within the letter of the law, then, of course, the men who do not undermine their trade or business. I know myself there is great anxiety on the part of respectable business-men to keep their business within the limits of the law.

38. Speaking generally, are the houses in this city fairly observant of the law in regard to the hours of closing?—Yes; I can say this conscientiously: as a rule, the houses in Dunedin are remarkably well conducted. If you went into them you would scarcely know them from a private house during prohibited hours. On Sundays especially I have often gone round and looked into them. They were perfectly quiet—bars locked up. But unfortunately there are some in the trade that will not let a shilling pass, and these are the men we have to contend with. It is to deal with this class of men that I would like to see the law made workable.

39. With regard to drunkenness, is there much of that form of offence in this city?—Well, no. Considering the large population and the migratory nature of many I cannot say there is; in fact, there is a decrease of drunkenness.

40. Within what period do you think there has been a decrease?—Well, I should say these last two or three years.

41. Now, I asked yesterday for a return of the number of arrests for drunkenness on Sunday. Have you prepared it?—Yes; I have handed it in. It is Exhibit No. 21. I may say, with regard to drunkenness: of course drunkenness varies according to the prosperity of the times. In prosperous times not only drunkenness but other crimes are more prevalent than they are in depressed times. I have lived through a good many periods of depression and prosperity, and I have noticed that, as a general rule, the more prosperous times are, the more drunkenness; in fact there is an increase also in other crimes.

42. You think, then, the last three years have not been very prosperous in Dunedin?—Oh, yes. Dunedin has improved these last two years. I will not be positive on the point as to the decrease in drunkenness in those years. I ought to go to statistics for things like that. I will look the matter up and give you positive information on that point. I may be in error. Oh, yes, I am happy to say Dunedin has been very prosperous this last two years, and is still prosperous: in fact, the whole of Otago. I do not know whether it is understood that I would strongly suggest that the men be found in uniforms, and that married men be allowed house-rent—not to be made a fixed amount for all married men, because you would get some who would have an advantage. For instance, in some parts of the country rent is much lower than it is in others.

43. You would suggest that the amount be regulated by local circumstances?—Yes. Perhaps, what you pay 10s. or 12s. a week for in one place, you would get for 6s. or 7s. in another. It would be hardly fair for those men to have the advantage; but in allowing house-rent it is easy for the

Commissioner to ascertain the ruling rate of rents in that locality. As regards pay, I say this: young men joining the Force should not jump into the full rate of pay; they should have a certain term of probation at a lower rate of pay, but within a reasonable period they should get an increase.

44. Taking into consideration the circumstances you have referred to, as to the rate of pay for other occupations, what do you think a reasonable rate of pay to start men in the service on?—I think 7s. a day is quite low enough to start a man on.

45. And you would increase his pay according to his years of service?—I would not bind it strictly to the rule, because it would destroy emulation, as I said before, but if a man shows himself worthy of it he should step over seniority.

46. You would make increase of pay dependent on promotion from class to class, and not years of service?—No, from class to class; but the period of service should not be as in the past. It should be within a reasonable limit that these advances are made, so that all men could look forward to obtaining a rank within a certain number of years; but that should not compel a man who has shown great ability to have to wait his turn to attain that rank.

47. You would give certain promotion with time, but give to the Commissioner power to make special promotion for service?—Yes. If he considers a man shows extraordinary ability in any portion of his duty—it should be something outside the ordinary—that man should step over seniority. My reason for saying that is to keep up a spirit of energy and zeal in the Force, and not allow men to sink down to a dead-level. You should not cause that feeling which would give itself expression in these words: “That fellow is before me. He never does a single thing; but he will get promotion before me; so what is the use of working hard.” That is the reasoning they would come to, and quite right too, for it is only natural. Then, as regards promotion to the rank of sergeant, it should be the best fitted man and the most intelligent man—not only intelligent in being able to pass an examination in cram, but a man who has a good knowledge of his duty. At the time we had examinations here they were not on the lines they should have been. They were examinations a man could easily cram up to; but the examinations should be on a man’s general knowledge of his duty. It should not be simply reading up certain Acts and regulations, but it should be questions put to a man so as to show his knowledge of his duty. For instance, “What would you do under certain circumstances?” and also find out his fitness to keep necessary books, and other official duties they may have to do. The main thing should be: Is a man fitted to hold a position over others who are superior to himself? Nothing is more destructive to efficiency and discipline than to have an ignoramus over intelligent men; which you would have if you went on seniority. The questions should be of this character: “Supposing a murder took place in your sub-district; report fully what steps you would take to bring the criminal to justice.” Those are the kind of questions. “Supposing a rape had taken place, or any other serious crime; report fully what you would do under the circumstances.” There it tests a man’s knowledge of his duty and knowledge of the law as well, because if he does not know law he does not know his duty; but to go through a cram examination is a farce, because it gives a certain class of men an advantage over others. Men who are in charge of stations, and Clerks of Court, and have easy billets, have plenty of time to cram, whereas the toiler has not the time nor the opportunity.

48. What is your idea of the instruction that should be given to recruits, and the manner in which it should be given?—I consider that recruits should be put through a course of instruction, and should be compelled to get a knowledge of the laws that would come in their way—the Police Offences Act, the by-laws of the city where they are going to be stationed, the Criminal Code, and the Summary Indictments Act. That is what principally concerns the police, especially the powers of arrest.

49. What is your opinion of the book now supplied—Vincent’s?—You see that is more applicable to the Metropolitan London Police than it is here. The laws are different; they are not altogether the same. No doubt it is very useful if a man has sufficient intelligence to discriminate between what applies to New Zealand and what to London.

50. It may be taken as a basis?—Yes. I have read it myself, and I think a great deal of it.

51. You say they should be put through instruction in these matters; but where, and how, and by whom?—I think it should be done in Wellington, a central place.

52. You think it should be done at a central depot?—Yes; and as is done in the Australian Colonies, the men put through a certain amount of drill. We have not the time to do it here. We try to do it, but we have not the time to do it—to give these men lectures. They should be put through a certain amount of drill. It is absolutely necessary for the purpose of acting together should the necessity arise, or even walking through the town when going anywhere it looks nice to see the men able to keep step and form fours, and do a few other simple motions. And, again, these men should be seen by the Commissioner before they are taken on. At the present time all the Commissioner knows about them is their papers, and their recommendations on the papers, and they are directed to report themselves when there is a vacancy. We have no means and have not the time to put these men to instruction at the central stations unless our staff is increased, but if we had a depot in Wellington it could be done very well then. I do not know whether they have a depot in London, but I know in many places the men are taught simple exercises in drill, and are also instructed in the duties they have to perform and the laws they have to carry out. Recruits should be taken on subject to the personal approval of the Commissioner. There are two or three things more I would like to address the Commission upon. In regard to leave: at the present time constables are allowed twelve days in the year. I might point out that that many of the men, who are natives of Auckland and other parts of the North Island, are stationed in Otago, and other parts of the South Island. I know in Otago there are a good many of them. Well, twelve days is useless to them if they want to go and

see their friends, as it would take them all that time to travel up and down; but if they were allowed cumulative leave up to a month they would be able to go and see their relatives. That is to say, if they went three years without leave they would then get a month. I do not think it would be wise to go beyond a month, no matter how much the leave may have accumulated. For instance, I know I have got one in this district who is a native of Tasmania, and I believe there are some who are natives of Australia. When they join the Force they are deprived of being able to go and see their father and mother. They must leave the Force, or they cannot go and see their relatives or parents. That is a hardship. In the Armed Constabulary days they could get leave. Another thing, I know from experience it would be better for the service to give a man once in three years a month's leave than to be continually bothering with their annual leave. Short leave upsets the routine greatly, and I know it bears very hardly on the men. Then, there is another point as regards districts. The districts at the present time are large, in my opinion, and for the benefit of the service they should be large. We have to thank Colonel Hume for sweeping away those small districts which existed at one time, which was the cause of a great deal of petty jealousy between two small districts. There was petty jealousy, and what we call in the Force men "sharping" one another, and men could not be utilised in a little place as they can in large districts. There were no less than four districts in what is now one district.

53. Do you suggest the present districts are too large or too small?—No, I think they are large enough, in this Island at any rate, but not too large. As time goes on, Mr. Tunbridge, in his wide experience, may be able to enlarge them in the North Island. I know in this Island for instance, in the two murder cases which I had recently, had we been as formerly several small districts, it would have been impossible to work up the evidence, as it extended right up here nearly to Dunedin, right away to Lumsden and Invercargill, Clinton, and so on. The evidence had to be collected from these places, and then as far as Balfour. Had they been small districts the police would have been running one against the other, but being a large district the thing was worked up without the slightest hitch, and, therefore, judging from my experience I strongly uphold the districts being large; but we have not sufficient supervision. At one time there was far too much supervision—before the amalgamation—but since then we have run to the opposite extreme—not enough. I strongly suggest that in each of the four centres there be a subordinate officer—a Sub-Inspector or Inspector, or whatever you like to call him. This is a thing which in my opinion is absolutely necessary for the efficiency of the Force.

54. Do you suggest he should be something above the rank of sergeant-major?—He should be a commissioned officer, and one in a position to discuss and talk over things with the Inspector. He should take charge of the city, and look after the minor offences, have a general supervision over the men—visit them at night and see they do their duty. It is impossible for the Inspector to be about day and night. Although I myself am working sixteen hours out of the twenty-four it is too much. That would leave the Inspector free to look after the country stations. He has to act as legal adviser to the whole of the men. If any serious crime is reported in any part of his district he should be on the spot as quickly as possible with the best detective talent he has got. As regards detectives in hotels, I wish to express my opinion on that. I have been a detective myself. I have gone through every grade of the police, and I exactly understand every grade. I say it is a detective's duty if he sees any disturbance or wrong-doing going on in a hotel to report it to his officer. I do not say he should make it his special business unless it comes under his observation.

55. Has it not been so regarded?—Well, an inquiry took place in Christchurch a short time ago, and it was stated there it was not a detective's duty to do it, some paltry excuse being made about detectives having to chum in with the publicans, which is utter nonsense. The less detectives are in publichouses the better for their duty and themselves too. I have found any respectable publican always ready and willing to give any information in his power; and for detectives to screen publicans for the sake of getting criminals is simply a disgrace and ought not to be tolerated. The police have no right to form nurseries for crime for the sake of detecting criminals, for that is really what it amounts to. If a publican can give any information he will see it is to his interests to do so, not out of favour but out of fear. Again, in regard to art-unions, there ought to be some amended legislation stating imperatively that the articles to be drawn for should be submitted—that is, a description of them—to the Colonial Secretary before he gives his consent or permit, and that no articles should be given away or added in any shape or form to the prize list. That is a great difficulty we have to deal with in connection with these art-unions. It is being regularly abused.

56. You refer to such things as a prize with a picture?—Yes; with a picture you get a bicycle added to it.

57. It is a sort of nursery for gambling?—That is what it is. If there is anything the present generation has got to guard against it is against gambling, because it seems to me to have taken a complete hold of the youth.

58. Is there much gambling in this district?—Yes, there is a great deal—that is, betting, you know.

59. Any other form?—Of course, there are sports, and different things.

60. You do not know of any tote-shops?—There was one, but we summoned the proprietor and his assistants, and they were fined, and since then it has been stopped. I do not think there is anything else I wish to mention.

61. *Colonel Pitt.*] Do you say that the Police Force in your district now is in a satisfactory state?—Yes. Of course, I have a few "black sheep."

62. Now?—Now—two or three, but they are very few. Of course, it is almost impossible to be entirely free of them. I am not satisfied with them. I believe they are getting too much to hang about publichouses; but they are so cunning that they will not let us catch them at it.

63. In reference to the medical certificates, do I understand you to mean that in your opinion some of the medical certificates you have spoken of are not *bona fide* ones—not honestly given by the medical men?—I would not say that; but I say the men impose on the medical men, and misrepresent things to them. There are instances which have come under my notice where they have wilfully given false certificates.

64. In any case where you have had reason to believe that a false medical certificate has been given, or that members of the Force have imposed on the medical men, have you recommended the dismissal of those men?—No, sir, because I could not prove it. I had no doubt in my own mind about it, but I could not prove it. The doctor's evidence would be taken before mine. I will give you an instance which occurred some years ago. A drunken sergeant was transferred from Invercargill to Auckland on the plea of ill-health. He had not been in Auckland any time before he was on the sick-list. He was laid up for several weeks, and then he came back to duty again, and after another week on duty he went back sick again. At last I got suspicious, and I went one Sunday to his house with a sergeant, and there I found him in the last stages of drunkenness. I went to the medical man, and said "What do you mean by giving a medical certificate like this? He has been drunk all along; yet you have given a certificate that he has been suffering from ill-health." He began an excuse, and I said, "Look here, I will never take another certificate from you; you are not to be trusted."

65. What did you do in that case?—The sergeant was dismissed. I at once reported it.

66. Do you not think that in cases where you have reason to believe that a doctor has either been imposed upon or is not giving a correct certificate, although you cannot prove it by strictly legal evidence, you ought to recommend the dismissal of the man?—Well, I do not know what grounds I have to go upon. I have only my own observations.

67. But with regard to my question?—I should certainly bring it under the notice of the Commissioner, and report the facts to him.

68. In your district, in your opinion, have you sufficient officers and men for the work of the district?—I have sufficient men, but I would like a subordinate officer to take some of the work off myself, and to assist me in supervising the city work and suburbs.

69. Have you sufficient non-commissioned officers?—Yes, at the present time. We have had several promotions lately.

70. In reference to recruiting the Force, how do you think that can best be done?—The system now is—and I think it is right up to a certain point—they make application to the Commissioner, forwarding a printed form, which is filled in with any testimonials. I say that these men should be seen by the Commissioner before they are appointed, for him to approve of them, and I think it would be better if they were little better physiqued. We are getting some very small men in the Force now. Many of them are far too small. That is the only fault I have to find.

71. You spoke of political influence being used to obtain the promotion of men. Have you any instance of that of your own knowledge in your district?—Well, only from observation. You see, I judge when a certain thing takes place there must be a cause. Another thing: I have had men throw it in my face that they can overrule me and the Commissioner too.

72. *The Chairman.*] Men have told you that?—They have, Sir.

73. *Colonel Pitt.*] Do you think it exists to any large extent?—It is different recently. I have not seen so much of it, but it has existed to a very large extent; not only under one Commissioner, but it has been going on and growing ever since the amalgamation. I could go back to every Government, and every Commissioner, and see the evil results of it.

74. *The Chairman.*] You say this was thrown in your face: is that recently?—It is some time ago—about three years ago. The man has been dismissed since that, but it was not for that.

75. *Colonel Pitt.*] Did you report him for it?—No, sir, I did not. I gave him a severe caution myself.

76. What instruction is given to the men generally in your district: are there any lectures?—Yes, I lecture them myself.

77. How often?—Once a month if possible. Of course, there have been months in which I have not done so, through pressure of business. For instance, this month there was the Supreme Court sitting, and I have visited different districts, and I was not able to do it this time.

78. Does anybody else give instruction beside you?—Yes, the sergeant in charge.

79. And on an average how many men attend those lectures?—Well, I will take the young hands, I should say ten or fifteen—sometimes more.

80. In your opinion, have proper steps been taken to prevent illicit sales of liquor in this district?—Yes. Personal effort has been made by myself to put it down, and we have succeeded to a great extent, but under the present law to put it down completely is impossible. We have had a large number of convictions.

81. *Mr. Poynton.*] You recommend that the English law should be enforced here—punishing people who frequent premises after hours. Do you not think that should also be applied to sly-grog selling?—Yes.

82. Do you not think that would assist you in the Clutha district, and also in other places, to put down sly-grog selling?—I think it would be an assistance. I have often wondered why we had not the power.

83. *The Chairman.*] Do you mean to the extent of making all persons found in the house liable to a penalty at the time of the illicit sale?—At the time the sale is going on. Of course there should be exceptions, as at hotels—*bona fide* lodgers. I mean people who are local residents.

84. *Mr. Poynton.*] Do you know of any jealousy between different branches of the service—the detective and the uniformed?—I do not think so.

85. It has been said that there is jealousy?—Not in this district. All of them here are working amicably together, and doing their very best—that is, with this exception, there are always a few

“black sheep.” You cannot get rid of them until you find them out and prove a charge against them. I should say that in this district I have not above three that I am in any way suspicious of, and they are in the city and suburbs.

86. *Colonel Pitt.*] Are they in the detective or the uniform branch?—In the uniform branch.

87. *The Chairman.*] Are you aware of any jealousy between the uniformed men and the plain-clothes men?—Not in this district. If there is jealousy the fault is with the detectives. That has been my long experience.

88. You consider this political influence has diminished of late?—Yes, I feel quite a change. I can feel it by the action of my men. I am a keen observer, and I can see and read between the lines. I have found a great falling-off in that connection lately. I have found the men more amenable to instructions.

89. When you say lately, what period?—I should say the last few months.

90. *Mr. Poynton.*] What do you think about the confidential reports that used to exist from the Inspector to the Commissioner about the characters of the men?—I think that was a mistake. I did not approve of it at the time, but, of course, I had to obey orders.

91. *The Chairman.*] You consider confidential reports are a mistake?—As regards the men, I think everything should be clear and above-board. Of course, there are instances where it is necessary for the Inspector, in special cases, to report confidentially. For instance, if I considered a man was leading an improper life. I would have no doubt in my own mind—I would be positive as to what was going on, and people would tell me what was going on, but they will not come forward and give evidence. Then, I think for the benefit of the Force I should report to the Commissioner from my own observations, and say what I had heard from others, and recommend that the man be moved to some other district.

92. Why should not the man be put in possession of that communication?—Simply because I am not in a position to prove it. He at once would demand an inquiry.

93. Would not that bring the matter to an issue at once?—No; he would defy me to prove it. It would do more harm than good. It would be better for him to let him go on and say nothing.

94. It seems to me to be a very strange thing if you could not prove it?—The people will not come forward and give evidence. They do not like it. They come to the Inspector and say, “So-and-so is going on. We have seen it; we know it.” But they object to coming forward and giving evidence. Then, I must make inquiries as far as I can, and no doubt I satisfy myself beyond all doubt that it is correct; but I am not in a position to make a charge and prove it. Then I think it would be an advantage to the Force if that man were shifted away from there and sent somewhere else.

95. How do you suggest that would be a benefit to the service if the man was of a calibre unsuited to his position?—A man is very often subject to his surroundings. He may, perhaps, have got mixed up with undesirable characters, and it would be well for him to be sent away to another place, and so give him another start in life, and let him have another chance.

96. *Mr. Poynton.*] Do you think there should be a time-limit within which if no fresh offences were committed by a constable his defaulter's sheet should be discharged?—Yes, I think so.

97. *The Chairman.*] You say because a man's character may be impeached, therefore he should be removed, that being the result of the impeachment?—Yes, certainly. I followed it up by saying that I make inquiries to satisfy myself.

98. Whether they have satisfied you or the Commissioner, why should that not be submitted to the man?—As I say, the people will not come forward and give the evidence. They will not do it, and in many instances they are afraid to do it. You have no idea the terror some people have of the police. They are afraid the police will do them some injury.

99. *Colonel Pitt.*] But you say the man never hears of the charge, and has no chance of defending himself?—You understand it is not put against the man.

100. No; but you recommend his removal?—Yes; but that is not punishment to him. For ten years, at any rate, I will say I only had one instance, and then it was absolutely necessary.

101. *Mr. Tunbridge.*] You were saying you thought your district was strong enough in men: Do you not find a great deal of inconvenience owing to men being absent on leave, sickness, or escort duty, or relieving duty?—Oh yes; I am always short through that. There is a large amount of escort duty to do here.

102. As a matter of fact, immediately a man is away from duty at the place where he is appointed, his beat is vacant, and you have not a man to put on to recover that beat?—No; I have no spare men.

103. What you meant, then, was this: Assuming you have no men sick, no men on leave, no men on escort duty, no men on relieving duty, your number of men is sufficient?—Then I have enough; but sometimes, you know, I am six men short.

104. Have you ever got into that happy state of not having a man away from duty throughout the whole of your district?—Oh, we always have men absent. There is scarcely a day but we have men absent.

105. Can you give the Commissioners any idea of the percentage—I mean, striking an average—of men who are absent from their beats for the various reasons I have mentioned?—Well, I could not give it to you just from memory, but I can give it to you this far: that sometimes I am five or six men short here in Dunedin.

106. Five or six, out of between thirty and forty?—Yes.

107. What would you suggest to remedy that?—Well, the only remedy I can think of would be to give me more men.

108. *The Chairman.*] You want more men really to do your work efficiently?—Yes. You see there are prisoners and lunatics coming from Cromwell way, from Queenstown way, and Invercargill way, and I have to send men out in those directions to meet them, and take them over at half-way,

so as to prevent the men being away all night from their stations. Very often there are constables in the country sick, and I have to send men out to relieve them; and those men in the towns who are sick, I have to get their places filled up.

109. By doing that, of course, you are robbing Dunedin?—Oh, yes. For instance, some time ago I could scarcely man the streets. I was in a great state of anxiety about it.

110. Do you not think you should be strengthened here, so that you might have what you may term a reserve?—Well, there ought to be a reserve at any rate of three men. You see, I do not like to go beyond the exact number that I, by a great deal of contriving, could manage with, but if the police were in a proper state there should be a sergeant on duty every night at the station. At the present time, I have to leave an inexperienced constable in charge of the station at night. There is nobody to guide him, more than the sergeant on night-duty calling in occasionally. If anything serious happened at night, of course there would be a noise.

111. Briefly, it is this then: you do think you ought to have an augmentation of men here?—I think so, and I think there ought to be a sergeant especially—on that point I am very strong—in charge of the station at night, to remain at the station.

112. And a few additional men to fill the places of men who are sick, and on other duties?—Yes.

113. *Colonel Pitt.*] How did you come to tell me that you had got enough men?—I meant for strictly ordinary duty.

114. *Mr. Tunbridge.*] What you meant before was, if every man was available for duty you could get on?—Yes?

115. As regards enrolment, you are aware of the present age-limit?—Yes; from twenty-three to thirty-four, I think.

116. No; forty years?—That is too old.

117. What do you think should be the maximum age?—Well, in the Armed Constabulary it was thirty-four, and I think that is long enough. When a man reaches forty he is too old to be instructed or to learn, and besides that he will be a broken-down man in a short time.

118. You said inquiry should be made with regard to transfers. Have I not made inquiry with regard to transfers?—Yes.

119. You have not anything more to say about that?—No.

120. What I mean is, no transfers have been made unless I have inquired from you, and have asked you to express your opinion on them?—That is so.

121. You have expressed yourself very fully about these surgeons. You were asked why you could not report the men if you suspected them of deceiving the surgeon, or if you could not take some action if you thought the surgeon was deceiving you?—Yes.

122. Are there many occasions when you know and are morally certain that you have either been deceived by the men or by the surgeon, where you are not able to prove it?—I am quite satisfied; but I could not prove it, because the doctor's word would be taken before mine.

123. He is supposed to possess a knowledge as to a man's condition which you do not possess?—That is true.

124. The medical officers called upon by the constables to give a certificate are usually the medical officers who attend to the constable and his wife and family?—Oh, yes; they go to any one they like.

125. We will assume a man is suffering from the effects of drink. The doctor knows perfectly well if he gave a certificate to that effect it would bring about the dismissal of the man, and he would lose a patient, and many other persons, perhaps?—Yes.

126. And what you mean to say is, a doctor is like everybody else—he is human?—Of course he is. You could not expect anything else. He likes to get his fee, I expect.

127. In regard to pensions: you advocate a pension in preference to life insurance, do you not?—Certainly.

128. Having gone into the details, you think a man on doing fifteen years' service should receive a pension?—Yes; that is, if he is reported medically unfit. It should be a strict medical Board to decide that; not leave it to any two doctors that may be called upon.

129. You do not think that a man on attaining thirty years' service should be allowed to retire?—It should not be compulsory if he is fit for further service.

130. And a man should have the option of retiring after thirty years' service?—I think he should have the option, but it should not be compulsory.

130A. Would you have any limit of age—that is, compulsory retiring age, for men?—Well, it is difficult to answer that. You see men are so different. Some men are better at sixty or sixty-five than others at fifty.

131. But, from your experience, can you point to a man at sixty years of age who is capable of performing the ordinary duties of a police constable—I am not speaking of an officer like yourself: I am speaking of a man who is at any time liable to arrest a drunken rough: do you know of any instance of a man being equal to that at sixty years of age?—Yes, I am an instance myself. I could go out and do any duty you like to send me to.

132. You would not advocate a compulsory retiring age?—I would not; but I do not think you would find many men stopping in the Force after sixty. I think they would be only too glad to throw up the weary post.

133. You said you would advance the pension according to service. Do I understand you to mean that a man, we will say, with fifteen years' service—you gave periods of five years—should receive as much as a man with nineteen years' service?—Oh, no.

134. Then you would increase the pension annually?—I would, after fifteen years.

135. You said you would not advocate retaining the classes, because you thought that an annual increment, or something of the kind, or receiving pay by increment, would have a bad effect on men who might be disposed to be more energetic, and so on?—Yes.

136. I presume you see the necessity of restricting each class to a certain number, do you not?
—Oh, yes, that must be done.

137. You must, first of all, have so many men in each class. The men are to attain advancement in class at certain periods; at the same time the Commissioner is to have power to advance men who may perform a meritorious act; and there is to be no compulsory retiring age. Well, I want to know how it would be possible to keep an even balance of classes if you carry that out?—Excuse me, I did not say that. I said, comparatively limited periods—I did not confine it to any particular time—as vacancies occurred. I was comparing it with the past. In the past there has been no promotion. The time was unlimited. The men had no idea whether they would get advancement even if vacancies occurred. Of course, the over-officering of the Force had a great deal to do with it. It was a kind of upside down thing—more first-class than second, more second than third-class. Well, I should say there should be a comparatively limited time, say, at the end of five years a man would get advancement. But we have had men who have served fifteen years as third-class constables. I am not speaking positively about compulsory retirement. It may be necessary. You may find, in carrying out the reforms, that it is absolutely necessary to have a compulsory retiring age.

138. You see the difficulty of maintaining a balance of classes if your suggestions were adopted. You suggested that men should get advancement from class to class at fixed periods: that the Commissioner should have power to advance men specially because of meritorious conduct; there is no retiring age, and yet you are to keep a balance of classes. You quite see it would be impossible, do you not?—Well, you see, in regard to compulsory retirement it is an arbitrary thing. You see there are a good many men who have reached advanced years, and who are on the point of going out of the Force, and if I suggested those men should be retired I may be doing a cruel act. If there was a pension, then I should certainly say, by all means do it. I must say some of our old men are our best men, and I would not like to see these men thrown out in the cold. If there was a pension, then I should certainly say, by all means let them be retired. As regards the law affecting street betting, there is no law to prevent it. There is no law to prevent betting in the street. You can only interfere with people if they cause an obstruction, and then we can only ask them to move on, and if they do we can go no further.

139. You have no power to arrest people?—We have no power to arrest, and if they refuse names we can do nothing.

140. You can summons them, can you not; but you cannot demand their names?—No, we cannot demand their names.

141. As a matter of fact, it is impossible to stop street betting under the present law?—Entirely impossible—no power whatever to interfere with them. We can only say, "Move on;" and if they do move on we can do no more. We cannot even summons them.

142. Have you any suggestion to put before the Commission as to amending or strengthening the laws in this respect?—It is a very simple thing to make betting illegal. For instance, make a street a "place." It must be a certain place—standing on a box or a platform as a fixture. That is a place; but so long as they are on the street the police have no power to interfere. In fact, if a policeman went up and interfered with a man, that man would have just cause for complaint legally.

143. Street betting is not illegal, and therefore the police cannot interfere?—That is so.

144. *Mr. Taylor.*] Where were you first stationed after joining the Force in New Zealand?—In Invercargill.

145. And after that?—In Christchurch.

146. And after that?—I was a short time in Wellington. I joined the Armed Constabulary under St. John Branigan. I did not do any police duty in Wellington.

147. And after that?—After that I went to Auckland, and then to Taranaki, and then to Dunedin.

148. Have you ever been ordered to remove, and have that order cancelled?—No. I never exercised that authority all the time; the Inspectors had authority to remove men.

149. No, I mean yourself?—Oh; I was ordered to Dunedin in January, 1890, and the order was countermanded. I was packed up and ready to go, and the order was countermanded.

150. Who was Defence Minister then?—Captain Russell.

151. *The Chairman.*] Was it Captain Russell who made the order, or countermanded it?—I got the order from the Commissioner, Major Gudgeon. I do not know who instructed him.

152. *Mr. Taylor.*] When was it countermanded?—Well, it was in the month of January, 1890, I know, and I was all packed up and ready to go. I think it was in the beginning of February I got the order.

153. Was the order that you should not proceed to Dunedin in writing, and was the order for removal in writing?—I had a letter from Major Gudgeon, directing me to proceed to Dunedin as soon as I could settle up the Maori troubles in Taranaki. We had only just got over the Maori troubles then, and in the letter it was stated that I was to go to Dunedin to enforce the Licensing Act.

154. There will be a copy of that letter in Wellington?—I think I left it in the office at Taranaki, but I suppose it was filed. [File produced.] On the file there appears this letter, dated the 15th January, 1890, from the Commissioner, Major Gudgeon, to myself: "The Hon. the Defence Minister directs that you will, as soon as possible after the 1st February, proceed to Dunedin and relieve Inspector Moore, who will take charge of the Taranaki Police District. You will wind up the affairs of your district and hand over to Sergeant Duffin, pending Mr. Moore's arrival. On your arrival in Dunedin you will assume command and pay special attention to the suppression of the liquor trade within prohibited hours, which has hitherto been supposed to exist unchecked by the police. Your district will comprise the counties noted in the margin—Taieri,

Peninsula, Clutha, Tuapeka, Waikouaiti, Waihemo." Then, on the 4th March, 1890, the Commissioner telegraphed to me as follows: "Hon. Defence Minister has decided that you remain in charge Taranaki District; Moore at Dunedin. Your pay as First-class Inspector will be placed in this year's estimates. It is therefore certain."

155. Did you hear anything at all from the Commissioner between the date of the order for your transfer and its cancellation, as to why you were not to be sent to Dunedin?—No; I never got any intimation why I was not transferred. I have not the slightest idea why I was not transferred. I was packed up all ready to go. It has always been my rule ever since I have been in the service to obey orders, no matter how much I may be inconvenienced, and on this occasion I did so.

156. Do you know if there is any correspondence on that file protesting against your removal to Dunedin from any one?—I do not know. No; there is nothing here that I can see.

157. Do you know whether there was any petition sent from Dunedin to headquarters protesting against your transfer?—No, I do not.

158. Of your own knowledge you do not?—Not of my own knowledge.

159. Have you any reason to believe that those interested in the liquor trade here moved to prevent your removal from Taranaki?—Well, I know nothing of my own knowledge whatever. Of course, I heard rumours that an agitation was got up here against Inspector Moore's removal from Dunedin.

160. As a matter of fact, do you remember whether the matter of your removal was not pretty fully referred to in the newspapers at the time, and commented on?—Oh, yes, there was a lot of comment on it.

161. And was it not alleged by the newspapers, or in the newspapers, that your removal was stopped by the liquor interests in Dunedin?—That is what appeared in the newspapers; but then you know I cannot vouch for anything of the kind.

162. You referred to political influence, and you said political influence had been dying out recently?—Yes.

163. When did it reach its climax?—I can hardly say, because it has been going on so long—for the last twenty years.

164. Did it get a great deal worse?—Yes, I think it did. It seemed like everything else—that is, it grew as it went along—and all I can say is this: it has been the same under every Commissioner, the same under every Government, for the last twenty years. Certainly, under Captain Russell, there was very little of it.

165. It must have got worse since his retirement?—Well, it has been worse since he retired, there is no question about that.

166. But during the past six months you think it has been dying out?—Well, I have not felt so much of it. An order has been given, and it has been obeyed.

167. Do you think there was much disorganization of the Force as a result of this political interference?—It naturally caused men to be insubordinate. They do not have that respect for their superiors that they should have when they know there is a power behind the throne. If men know they can go to a member of Parliament and upset anything an Inspector or Commissioner directs, it is only natural they will do it repeatedly, and I cannot help seeing it.

168. You have made a statement to this effect: men have told me they would over-rule me?—In one instance I said that occurred.

168A. What was the man's name?—Aitcheson. He has been dismissed since.

169. He was at Invercargill?—Yes; he was transferred there. There was another name—that was Henderson, the detective. He defied me in my office.

170. *Mr. Poynton*.—The man now in the Force?—Yes; the same man.

171. *Mr. Taylor*.—What were the circumstances in connection with Henderson defying your authority?—I was finding fault with him about something in regard to which he had neglected his duty, but I could not recall the exact circumstances now—in fact, I had little or no control over the man while he was here.

172. What did he threaten?—He intimated to me that he had greater power than I had.

173. Did he mean political power?—Of course; what else could he refer to? I was in this position: if I reported him he would have denied it, and there would have been simply his word against mine, and no balance of evidence either way. So I had simply to put up with it.

174. Did you consider him a very efficient officer?—No, I did not.

174A. Had you ever occasion to report him for neglect of duty in any way?—Yes, not exactly for neglect of duty—you could not call it that, but I have had to report him for a matter which occurred during my absence. A warrant arrived from Greymouth to arrest a woman for larceny from a dwelling of a valuable diamond ring and a sum of money. That was an indictable offence, and at any rate she should have been sent to Greymouth to have been dealt with. His simple duty was to apply for a remand to Greymouth; but instead of that he withdrew the information laid in Greymouth, and made it a simple case of petty larceny, and the woman was discharged.

175. How did she come to be discharged; was there no case against her?—Oh, yes, she pleaded guilty; but the law then was different to what it is now. In a case of ordinary larceny, even if the amount were £1,000, the Magistrate had power to adjudicate; but, owing to this very case, it was so glaring that the law on the meeting of the House was amended.

176. *Colonel Pitt*.] You say she pleaded guilty, and was discharged?—She was discharged.

177. There was no punishment?—No punishment at all. Henderson had no right to tamper with an information that had been laid in another Court. He withdrew that information, however, and laid another as ordinary theft, and the result was that the woman was discharged.

178. Do you know whether there was or was not any suggestion that the charge should be withdrawn?—The suggestion came from the accused's counsel, with the consent of Detective Henderson. That is what appeared in the Press. I am not sure myself, because I was not there.

179. *Mr. Poynton.*] Do you know what age the woman was?—I did not see her, but I think she was a woman about thirty, as far as I could gather. She was a married woman.

180. *Mr. Taylor.*] Was that the only occasion you had to report him?—Yes, I think that is the only instance in which I reported him.

181. Was he ever reported to you for being unsteady in his habits, by any of his colleagues?—No.

182. Did you know his habits pretty well?—Well, I saw a good deal of him. He had to report himself during the morning, and perhaps during the day I would see him. It would depend on business.

183. Did you recommend his removal from Dunedin?—No.

184. What were the circumstances?—I got an order from Wellington to send him to Christchurch. I spoke to Colonel Hume in the ordinary way of business when he was visiting, and suggested he should be removed.

185. Have citizens of Dunedin complained to you about Henderson's conduct whilst he was here?—No, not to me—not an official complaint.

186. Not in writing?—No, not in writing.

187. *The Chairman.*] Did they complain to you as Inspector?—Oh yes, complaints were made to me.

188. But they were not substantiated?—They were not substantiated. They were not made officially. A person would make a charge—come to my office and complain to me. I would say, "Are you prepared to come forward and prove this?" They would say, "No, I only wanted you to know it."

189. What were these complaints in connection with?—In connection with his duty.

190. *Mr. Taylor.*] Did not these complaints have reference to his habits?—Oh, yes, they referred to his habits; but I was single-handed. I had nobody to support me. Henderson was, I may say, next in rank to myself. The sergeant would not care to give evidence against his superior, and I was single-handed. My word in the Court would be taken for little more than Henderson's would; and when there is the evidence of two directly clashing, there must be some other evidence one way or the other. That is the difficulty Inspectors have to contend with. We are single-handed.

191. *Colonel Pitt.*] Did you ever mention these complaints made to you to Henderson?—Oh, no, for they would not come forward to substantiate them, and so I let them go. I disabused my mind entirely of them. I did not let that act against him. Unless people come forward and substantiate a complaint I put it aside, except it is something serious, and then I might go into it and find out something more about it.

192. *Mr. Taylor.*] Do you remember Mayne being in Dunedin?—Oh, yes; he was here for some years after I came.

193. Do you recollect an order dated 8th March, 1896, having reference to the Court orderlies?—Yes.

194. Do you remember the purport of the order—that the appointment of Court orderly was in future to be held for only three months?—Well, Mayne was Court orderly at the time the order was given, and the Commissioner issued an order that in future the appointment was to be held only for three months.

195. Did Mayne conform to that order?—When his time expired I sent him to street duty and put on another man in accordance with instructions, and shortly afterwards I got, I think it was, a telegram to say that this order did not refer to Mayne and others who were then holding the appointment of Court orderly.

196. You have not got the telegram here?—No, it was noted and returned to the Commissioner's office.

197. How did you understand that order—did you understand that in future there were to be Court orderlies in rotation to Mayne?—The way I took it was this: as soon as the present holder had done his three months, I was to replace him by another man, and so run through all those who were fitted to go out and take charge of stations, and who were fitted to do Court work.

198. Did Mayne hold it for more than three months?—He held it up to the time he was transferred to Christchurch—about July of last year.

199. Was not the effect of Mayne being exempted to prevent other men getting experience as Court orderlies?—Of course it was.

200. Was Mayne amenable to discipline whilst under your control?—Sergeant O'Neill was bringing him in with a grievance continually. No matter what he was told to do he was always grumbling and growling.

201. Did he ever boast to you that his political influence would carry him through?—No, I never heard him mention a word about it.

202. Has it ever been reported to you that he made that boast frequently at the mess-table?—No, I do not recollect it. You see I will not listen to tales.

203. *The Chairman.*] Did you hear it?—I have no recollection that I ever did.

204. *Mr. Taylor.*] When men are placed in charge of stations, that increases the responsibility of their position, does it not?—Oh yes.

205. Are you consulted, or had you previously to the last few months been consulted, as to the best men to send to that position?—No, not for years. I should say this last ten or fifteen years.

206. It has all been done from headquarters, without consultation with the officer in charge?—Yes.

207. Is Sergeant Shirley in Dunedin now?—Yes.

208. When was he moved from Dunedin North?—It is some years ago now. It is about four years ago, to the best of my recollection.

209. Was he away very long?—I think he has been back about twelve months, if not more.

210. Did you protest against his being sent back to Dunedin?—No, I did not, because it was not my place; but I wish he had not been sent back, because he got mixed up in some very unpleasant things here in connection with his wife, and it would have been better if he had never been sent back. Another thing: he had been here a good many years, and it is very detrimental to the men in the service if they get mixed up in things and form connections through a very long stay in a place. It would have been better if Shirley had not been sent back.

211. Has it come to your knowledge since you have had charge of Dunedin that men have been in the habit of frequenting certain breweries while on night duty?—When I first came here I had no idea of such a thing, but after I had been here some time I found out such was the case. I found they were in the habit of going to breweries at night and drinking beer. Since then I have done my utmost to stop the practice, and I think it is stopped. There may be one or two who will do it, but I do not think there are any more than one or two.

212. As a matter of fact, have you had occasion to reprimand men for that practice within the last year?—No; I have no recollection of it.

213. Not in connection with the Northern Brewery?—No; I have no recollection of it.

214. You have not reprimanded any one?—No.

215. Did you ascertain at the time you refer to whether they brought liquor from the brewery to the barracks?—I was informed during the course of my inquiries that it used to be brought and put on the mess table from the brewery. I know it took me by surprise when I heard it, because I had never been accustomed to such a thing in the North.

216. Did you have a report as to a fight in Speight's brewery between constables, some time in the middle of 1896—June, 1896?—No, I never heard of it.

217. You would be surprised to learn there was a fight?—I should indeed. I know if I had heard of it I would have gone to the bottom of it. I never got the slightest hint of it.

218. *The Chairman.*] Is there any beer supplied to the mess-table now?—No, not for a long time.

219. *Mr. Taylor.*] In connection with the Clutha, it is commonly reported that the plans of the police leaked out in dealing with sly-grog selling. Have you had any experience of that?—I have. I have repeatedly found all my plans have been upset.

220. How do you explain it—whom do you blame for it?—Well, that often puzzles me. When I took the greatest precautions I found my plans leaked out.

221. *The Chairman.*] Especially in that district?—Yes. You see, my exertions in that direction have been more in that district than in any other. I have had cases of that kind in the North and other places, but in the Clutha I had to specially exert myself. My plans have leaked out, but beyond bare suspicion I could not tell how.

222. *Mr. Taylor.*] Could any one except the men under your own control have known of your plans?—Oh, no; it must have been the men under my control.

223. You say the leakage must have been due to some disloyalty on the part of your men?—Of course it was. I had fellows at that time that should never have been inside a police-station.

224. Did you ever attempt to ascertain who the culprits were in regard to this matter?—Yes, but I could get no information.

225. Has it been reported from any town in Clutha that your plans for attacking sly-grog shops were public property before your men arrived on the spot?—It was on one occasion when we were going to search for liquor, and the same at Tapanui.

226. In connection with the Clutha, have you received all the assistance you expected from the department?—Oh yes, I got every assistance. I was given a free hand. Whatever I asked for from the Commissioner I got. All through I have nothing to complain of as far as my superiors are concerned. I got every latitude to do my utmost. I was not bound in anything, as regards expense or anything else, but owing to imperfections of the law it was nothing but an uphill fight.

227. You say the difficulty has been not with the authorities but with your own men?—Well, it was only on the two occasions I refer to. I was careful afterwards about my plans that they did not leak out. Of course, after that I trusted nobody. At the very moment I was going I selected my men—men that I knew I could trust—and gave my instructions at the last minute, and they disappeared and nobody knew where they were going until they turned up at the place. I could not trust the railway authorities if they saw the police going up on secret duty—that is, some of the railway men.

228. Can you specify a case where any railway official has interfered?—It is this way: I send a man out on special duty, and not a living soul knows what he is on but he and myself. We used to travel on railway passes: we do now on ordinary duty, but I found out that immediately after a constable arrived at a place on secret duty it was whispered all round what he was doing and who was the constable. I put this and that together, and it was impossible for any one to know except the railway guard who examined the tickets: in fact, I heard of one railway-guard who boasted about how he put the police away.

229. In your efforts to stamp out sly-grog selling, what has been the attitude of the Magistrate?—Except in one case, where he wrongfully accused a constable of telling falsehoods, I cannot complain against him.

230. With regard to tote-shops, are there any tote-shops in Dunedin?—Not to my knowledge. If there were I would be after them.

231. Have you had any reports from any of your own men in regard to the existence of tote-shops?—No.

232. Have they never reported to you?—No.

233. *The Chairman.*] I thought you said there was one, and the proprietors had been convicted?—I found that out myself.

234. *Mr. Taylor.*] Who are your detectives here?—Detective O'Brien (chief detective), Detective McGrath (who has been here for some years), and plain-clothes Constables Cooney and Boddam.

235. Who selects constables for plain-clothes duty?—In this district I have done it myself. I have selected them all myself, but of course if a man were taken from this district and sent on plain-clothes duty to Christchurch I would have nothing to do with that.

236. Have you selected men for that duty who are recruits?—Well, if I saw that they had the capabilities, after a while I would select them.

237. What do you consider a fair probation?—Well, you see, if I think a man has tact and intelligence for a detective I send him out on little jobs occasionally, to see how he shapes; and if he shapes satisfactorily, and there is a vacancy for a plain-clothes constable, I put him on on trial. I generally send them out on little jobs in the country first, to try them. For instance, I sent Broberg to the Clutha district in connection with the sale of liquor; and I was so pleased with his conduct, and the able way in which he carried out his duties, that I sent him on other little things; and finding he had the ability I put him on plain-clothes duty. He was the youngest recruit that I had employed. Cooney had been on for some years, and so had Boddam. These are the only men I have selected.

238. Were the previous appointments made outside of you?—There had been none before. When I came here I found there was far too much for two detectives, and then I thought it would be a good plan to select smart intelligent men, who had shown they possessed good brains, and put them on to assist the detectives. When I came here the place was swarming with brothels, and one thing and another, and people were complaining, and I found there was far too much for the detectives to do, and look after crime as well. I then selected these two men—Cooney and Boddam.

239. You say none of your detectives or plain-clothes men have ever given you a written report in connection with tote-shops?—No; they have given reports in this way: I got information that there were two tote-shops, and then I called on the detectives to report.

240. Did you tell them where the shops were?—I told them right away.

241. Do you not think that they should have discovered them themselves?—Of course they ought to have reported it to me. I was very much annoyed when I found out such things were in existence and I had not been informed.

242. Had you any difficulty in getting a conviction?—Oh, no.

243. What was the method employed in this tote-shop; what kind of shop was it?—An office; a place where transactions in connection with racing were done. People went in and said, "We want you to enter a certain bet for us." Any lads or young men could go in and put their 5s. on a horse, and the names would be entered in a book. Of course, if they won, they would get a return according to the dividend paid by the totalisator.

244. You say you had not much difficulty in getting a conviction?—Oh, in that case they pleaded guilty. They had no chance of getting out of it. We arrested the proprietor and two assistants. The evidence was there right before us. We dropped on them unawares. We got the books and everything else.

245. What was the nature of the entries in the books—were the names of the investors given?—Oh yes; of those who had taken "tote" odds on horses.

246. Were the books confiscated?—Oh, no; we could not. The law did not allow it. In fact, the law did not allow us to seize them.

247. How would entries be made in the books?—Well, there were the names of the horses and the names of the persons who took the chances.

248. The names of the horses and the people would be down, and nothing else?—That was all that was entered. When the totalisator odds came out on the horse that had won, the money would be divided amongst them. That is what you call totalisator odds betting. That, of course, was illegal; but I assure you the Gaming Act wants to be greatly changed.

249. In connection with that particular raid were any of your men mixed up with it?—There were names very similar to those of some of my men, but they all denied they were their names.

250. How many of them?—I think there were three or four.

251. The surname?—Just the surname. For instance, there were two names—Dale and Twomey—and I had a Dale and a Twomey amongst my men. Of course, you can find any number of Twomeys in Dunedin. I called the men up, and they positively denied they had anything to do with it.

252. Did you have occasion to think any of your men were addicted to patronising these shops as a justification for calling these men up?—No I did not. I warned them if I found any of them out I would at once report them to the Commissioner, and recommend their dismissal.

253. Do you remember last Christmas Day any particular street incident that attracted your attention in Dunedin?—Oh, yes, a constable named McDonald was drunk on Princes Street, just by the Grand Hotel.

254. Who was with you at the time?—I had just returned from my office, and Sergeant Conn came to my private house and reported it to me. He told me that Constable McDonald was rolling drunk on his beat, that he had seen him rolling drunk, and that he had gone into the Grand Hotel. Sergeant Conn informed me that he had asked Constable Hannifin, on the adjoining beat, whether he considered McDonald drunk. Hannifin replied, "No, he is not drunk." Sergeant Conn said, "I am not safe amongst these men. Will you come down and see to it." I said, "Yes, I will go at once," and did so. When I got within view of the Grand Hotel I saw McDonald staggering along the footpath.

255. What time was this?—That would be a little after 1 o'clock. I said to the sergeant, "We will not make a scene: you go and get a cab." I walked over to McDonald, and said to him,

"I want you, McDonald." I walked over in the direction of the cab-stand, and he followed me. I put him into a cab, and sent him with the sergeant to the station. I had the lockup-keeper and two sergeants to see him. They all pronounced him drunk.

256. *Colonel Pitt.*] Is he in the Force now?—No, he is not.

257. *Mr. Taylor.*] What was the result of that?—I had Hannifin brought into my office to know what he meant. Of course, when a constable swears another constable is sober when he is drunk, there is an end of all discipline. At first he would not admit the man was drunk. I said, "Go and look at him now, sitting in the guard-room." He went in to see him, and in a short time he returned, and he admitted he was under the influence of liquor. I said, "Go and put that in writing," and he did so. I reported the whole circumstance to the Commissioner, but in doing so I recommended he should not be dismissed as he was an important witness in a murder case then coming on, and he might disappear. To this the Commissioner, Mr. Tunbridge, objected. He objected to his being retained in the Force; but I again pointed out that it would be a misfortune if the man did not appear to give his evidence at the Supreme Court in such a serious case as murder, and then Mr. Tunbridge consented to allow him to be retained on these conditions, but at the same time fining him £1, and placing him at the foot of his class, and to be transferred; also cautioned that if again reported he would be dismissed.

258. Did he continue to do street duty?—I kept him in the station until such time as I got the Commissioner's decision, as I did not want to see him connected with any other case until I saw whether the Commissioner would act on my recommendation or not, but after I saw the Commissioner's decision I sent him on street duty again.

259. Was he reported again?—Oh, yes; he was a most unfortunate man. He never should have been in the Force. He was not reported for drunkenness again. He disappeared off his beat, and could not be found.

260. *The Chairman.*] He was subsequently reported for an offence for which he was discharged?—He was called on to tender his resignation, and did so.

261. *Mr. Taylor.*] Did McDonald have sick leave during the time he was in the Force?—No, but he was sick for two or three weeks.

262. How was he sick without getting sick leave?—When a member of the Force is sick, and it is reported that he is unfit for duty, he is reported sick; but if he is getting convalescent, and the doctor thinks that a change of air or a change of scenery would do him good, then he applies for sick leave; but ordinary sickness is not counted as leave at all.

263. Was he sick during the time he was under you?—The doctor said so, and of course I could not gainsay that.

264. *The Chairman.*] Did he say from what?—Sciatica on the first occasion. The sick-list shows that he was sick from the 1st to the 11th November, 1897. He was also sick from the 7th to the 17th October, 1897. That was down as influenza. Those were the only occasions he was sick.

265. *Mr. Taylor.*] You did not inquire personally into the man's condition while he was away sick?—No, but I sent two sergeants to see him, and his wife would not let them in.

266. *The Chairman.*] Was that in October, or November?—That was in October.

267. *Mr. Taylor.*] Does influenza figure largely as a cause of sickness?—A short time ago there was a number of men down with it, but all, except this man, I believe to have been cases of genuine sickness. There is no reason whatever to doubt it.

268. You think this man's case was not genuine sickness?—I had my suspicions. That is the reason I sent the sergeants to see him.

269. Would you be surprised to hear he was frequently sick in Christchurch?—I do not know anything about him while he was there. I sent Sergeant O'Neill early the next morning to get a doctor to go and see him. He told the doctor it was sciatica in the leg. The doctor said it might or might not be; it was impossible for him to tell whether it was or not. Then another doctor sent in a certificate to say that he had got sciatica.

270. *Mr. Taylor.*] How long has Sergeant O'Neill been in Dunedin?—He has been in the Otago District ever since he joined the Force—nearly thirty years ago. He has been about to different places. He has been in Dunedin ever since I came here.

271. Do you know if he has ever been ordered for removal?—No, not since I have been here; and I should not wish to see him removed. He is a very sober, obedient man; he does whatever he is told to do, and carefully attends to his duties.

272. Have you Constable Ward under you now?—He is under me, but he is at Lawrence.

273. When did you have occasion to deal with him for his conduct last?—Only on one occasion. Somewhere about six months ago he was charged with drunkenness and insubordination.

274. Was he convicted?—Yes. I reported it to Commissioner Hume; but, owing to the man's previous good conduct, I asked that he be not dismissed, it being the first charge against him, and Colonel Hume dealt with him accordingly. He did not dismiss the man, but he punished him severely.

275. Where was he stationed at the time?—In Dunedin.

276. What was his rank?—Third-class constable.

277. You say he was severely punished—how?—He was fined £1 and reduced three steps, I think it was. He was put down below three others, as that would put back his advancement to second-class for several years.

278. Is he in charge at Lawrence?—Oh, no.

279. Under a sergeant?—Yes; he would not be competent to take charge of a place like Lawrence.

280. What has been your practice in regard to the suppression of brothels in Dunedin?—Well, we extinguished them—that is, those places you would call brothels—a house kept by an "Old

Meg," or kept by some other person for the purposes of gain by keeping women on the premises and taking portions of their hire as prostitutes. That is a legal brothel; but, of course, there are a number of women on the town in Dunedin living by ones and twos, simply prostituting their own bodies, but not deriving benefit from the prostitution of other women, and they are kept in as strict order as the law at the present time allows.

281. *The Chairman.*] You do not know of any brothels?—No, what you would legally term brothels—cases in which we can say to the owner, "That is a brothel, and if you do not clear out, we will bring you up under the Criminal Code." There are houses occupied by ones and twos, but not what we would call a legal brothel.

282. *Mr. Taylor.*] Have you had complaints about a brothel—I use the word subject to your definition—off Filleul Street?—No, there are none there.

283. You say that of your own knowledge?—Well, I ascertain all who live there. I found people living there very decent, and some of easy virtue, not exactly public characters, but perhaps in their husbands' absence they may quietly take in another man.

284. Do you not know a house in that neighbourhood where young girls are kept of sixteen or seventeen?—No, there is not such a place. There have been several rows there. A young woman come from South Dunedin to a woman's house. The mother followed and kicked up a noise there.

285. Have you ever had complaints from Mr. McGill in regard to this particular place?—Yes, once, and I had it attended to immediately.

286. What happened then?—I brought up a party for using bad language. That is all I could do. They did not come under the Police Offences Act as what you would call disorderly houses. Mr. Thompson has also complained to me, and the Commissioner. The police have done all they could under the circumstances. I assure you, Mr. Taylor, there is not a complaint made here that is not immediately attended to no matter what it is, and I see it is attended to.

287. With regard to promotions, has discontent been caused amongst the men by the batches of promotions that have been made—for instance, promotions of those who had seven years' service with clean defaulters' sheets?—Well, there were some who probably had a grievance; and then there was another batch, with slight charges against them.

288. *Colonel Pitt.*] You spoke of disloyalty in the Force. Have you reason to think there is any disloyalty in the Force in your district now?—No, I have not.

FRIDAY, 18TH MARCH, 1898.

WILLIAM STONE PARDY: Examination on oath continued.

1. *Mr. Taylor.*] Have you a constable named Brennen in this district?—Yes.
2. You had occasion to reprimand him recently?—No.
3. Had you occasion to fine him?—No.
4. You said in giving evidence that your men were remarkably well conducted, but not always so; when did the improvement commence to take place?—Well, I had to weed out a lot of bad men who were sent to me from the Artillery.
5. *The Chairman.*] When were they sent to you?—It has been going on for the last two years. I do not think I have great cause for complaint.
6. *Mr. Taylor.*] What was the process; what became of the men when you got rid of them?—They were dismissed, and sent about their business.
7. Any of them removed?—Some of them were. Aitcheson was transferred to Invercargill. The others were dismissed; and Aitcheson was subsequently dismissed at Invercargill.
8. In connection with licensing matters, do you know whether there is any systematic watch kept by proprietors of hotels in Dunedin?—Yes, it is done by a few houses, but very few.
9. What is the system?—The system is to have a man walking up and down outside, and he has some means of signalling with the people inside when the police are seen coming.
10. You have had a great deal of experience in connection with licensing cases and prosecutions?—Yes.
11. What has been your general experience in regard to the veracity of witnesses for the defence?—Well, of course, it is very hard swearing on the part of witnesses for the defence in licensing cases.
12. In comparison with other classes of offenders, do you think they have a greater disregard for the truth than others?—Well, there is not the amount of perjury committed in cases of ordinary crime as there is where breaches of the Licensing Act are being prosecuted, nor anything like it.
13. Take Clutha as an illustration. In ordinary prosecutions, in a licensing district, have you not the same difficulty to contend with as to the veracity of witnesses, as you have in regard to the Clutha?—Just the same.
14. Has the constable at Balclutha at any time suggested plans to you that he thought would enable him to detect sly-grog selling?—Yes.
15. Have they been approved of?—To a certain extent—to what I considered right, and prudent, and useful I adopted his suggestions, and they proved very successful. But there was a point which I could not conscientiously approve of.
16. Has the same kind of recommendation come from the other town in the Clutha?—Yes, from Tapanui.
17. From Clinton?—I may say Balclutha and Tapanui are the real centres of the district.
18. Have similar recommendations come from Tapanui?—Yes.
19. Have they been adopted?—Yes, and I am still waiting an opportunity to carry out the suggestion.
20. As a result of your observation, do you think there is the same quantity of liquor being sold in the Clutha as there was before the hotel licenses were abolished?—Of course not. It is

ridiculous to say so. You do not see a drunken man in the Clutha, or very rarely indeed; and in that case he did not get it, perhaps, in a sly-grog selling place. Of course, there is a licensed house in the Clutha, and there is a wholesale license; and wholesale licensing is a great stumbling-block to the police, because they say, "Oh, we have a case of whiskey and two gallons of beer," and when asked, "Where did you get that liquor?" they reply, "We got it at the hotel, or at the wholesale licensed house."

21. Do I understand you correctly to say the wholesale licenses are a great difficulty to the police in the detection of sly-grog selling?—I say that it is.

22. How many known sly-grog selling centres do you estimate there are in the Clutha?—Well, only three: Balclutha, Tapanui, and Kelso (about three miles from Tapanui).

23. Is Kelso still in the Clutha?—Yes. Formerly Heriot was a portion of the Clutha district, but at the last adjustment of districts Heriot was passed over to Tuapeka, and Pukerau (with a hotel) was transferred from Mataura to Clutha.

24. In these three places you name, how many people do you suppose are engaged in the sly-grog selling?—At the present time, since the last successful prosecutions in Balclutha, I think there are only two places where liquor is now sold.

25. In Balclutha?—Yes. Before the last successful prosecution there were more.

26. How many in Tapanui?—There are two.

27. In Kelso?—Two.

28. That is, six all told?—Yes.

29. Do you remember how many licenses there were?—In Kelso two.

30. How many licenses were abolished in 1894 in the whole of the Clutha electorate?—There were four in Balclutha, two at Catlin's, two at Clinton, one at Waipahi, three at Tapanui, two at Kelso, and one at Heriot. Of course, since Heriot was passed over to Tuapeka that house has got its license back.

31. Was there none at Warepa?—I cannot say that there was one. I am not quite certain on that point.

32. Do you think there may have been more than sixteen?—There were more in earlier times, but from time to time an odd one has been closed. There had been one closed at Balclutha, but that was before my time.

33. What kind of business do these people carry on; do they do a large trade in these centres you speak of?—A fairly good business.

34. Are the sly-grog sellers, I mean, doing a large volume of trade?—Oh, no. I have just been round there, and I never saw the sign of a drunken man.

35. I will ask you whether any Justices of the Peace, as witnesses for the defence in sly-grog cases, have admitted that they have incited others to commit breaches of the Licensing Act?—I cannot say that. I know I cross-examined three Justices of the Peace who appeared as witnesses for the defence in a case. It was a long time ago, and there is evidence on record in the Balclutha Court. I would not like to answer that question, because I do not feel competent to do so from memory. Of course, their evidence is on record, and if necessary you can have it.

36. In regard to policemen frequenting breweries on night duty: As a matter of fact, I asked you yesterday whether you had occasion to reprimand Constable Worthington; I will ask you now whether you have had occasion to speak to the men generally on parade on that very habit?—Yes; what I had heard led me to warn the men of the consequence, if ever I proved or even found them to be in a brewery.

37. Have you two constables here named McCormack and Twomey?—Yes.

38. In connection with the question of gambling, have you not had very frequent complaints about the assembling of walking-totes at the corner of Maclaggan Street and Princes Street?—No, I have not had complaints in that way. Complaints have been made to me—not recently, but when I first came down here—about how that portion of the footpath was blocked up, so as to interfere with the business in the shops in that locality, especially on racing days, when these spielers and betting-men are hanging round. The result was that I placed a constable in that portion of Princes Street to do nothing else but keep that portion of the street from the corner of High Street to the corner of Rattray Street clear, and the man is there from 9 o'clock in the morning until 11 at night. But, as I said before, you cannot get at that evil with the present state of the law.

39. Have you no power to summons them for loitering?—Not if they move on when the constable warns them.

40. Have you heard of a recent decision of the Appeal Court in England in which it has been decided that a man occupies a place if he frequents any particular neighbourhood day after day?—Yes, but that decision has been upset by a higher Court.

41. When did you last receive complaints about the assembling of these betting-men?—I have not had a complaint for a long time now.

42. Did you receive no complaint yesterday?—A man did send me one, but he had no justification for sending it.

43. You say nothing can be done with this public nuisance unless the law is altered?—Yes. In fact, the law is a farce so far as gambling and betting is concerned.

44. What is the practice in connection with the supervision of licensed houses in Dunedin; has a constable power to enter a house on his own motion?—Yes, a constable can enter at any time, day or night.

45. Is he not bound to be in the company of a sergeant?—No.

46. Have you found that there is any system of warning each other existing amongst the publicans in Dunedin when the police are making a visit of inspection?—I do not know of any system of my own knowledge. I have heard, of course, that when the police are going round, after visiting one house the landlord will naturally send on word that the police have been to his place.

47. Have you ever had occasion to believe that your own men have disclosed notice of your intention to visit hotels?—I do not know; I do not think it. It is possible, and I have had men capable of betraying secrets.

48. If Inspector Pender had said that he never knew of any political interference with police matters during his long term of service you think he has had a very unique experience?—He has had no political interference with him so far as the performance of his duty is concerned. That is how I read his evidence.

49. If the Inspector knew of no case in which it has been exercised, leaving himself out of the question altogether, do you think he has had a very unique experience?—So far as I am individually concerned, and I have had as long service in New Zealand as Inspector Pender, never but in one instance was I ever interfered with by my superiors in the performance of my duties. There was one occasion; but that was so many years ago, and the actors dead and gone, that I do not think I should care to mention the circumstances.

50. *The Chairman.*] Is it since the amalgamation of the provinces?—No, it was prior. I was in the Auckland police, and we were part of the Armed Constabulary.

51. *Mr. Taylor.*] Returning to Constable Mayne. Do you remember his being ordered to take a certain station, and declining?—I do not know about his declining. I had orders from Wellington to send him to Paeroa, in the Auckland District, but that order was countermanded a few days afterwards; but I do know that Mayne made no application in an official way to be sent there, or to get the transfer cancelled.

52. When in charge of New Plymouth, who was your sergeant?—Sergeant Duffin.

53. Did you ever have occasion to reprimand him for his habits while there?—I did once. That was soon after I went there.

54. What year would that be?—About 1884, I think.

55. Supposing the Minister of Justice said that this man's drinking habits only developed a few months before he was dismissed in 1896, would you think that was correct?—I will tell you all I know of Sergeant Duffin. With the exception of the occasion I referred to, all the time I was there he was a remarkably sober man. That was a little over ten years ago, and then, I believe, it was through domestic worry.

56. *Mr. Poynton.*] The reprimand in 1884 did not appear on his defaulter's sheet?—No, I called him into my office and privately talked to him. I spoke as a friend and officer. He was a man who had served his country in the Crimea and Indian Mutiny and New Zealand War, and I thought he deserved a little consideration, and I gave him what you would call a friendly caution.

57. Do you think a superannuation fund would tend to raise the status of the men in the Force?—Yes, I do certainly, because the men would have something to look forward to. They would have a feeling of independence.

58. *Mr. Tunbridge.*] With reference to ex-Constable McDonald. At first did I not refuse to accede to your request that he should be retained in the Force?—Yes, I stated that in my evidence yesterday.

59. *Colonel Hume.*] In selecting constables for plain-clothes duty, you stated yesterday you did not take into consideration their service at all?—No, not their length of service.

60. Now, is it not a fact, that when you have got a sly-grog selling case, you often have to take a very juvenile man?—Yes, I always employ the latest joined.

61. If that constable carried out his duties satisfactorily it is very possible you might put him on plain-clothes duty on that account?—Yes, when a vacancy occurred I would give him a trial. You see detectives are born, not made. If you went on making detectives by seniority, I think you just might as well give them a pension and dispense with them.

62. If you had a young constable that you considered one of these born detectives, you would just put him on a big case as well as a small case, I suppose?—Well, I would not give him charge of a case, but he might be very useful on it. Of course, if it was a big case, I should go myself and take the best detective talent I had.

63. You would take the best, irrespective of seniority?—I would take a man who joined yesterday if I thought he would serve my purpose in getting information. I have been a detective myself, and have served in every branch of the service, and I have devoted my life to it.

64. When in charge of the Taranaki District you would not have a detective?—No.

65. Now, will you state why you would not have a detective?—Well, they were such a queer lot, that I would not care to be bothered with them.

66. Where was your experience of this queer lot?—Oh, I knew the district pretty well. For instance, there was Detective Kirby for one. There were several.

67. *The Chairman.*] Was that your opinion of him at that remote time?—I had my opinion of him.

68. *Colonel Hume.*] You were sergeant-major in Auckland?—Yes.

69. Well, now, is it not a fact that the detectives quarrelled between themselves?—No, not while I was there. They were under my control. I carried on the whole of the city duty, and the result was there was no collision between the two bodies.

70. Then, the chief detective was under you as sergeant-major?—Yes. We had no chief detective in those days. That is a modern institution, and was started in Major Gudgeon's time. I do not approve of it, from my experience. I thought it was a farce. They hold their rank as first-class detectives, and that is quite sufficient. There is a man here to-day. He is a second-class detective, and is in charge, and he is chief detective. Perhaps it may be found necessary to appoint another detective who is senior to him, and then the latter is chief detective and the former would have to take a step down. You might just as well call one sergeant chief sergeant.

71. Then, during your experience, have you or have you not found jealousy amongst the

detectives as to who should get a case and who should not?—I never had it under me, because I would not have it. I worked the whole thing in my own hands; but I have seen it very badly in other places, and especially one, and that was the worst of any of the places. I will give you an instance: When I was in Taranaki District, there was a large robbery of jewellery and watches from Palmerston North. Of course, crime-reports were sent as speedily as possible to Wellington and other places, and stop-notice were sent to the different dealers and pawnbrokers. Well, the thief went into a certain dealer's shop in Wellington, and offered a watch for sale. The shopman detected it as one of the stolen watches; but he had instructions from the detective who left the stop-notice that he was only to give information to himself, and to no other member of the Force; the result being that the thief escaped. There was a constable passing at the time, but he was not called in to take the man into custody. If that had been done, nearly the whole of the property, amounting to some £100, would have been recovered.

72. *The Chairman.*] You are illustrating jealousy as between the detectives and the uniform men?—Between both the detectives themselves, and the detectives and the uniform Force. That is why I spoke so strongly yesterday about having a second officer in the city, or in authority during my absence, to be over detectives and sergeants, and a man they must look up to and respect.

73. *Colonel Hume.*] While on that matter, there were Sub-Inspectors at one time?—Yes.

74. Were they a success?—Yes. Where the fault was, there were too many officers stuck about in petty places. For instance, in Clyde, and in a "tinpot" place like Lawrence, there were officers, and another at Invercargill, and another at Oamaru. The thing was ridiculous.

75. Your experience is that in the four large centres the Sub-Inspectors worked well?—Yes. I should like to see them very carefully selected.

76. Now, Mr. Pardy, what system do you adopt for training young hands when they first join?—Well, the first thing I do is to have them into my office, and impress on his mind, as strongly as I can, the great necessity to be truthful above all things, to be strictly sober, and never to accept liquor or other gratuity from any one, to be subordinate and respectful to those placed over him, as some day he may be in the same position himself if his conduct is good. I then hand him over to the senior sergeant, to be instructed generally in his duties. He would then be placed on night-duty and on a light beat, where there is not much doing; and the sergeant would be instructed to give him particular attention, and to look after him and educate him and give him any information that is necessary. Of course, I also insist on them reading up the by-laws and the Police Offences Act.

77. Do you think that any constable has abstained from interfering at many points from a want of knowledge of his duties in your district?—No, I do not think it. I cannot give you an instance.

78. In fact, if any one told you so you would be surprised?—Yes. Of course, they are instructed if they are in the slightest doubt to refer to the sergeant at once.

79. Now, carry your memory back to 1890. Do you remember then whether a good many junior constables were in charge of out-stations while their seniors were in towns?—Yes, and prior to that; I thought it very wrong.

80. Is that so now?—No; if the men are fitted they are sent out now according to seniority, and, of course, only married men. It would not be proper to send single men, no matter what their service was.

81. Now, you stated yesterday you were not consulted, prior to Mr. Tunbridge taking charge, about transfers?—Yes.

82. Now, is it not a fact that I called for a return showing whether men were qualified to take charge of stations, and whether qualified to be Clerks of Resident Magistrates' and Wardens' Courts, and whether fitted for mounted or other duties?—Yes, I think some two years ago you did call for a return of those fitted, and I sent you a return of those in my opinion I thought were fitted.

83. How do these two answers coincide: is that not consulting you?—No, I think if you had asked me whether a man was fitted for a particular station. Some men have been sent to stations they were totally unfitted for, and I have had a great deal of trouble to educate them.

84. Not fitted to be Clerk of Court, or for police duties?—The responsibilities of either position.

85. Not fit to have charge of a station?—Not in their state of mind, and in their state of police education at the time. Of course, I have worked them up since, and they are very good men now.

86. Now, will you name any constable who has been given charge of a station that you reported in that return as unfit for the charge of a station?—I did not report on them. The men were sent there, and I had to do the best I could with them.

87. Were any men sent to take charge of a station whom you reported in that return as unfit for charge of a station?—No man of my own district; but men have come from other districts whom I knew nothing about, and they were not capable of taking charge of a station. I do not know who reported on them.

88. Now, do you know of any constables occupying subordinate positions who have served with ability and distinction, while others with nothing to recommend them but political influence were placed in positions they were utterly incapable of filling properly—in your district, of course?—Well, I know plenty of things done through political influence. For instance, transfers were again and again countermanded which could have been by no other cause but political influence. It is difficult for me to answer that question from memory. For instance, look at Constable Mayne. The exceptional way in which he was treated caused no end of dissatisfaction; he seemed to be able to do just as he liked. He was sent to me to be made a detective; and there was no man from the south of New Zealand to the North Cape less fitted for detective work than Constable Mayne, and I reported he was not fit for it.

89. That does not quite answer the question: so far as that goes Constable Mayne got nothing?—Yes; he got in the way of promotion. They get promotion much quicker as detectives than in ordinary uniform.

90. Do you know of any constable in your district occupying a subordinate position who has served with ability and distinction, while others with nothing to recommend them but political influence have been placed in positions they were utterly incapable of filling properly?—Well, if you want me to look up the records on that, I think I could answer your question. I will have to look over all the transfers, both here and in other districts.

91. You cannot call a case to your mind from memory?—I should want to look at my records here, and also in Taranaki. I cannot speak from memory. You must understand I know nothing of political influence. I only judge from the cause and effects. A member of the Force is ordered for transfer, and that order is countermanded, and no application is made through me. I know nothing about it, and, therefore, only presume that that member of the Force used influence he ought not to have used. Constable Lemm was put over Constable Johnston's head. He was stationed there a long time, and I thought he should have the option of the station.

92. Is that Johnston at Gore, or Johnson at Naseby?—At Naseby. You have rather stretched my answer. What I think I said was that "they got the plums."

93. I will repeat the question again. Do you know of any constable in your district occupying a subordinate position who has served with ability and distinction, while others with nothing to recommend them but political influence have been placed in positions they were utterly incapable of filling?—I do not know of a single instance; and when I said that Constable Lemm was transferred over the head of Constable Johnston, I did not know whether Johnston was senior to Lemm or not; but Johnston had been there, and I thought he should have the preference.

94. *The Chairman.*] Do you attribute the fact that Lemm was put there to outside influence?—No.

95. *Colonel Hume.*] There were some special promotions made some years ago. Now, that caused some discontent in the Force, I suppose?—Yes; those who were passed over and who were senior men were very dissatisfied, and, instead of appealing to the Commissioner through the Inspector, they rushed away to work up political capital about it. I think I know that for a fact. Members and others spoke to me about it. Of course, had they submitted their complaints in the proper manner through me to you they would have received the greatest consideration. In fact, there was quite a *furor* here in Dunedin about it.

96. Then, after these promotions were made, you had a certain number of malcontents in your district?—Oh, yes; all those passed over in regard to seniority were discontented, but they were passed over on account of the state of their defaulters-sheet.

97. Will you be very much surprised to hear that this man Johnston is years junior to Lemm in the service?—I dare say I had doubts as to whether Lemm was not the senior, but now I come to think it over, he is senior.

98. Then, owing to the fact of having these malcontents over these promotions, did you consider then that the Force here was disorganized?—I would not exactly call it disorganization, but dissatisfaction.

99. Would you call that disorganization?—Of course, when the men have grievances they go about nursing them and making them into mountains. I know I had a lot of trouble and bother with the men, and when they came to me I pointed out to them it was their own fault.

100. Do you consider that at the present moment you have any discontented men in your district at all?—That would be contrary to human nature. There are bound to be discontented; but generally those men who are so discontented are the men who really are not entitled to promotion.

101. You told the Commissioners yesterday there was no disorganization, and yet you seem to have these discontented?—I am speaking generally. There are always a number of discontented and malcontents. You cannot satisfy some men even by acting strictly with justice; there are sure to be some men who think you are not acting right.

102. Now, in reference to carrying out of the liquor laws: have you ever been instructed in any way, either by writing, verbally, or by hints or anything else from any of your superior officers, that you are not to carry out the liquor laws?—Certainly not. I stated that yesterday.

103. You said you had every assistance?—Yes. I had a free hand both in expenditure or anything else that I thought was necessary to be done, and, as you know, I had sly-grog selling cases and convictions all over the district—at Stewart Island, Mataura, and Invercargill, and almost every place I could name. To give you an idea, since I have been in charge of the district, I have had fines inflicted amounting to something like £1,100, and I think more than that, because there have been several convictions since I made up that return. Just the other day a woman was fined at Preservation Inlet, and even in that out-of-the-way place we have had repeated convictions. No, I tell you again, since I have been a member of the Police Force, while in charge I have never but on one occasion, and that is back in the early seventies, been interfered with either by my superior officer or by the Government in any shape or form in the performance of my duties; and I dare say other Inspectors are in the same position.

104. Then, I take it, you believe that the Government desire to have the liquor law strictly enforced?—I always understood that.

105. And you understand that now?—Certainly. I cannot come to any other conclusion, seeing I was given a free hand to do my utmost.

106. And as regards walking-totes, have you any power to summon those men who are on the pavement, even supposing they do not move on?—Only under the by-laws, as an obstruction.

107. Suppose there were only two on a wide pavement, you could not say they were obstructing?—No, unless they are preventing people from passing along.

108. Then, unless they are obstructionists you cannot interfere?—Not unless they are actually blocking the pavement.

109. Will you define for the Commissioners' information what a "spieler" is?—That is a very general term, and I do not know that there is any direct definition, but I would look on him as a

loafing fellow who follows up race-meetings, with always the intention to do a cheat in some shape or form; who associates with thieves, and puts them up as to how to do business, and who acts generally as a "chucker-out" and bully for prostitutes, and that kind of work. That is what I understand by "a spieler."

110. I take it, from your action in Constable Ward's case, that you believe in giving a man a second chance?—Oh, yes.

111. Are you prepared to say that, in your opinion, a man who has been dismissed or allowed to resign the Force should never be brought back again?—Well, it depends entirely on the circumstances of the particular case. I have seen instances where I thought a man was too severely dealt with by dismissal; and in a case like that I think he should receive every consideration, and, if it was found he had been too harshly dealt with, he should be reinstated. There have been instances of that. Of course, if the dismissal had been for a long line of drunkenness or disgraceful conduct in the Force it is quite proper he should stay out.

112. Have you known cases where men brought back like that have rendered really good service afterwards?—I cannot think of any individual case just now.

113. Now, as regards that circular about Court orderlies, is there anything in that circular to show that it was to affect holders of the office at that time?—It does not specially mention anything.

114. Does it not say "in future"?—Yes. Of course, I read it that all future as well as all present Court orderlies were to retire at the expiration of three months, and others that were to be appointed, but you told me afterwards that I had misread it.

115. Why was Constable Mayne made Court orderly?—Well, I thought the man was rather delicate, and not strong enough for street duty, and that was the reason I gave him the appointment. Prior to that there had been no Court orderly in Dunedin, and I found it upset the whole duty, because men were taken off the street and off their duties, and sent to serve summonses. I said it was very unsatisfactory and irregular, and that it would be best to have a Court orderly, and I appointed Mayne for the reasons stated, more out of kindness than anything else.

116. Now, I suppose, Mr. Pardy, that in your experience complaints against the detectives and against the police generally are not very uncommon. I get complaints continually, especially anonymous letters. I send them to the constable for his information and any remarks he likes to make, and I file them. Of course, I regard it as a very cowardly way of attacking a man, and therefore I think they should be treated with contempt.

117. Now, you said yesterday you thought Sergeant Shirley should not have been sent back to Dunedin?—Yes.

118. Do you recollect your asking me to send a single sergeant to Dunedin, so that he might live in the station, as you considered it was important you should have a single sergeant?—Yes, but I never thought you would send him there, or I should never have made the request. I do not wish to say anything against him as a sergeant, but I thought for his own sake alone it was better for him to leave this place.

119. Do you happen to know how many single sergeants I had at my disposal?—No.

120. Would you be surprised to hear that there were only two, and that Sergeant Shirley was one?—I do not know how many single sergeants there were; but certainly I should not have asked you for a single sergeant if I thought you were going to send him to me.

121. Do you think it possible that a fight should have taken place in a brewery in Dunedin between constables, without your having got wind of it in some way or another?—It is extraordinary; I cannot understand it.

122. Do you think it is possible?—Oh, yes; but I was greatly surprised to hear it, because if such a thing did happen, they would be very very careful to keep it from me.

123. Was yesterday the first time you heard of it?—Yes; but now I have heard of it, you may depend I shall try to go further into it.

124. You stated yesterday that you had been betrayed, you thought, by some of your own men and by some in the Railway Department, in dealing with sly-grog selling: now, is it not a fact that you were given away by a prohibitionist in Balclutha on one occasion?—No; I will explain that to you. There was an attempt to do it, but it was not done. I was too quick for them. It was this way: There were three houses in Balclutha, and I got a warrant to search them simultaneously, because I knew it was no use to go to one and not to the others at the same time. The men made a descent simultaneously on the three houses—two men to each house—and while the two were searching one particular house the prohibitionist bolted off to the other houses to warn them that the police were searching So-and-so's house, and were coming round to their houses.

125. But he found two other men already there?—Yes, but he did not know that. He thought the men were going to do it in detail.

126. Now, in the matter of promotions since 1890, you stated yesterday there had been very few?—Yes, and long before that.

127. With the exception of the cases already mentioned—namely, Clerks of Courts who were third-class constables, and third-class constables of seven years' service with clean defaulters' sheets, and men of seven years' service with only one trifling report against them having been promoted—do you know of any other cases where juniors have gone over the heads of seniors, or any other improper promotions?—No. So far as this district is concerned, they have been promoted strictly according to seniority, I mean up to the rank of first- or second-class constables, but not in regard to sergeants. I do not think there were even one or two promotions, for years, because there were so many sergeants.

128. I understand you to say that you thought a sergeant should be watchhouse-keeper?—No, at night, simply to be there to take any important case that comes in.

129. That was your object in asking me to send a single sergeant to be in the station always?—To serve a double purpose, to have a single sergeant who would be there sleeping on the premises

during the night duty. Supposing a sergeant finds a man under the influence of liquor. Well, constables do not like to give evidence against another constable, and if there is a sergeant on the premises he can be referred to, and asked whether he considers So-and-so is under the influence of liquor. He is an independent witness. Mind, I do not say that constables are untruthful; they will tell the truth, but very very unwillingly in a case of that kind. I should do it myself, because I should not like to be called upon to give evidence against a man in my own position, and I think constables should not be placed in that position. There should be a sergeant to supervise and be referred to.

130. You are in the habit of recording offences against constables in their defaulters' sheets without informing them of having done so?—Never in one instance have I done it. I have always told them I shall enter this on your defaulter's sheet, or that I shall not enter it. In fact, it is very rare for me to make an entry on the defaulters' sheets. It must be for more than one offence, but never for a first offence, or unless it is something serious which I have referred to you.

131. You stated just now that a good many complaints were made against detectives and constables. I suppose these complaints generally consist of general charges?—Yes, and in many instances there are no grounds for complaint. If I think there are any grounds I call upon the member for an explanation, and it is generally satisfactory.

132. Then, you do not act on general charges?—Oh no; it would never do.

133. Have you ever heard, in your experience, of any Force that does?—It would never do. It would destroy any Force if you had that. It would break the men's hearts; the men would be afraid to move or turn.

134. Supposing you had an idea that a constable was frequenting houses of ill-fame, or taking too much liquor, and at the same time you were not in a position to prove it, what would be your idea of the best way of dealing with that man?—Well, I should recommend that he should be transferred to another place to give him clean surroundings. A man often gets drawn into these things through forming acquaintances he does not like to offend, and through carrying on with some loose woman, and it may be the saving of that constable if he is transferred. You see, men are very much subject to their surroundings and associations, and it is a bad thing to leave a man too long in one place.

135. *The Chairman.*] What do you call too long?—I should say letting a man stop ten years, and sometimes twenty years, in one place. I believe there are some men in the Force who have been twenty and thirty years in one place. Well, that is too long for any man to be in one place. He cannot help but be influenced by his surroundings. It is impossible, I do not care how straight he is. Another thing, you see a constable should never be sent to serve in his native place, or anywhere near it. I have thought it over very often. Of course, you know, a constable gets married, and when he gets married he should certainly be transferred to some other place, or otherwise he is amongst his wife's surroundings then, and whether they influence him or not the public think they do. The public are very suspicious of the police, and we have to be very careful not to justify that suspicion. My experience is that we have had very bad results through allowing a constable to remain amongst his wife's friends.

136. Then, have you found when men have been transferred, on what you may call general charges, that it has had the desired effect, and after there was nothing wrong with them, as they had pulled themselves together in their new circumstances?—Yes, I have seen that done again and again.

137. *Colonel Hume.*] Now, you told us yesterday, that you thought the pay was too small, and gave us to understand that the policeman's lot was not a happy one at all; now, how can you account, or can you account in any way for the Force being sought after as it is?—Well, you see, there is a fascination about the police with young men. There is the uniform, for one thing, and they think it is an easy gentleman's life until they put on the uniform, when they are undeceived. Further, if you made the pay 2s. 6d. per day, you would find just as big a number wanting to get in, and, of course, they have to make the pay up another way, and if they take bribes from a publican you cannot blame them. To make them honest, and willing to carry out the important laws the police have to administer—the most important laws that we have in regard to the welfare and safety of the public, you must give them good pay. If you give a constable a miserable pittance to go on to the streets to administer the gaming and licensing laws, how often would it not pay a gambler or the publican to oil the constable's hand to make him wink at breaches of the law. The constable has a sick wife, perhaps, and does not know where to turn to buy her some nourishing food, and is that not enough to induce a man to accept any temptation where it is thrown in his way. If he has a decent pay an honest man will refuse anything like that. Only a scoundrel at heart would do that, and he would do it whether he had good or poor pay. If you compel a constable to live in the slums, you must expect him to be of the slums.

138. During the time I was Commissioner, Mr. Pardy, were your requests and suggestions to me as a rule given effect to or not?—I think so. I do not remember any instance where they were not. Yes; we worked very amicably together. I have not the slightest ground for making any complaint against you.

139. *Mr. Taylor.*] I should like to ask whether you have any more definite reply in regard to that house in Filleul Street. Have you not reason to believe it is a house of immoral character?—It is reported to me that there is nothing against this woman's character. She is an invalid, and is receiving charitable aid. She has two daughters whom the police for some time have been keeping under surveillance, to see whether they are leading immoral lives; but up to the present they have found nothing to justify such a suspicion.

140. What complaints have you received about that house during the past year?—I have not received any about this particular house; but I have had about misconduct in Asher's Right-of-way, and that is where this house is situated.

141. Have you had any report from your officers before to-day about this particular house?—This report was in November, 1897, and that is when Mr. McGill spoke to me about the house, and I sent a constable to make inquiries. Mr. Thompson also complained, and I kept the place under surveillance for a long time at night. I had men frequently visiting it at night.

142. *Mr. Tunbridge.*] With reference to detectives, how would you suggest they should be governed?—Well, if you appointed a Sub-Inspector at a central station the detectives would be under his rule.

143. We have no Sub-Inspectors at present. I mean, if the matter remains as it is, do you think there should be an officer over them?—Not further than a first-class detective.

144. Well, a chief detective is a first-class detective?—It is calling them “chief detective” that has caused the mischief.

145. Briefly, you do agree there should be a detective officer over the detectives?—Certainly.

146. Now, with reference to confidential reports to the Commissioner, do you not consider there are occasions when an Inspector should be allowed to make a confidential report to the Commissioner?—Certainly. If he is not allowed—well then it would be very detrimental to the efficiency of the Force.

147. I think I understood, in your examination in chief, you rather disagreed with the confidential reports sent in?—I understood the question to refer to an order issued very many years ago, for the Inspectors periodically to send in a confidential report on every man. That is what I complained of.

148. You do not agree with that, but you agree that the Inspector should have the power to send in a confidential report on the conduct of a man so long as it does not contain a charge against that man?—Exactly, because it might lead to some terrible scandal if not taken up at the time.

149. Briefly, you think the Inspector should have the power to send in confidential reports on special occasions?—Yes. If the Inspector has not that power some offence might go on, but he has no evidence to prove it, and by and by it is too late, and some terrible scandal has taken place; and that should be avoided by all means.

150. Of course, where there has been a charge brought against a man he should see it, and should be allowed to see it?—Certainly.

151. *Colonel Pitt.*] Do you say that you are of opinion that in each district there should be a chief detective over the others?—No, not with that title.

152. Will you shortly explain the mode by which you think the Detective Force in each district should be organized: who should be chief, if any?—According to rank. There are first, second, third, and fourth-class detectives.

153. Supposing there are two first-class detectives here in Dunedin, in your opinion should either of these have authority over the other?—Yes, but that would be carried by seniority; whoever was senior would be in charge.

154. *The Chairman.*] Then, I understand it should be merely a matter of seniority?—Yes.

155. And the Detective Force subject to the general control of whom?—The Inspector in charge of the district; but in his absence the sergeant takes the Inspector's place, and during that time they should be under his orders, or otherwise you will have divided control.

156. *Colonel Pitt.*] Does the sergeant take your place when you are away, or the district clerk?—The district clerk is the senior sergeant here. I cannot put a junior sergeant over the senior.

157. *The Chairman.*] And does he do any other duty than clerk's duty?—No.

HUGH MULHOLLAND was examined on oath.

158. *The Chairman.*] When did you join the New Zealand Police Force?—I joined the Otago Police Force under Mr. Weldon, on the 2nd February, 1874. My registered number is 135.

159. You joined as a third-class constable?—There were only two classes when I joined—second and first. I joined as a second-class constable. Since that time I have been in charge of stations close on twenty-one years. It will be twenty-one years on the 1st November next since I got charge of the Winton Station. I was transferred from Milton to Cromwell on the 15th December, 1890.

160. Are you a married man?—Yes, with six of a family.

161. Were you married when you joined?—No; I got married in the Otago Police Force. In 1877 I was married first. I am now married a second time. I had charge of the Cromwell station from that date until I was transferred to St. Clair, on the 11th March of this year.

162. What is your present rank?—First-class constable.

163. When were you promoted to first-class?—When I was at Winton, somewhere about twenty years ago, on the 1st September, 1878—Mr. Weldon was Commissioner of the Otago Police at that time—for my exertions in discovering a fire when it was starting, thereby saving the insurance companies some £2,000 worth of property. Some short time ago, before Colonel Hume resigned the Commissionership, at the Cromwell Station I saw by the *Police Gazette* a great many of my comrades in the colony getting promoted. I made application to be promoted to the rank and pay of a sergeant. For the first time in my life I applied for promotion. In the ordinary course I got a reply to that application. I remember part of the reply, and the purport of it was, “You are such a number on the list of first-class constables; there is no sergeant required at present, and, even if there was, there is no reason why you should be promoted over your seniors.” A short time after that, on the 11th January, 1898, several first-class constables who were my juniors were promoted to sergeant's rank. I felt very much annoyed to see so many of my juniors getting promotion and no word about me, and I naturally came to the conclusion that there was no encouragement to do my duty. I never looked for political influence, and hence my humble position. That is my opinion, any way. The Police Regulations state that you must not look for political influence, and therefore I wanted to live in accordance with the regulations, and

did not look for political influence. But I have strong reasons to believe that many others, although it is against the regulations, did look for it and succeeded by it. I could have got political influence if I had looked for it the same as others.

164. How do you know you could have got it?—I have friends like other people; and if I had liked to make use of them I expect I could have got influence both in the House of Representatives and out of it. In fact, it is a common remark for people to say you cannot get on in the Force if you have not one or two Cabinet Ministers at your back.

165. Do you mean a common remark in the Force, or outside of the Force?—Outside the Force; and even amongst some of the constables you get a hint that you need not expect to get on without political influence. During the time I was stationed at Winton I was Clerk of the Resident Magistrate's Court, from the date it opened until I was transferred, about eleven or twelve years. I was Inspector of Slaughter-yards, forest-ranger, officer of Customs, Clerk of the Licensing Committee for a while, Registrar of Dogs for a part of Southland and the Borough of Winton for a while, and I was also bailiff. All these positions, so far as I know, I held to the satisfaction of the public and the Police Department. There was a little income attached to nearly the whole of these offices which I held at Winton, except the Customs.

166. What was the income?—I got £10 for being Clerk of Court; I got a commission on the dogs; I got £5 for being forest-ranger; I got £2 from the Borough Council for being Clerk of the Licensing Committee, and, I think, £2 from the County Council; and I got paid so much per head as Inspector of Slaughter-yards, and as bailiff I averaged in fees £20 a year at least. The slaughter-house would be worth about £10 or £15 per year to me.

167. What was the difference in your pay as first-class constable and that of sergeant?—When I was at Winton some of them were appointed only as acting sergeants, and got nothing extra, but when permanently appointed they got 6d. per day more than a first-class constable. I lost seriously by my transfer to Cromwell. The man I succeeded at Cromwell got 1s. per day goldfields allowance until he was transferred to Winton. I was sent there without any goldfields allowance, and, though I had several appointments outside the Police Department, I got very little for any one of them at Cromwell. I got nothing for Customs, or as Inspector of Factories. There was very little in the bailiff work at Cromwell, and very little as Inspector of Slaughter-yards. The bailiff-fees at Cromwell during the whole of 1897 only came to £6 5s., to the best of my recollection. In Cromwell, also, things are very dear, and, to give you one item simply, I had to pay 6d. per quart for milk in the winter.

168. Had you been promoted to sergeant, would you have gone to the charge of a station?—I would have gone where I was ordered.

169. *Colonel Pitt.*] Why do you think you ought to have been promoted to sergeant?—Because I have served now, on the 1st February last, twenty-four years in the service.

170. What is your age?—I am fifty-four. I joined the Force in 1863, so I am a pretty old policeman now. If I got promoted I was willing to go where I was sent, and I expected that the department would not keep a sergeant at Cromwell. I wanted to get away from Cromwell, and I thought it would be beneficial to me to get promoted, and to get a change, even to the streets. I will read you these promotions in the *Police Gazettes* of 3rd February, 1897, 5th January, 1898, and 16th February, 1898; and the names of sergeants in italics are those who are junior to me in the New Zealand Police Force:—

The following promotions will take effect as from the 1st January, 1898:—

First-class Constables to be Third-class Sergeants.

Wild, Frederick, No. 50.	<i>Mackenzie, John Campbell, No. 187.</i>	<i>Siddells, James, No. 231.</i>
Brennan, William, No. 59.	<i>Warring, William, No. 202.</i>	<i>Treanor, James, No. 128.</i>
Walker, William, No. 67.	<i>Scully, Patrick, No. 211.</i>	<i>Bowman, Patrick, No. 270.</i>
Stapleton, Richard, No. 85.	<i>King, Thomas, No. 244.</i>	<i>O'Donovan, John, No. 290.</i>
<i>Darby, Robert, No. 195.</i>	<i>Bourke, Thomas, No. 235.</i>	<i>Wright, Arthur Hobbins, No. 424.</i>
<i>Phair, William John, No. 209.</i>	<i>Murray, William, No. 88.</i>	

[NOTE.—All registered Nos. higher than mine (135) of first-class constables promoted in *Police Gazette* are junior to me. Not room here for all their names.—H. MULHOLLAND, Constable No. 135.—6/4/98.]

171. Was any reason given to you why you were not promoted?—No. I could not make out why junior first-class constables were promoted and no word about me. I began to think it was strange, and I also thought that if I am utterly useless I ought to be dismissed. Why should I have charge of a station for nearly twenty-one years if I am utterly useless? The station ought to be taken away from me. If I am not going to get any advance there is no encouragement for me to do my duty impartially to the public; and I put the thing down to the want of political influence to a great extent. I joined the Irish Constabulary on the 18th September, 1863, and I served to the 4th July, 1868, when I resigned.

172. Did you get any promotion in that Force?—No; they did not as a rule promote them there under five years' service. During my service in the Irish Force I was never reported, and was never censured. I served during the Fenian trouble in 1865 and 1867, in Ireland. Colonel Wood was our Inspector-General at that time, and the Imperial Government gave the Irish Constabulary, for their fidelity during the Fenian trouble, an increase of pay and praised them in both Houses of Parliament, and Colonel Wood recommended that the constabulary for their loyalty to the sovereign should be called the Royal Irish Constabulary, which was done. I want to show you that I served and helped to earn that title. Colonel Wood said he was proud to be placed at the head of such a body of men, thirteen thousand or fourteen thousand strong, and there was not one case of suspicion amongst them, whilst a great many of the soldiers went over to the Fenians.

173. Have you anything else to tell us about your New Zealand experience?—I was punished three times in New Zealand for very slight offences in the Otago Police days. It is on the records,

and the Commissioners know all about it, I suppose. I think the last time I was fined the head of the Police Department was in Wellington.

174. *The Chairman.*] You have no mark against you in your defaulter's sheet since when; was it before the amalgamation of the provinces?—I am not certain, but it is not far from twenty years. I might say they were very slight offences indeed, and for one of the times I was fined it was principally, I know, because I refused to go and dig in the Inspector's garden.

175. *Colonel Pitt.*] Have you any entries in your merit-sheet?—Yes. I understand Mr. Weldon promoted me from second-class to first-class constable for discovering a fire. I think I am badly treated. I never refused promotion, and never was asked about it.

176. *Mr. Tunbridge.*] Briefly, your complaint is that you have not been promoted to the rank of sergeant?—Yes, I think I have been overlooked.

177. You had experience in the Royal Irish Constabulary?—Yes, a little.

178. And you have had upwards of twenty years' experience in the New Zealand Force?—Yes.

179. Does not your experience tell you that, although a man may be a very good constable, he is not likely to make a very good sergeant in many cases?—Well, I do not know. I have not been tried, any way. If I am not fit for the business it should be taken from me.

180. For the past twenty years you have been stationed at Winton and Cromwell?—Yes.

181. Had you any men under you at Winton?—No.

182. At Cromwell?—Yes.

183. How many?—One man under me, for a short time only.

184. Up to the present you have never been in charge of men, except one man for a short time in Cromwell?—That is so, except in the Home country. The senior man was responsible for the work.

185. Up to the present you have been at a remote country station, practically the whole of your service?—In this country, yes.

186. Do you know Constable John Jeffreys?—No.

187. Do you know Constables Charles McDonald, Haddrell, or McGorman?—No.

188. Do you know Constable Nolan?—Yes. I have seen him since I came to Dunedin.

189. Is he a very good man, for all you know?—I know nothing against him.

190. Do you know Constables Coulahan, Cartmill, Smart, Stanley, Farmer, Wheelan, Hobson, or Joyce?—No.

191. Do you know Constable Pratt?—Yes.

192. Do you know Constables Bowden, Weatherley, or Mackay?—No.

193. I mentioned all these men as first-class constables, senior to you in the first-class rank; now, to carry out your idea, every one of these men has a similar complaint to yourself?—Yes. Well, if I do my duty as a constable I do not see why I should not do it as a sergeant. Perhaps they have more against them in their defaulters' sheets than I have.

194. You will admit that although a man may be a very good first-class constable he may not be a very good sergeant?—I never got a chance to try it, but I have known illiterate men made sergeants.

195. Do you think Inspector Pardy treats you fairly?—I have nothing against Inspector Pardy. I think he is a very just man, so far as I have seen him. I am not long under Inspector Pardy. I was under several Inspectors before him.

196. If Inspector Pardy did not think or did not recommend you for advance to the rank of sergeant you do not think it would be done because of any prejudice he has towards you?—I do not know that he is to blame—I cannot put the fault on any person, but I still think I have been unfairly treated.

197. You said, and you emphasized it, "I have come to the conclusion that there was no encouragement for me to do my duty"; and later you said, "It is utterly useless for me to do my duty"?—I said, "If I am utterly useless."

198. Then, you said there was no encouragement for you to do your duty?—I got disheartened—that is what I said.

199. Then, will you tell me why the Colony of New Zealand pays you £170 a year and gives you a free house, if that is not encouragement to do your duty?—I think I was unfairly treated. That is what I mean—that I have no encouragement to do my duty.

200. Do not you think the payment of £170 a year and a free house is encouragement to do some work?—I thought I was overlooked.

201. Then, you consider £170 a year and a free house is very little encouragement for a policeman to work and do his duty?—A lot of other men are getting more. I said to myself, If the department consider me utterly useless, why do they leave me so long in charge of a station.

202. Do you think you have justification in coming to the conclusion that the department considers you useless?—They would not keep me if they thought I was useless. I might have lost in profit by promotion from Winton, where I did not want promotion; but I applied for it at Cromwell because I could not lose anything by it there. I got very little "pickings" at Cromwell, as they are commonly called, and it cost me twice as much to live as it did down country. I would not have lost anything by getting promotion from Cromwell.

203. If you had remained in Winton, then, you would have been perfectly contented?—If the stripe had been given on trial I would have asked permission to refuse it.

204. And you would have preferred to remain at Winton?—Yes. Before I would have taken the stripe on trial I believe I would have preferred to remain at Winton.

205. Winton, taking it all round, is one of the most lucrative places in the Otago District?—It was pretty good when I was there.

206. How long were you at Winton?—A little over thirteen years.

207. Then you felt it was an injustice to you not to have been allowed to remain at a station—one of the very best stations in the province—for more than thirteen years? You thought it was an injustice to be removed, and to give another man an opportunity to get it?—Well, I was an old constable, hence I felt the injustice. If I had been changed to some other station down country I would not have thought I was badly treated, because I knew I was a long time at Winton, and I had a right to be changed after a certain number of years in the usual way; but if I had changed from Winton to some other place down country equally as good financially I would not have felt it.

208. Now, may I say, taking it roughly, that your payment and emoluments at Winton were equal to £250 a year?—It might be that. I could not say the exact amount.

209. And a free house?—Yes; in the police-station, of course.

210. If you had been removed to another station equally as good you never would have felt you had any cause to come before this Commission?—In all probability, if I had been removed to some place like Winton I would never have made a complaint before the Commission regarding promotion.

211. You held very many offices at Winton?—Yes.

212. Did these offices take up much of your time?—They all required a little time occasionally; but I had to work very hard occasionally to get through with the work. I remained in my office up to one o'clock in the morning to get through with important work.

213. What work?—To keep my books up to date.

214. Which books?—Police-books and Court-books.

215. How long did it take you to keep your police-books—probably half an hour a day to keep your police-books posted?—Well, it depended on the correspondence that was received. I had to copy circulars received into the circular-book, and district orders, and so on.

216. Would you get on an average one circular a month?—No; but there would be district orders to copy.

217. Would the district orders and circulars average one a month?—I cannot very well answer how many.

218. From your knowledge of police work?—Sometimes district orders come in pretty often.

219. Is it not a fact that probably you would go months without one to copy in?—It is probable I would go days and weeks without one.

220. Then, would the police books take more than half an hour to post up?—Some days they would take more.

221. Very little more?—I had a great deal of country work to do.

222. I want to get out from you if you were working very long hours in posting up your books, or in work consequent on the outside offices you held, and not the police work?—Some of it was.

223. The greater part of it?—Yes.

224. You had a very wide district at Winton?—Yes; pretty large.

225. A district which was all the better if it saw more of you?—That is a difficult question to answer; but I do not know they lost anything by not seeing me oftener.

226. What I mean to say is that, if you had been able to devote the whole of your time to police work instead of to these outside offices, you would have been able to get round your district much oftener than you did?—There is no doubt about that.

227. Can I take it, then, that the outside offices held by the police officers does act prejudicially to the Police Force?—When they have a great many offices they cannot attend to everything correctly.

228. And the first one to be neglected is police work?—I never neglected police work.

229. You cannot neglect your Clerk-of-Court work—that must be done?—No; the police work was to be done first. That was my order.

230. And you neglected your duties as Clerk of Court?—If I was not able to serve civil summonses within the proper time they had to lie over.

231. I asked you about your work as Clerk of Court?—When I would come in, at 7 and 8 o'clock at night, people would often be waiting for witnesses' subpoenas, and I used to go and issue them at once to oblige the people before I had my tea, because I had been away in the country all day, and they could not get me sooner. I gave them at all hours.

232. Did not your other offices very materially interfere with your police work?—If any crime was committed and required my attention as a constable I attended to the-crime first, and allowed the other work to stand over.

233. Suppose the Court was sitting?—If the Court was sitting I had to attend the Court.

234. And the crime would have to wait?—I do not know that anything was ever reported that required my immediate attention on Court days.

235. *The Chairman.*] How often did the Court sit?—Monthly, at Winton.

236. *Mr. Tunbridge.*] You were speaking about your defaulter's sheet. Will you refer to it?—It is as follows: "28th March, 1875: Neglect of duty in failing to render assistance to one William Lindsay, of Winton, who reported to the constable that some men were disturbing his household, and requested him (the constable) to visit the place; complaint not proven. 10th September, 1875: Disobedience of orders, viz., riding troop-horse Jack at too fast a pace, having been previously cautioned not to do so; fined one day's pay. 18th December, 1876: Wilful disobedience of orders in not proceeding to Lawrence by first train from Dunedin; fined one day's pay, and severely reprimanded."

237. You think that Mr. Pardy would be an impartial judge of your qualifications?—Well, I think Inspector Pardy has treated me fairly and justly since I came under him, and I look upon him as a just man, but I am not prepared to say he has kept promotion from me.

238. Then, if Mr. Pardy, when he was asked to recommend certain constables in his district, did not recommend you, you think he would do it honestly? You have no reason to think he did not act honestly?—Well, I think he should have recommended me.

239. You do not think that Inspector Pardy was actuated by any prejudice?—I make no charge against Inspector Pardy. I do not know whether he recommended me or not, but if he did not I think he should have done so.

240. *Colonel Hume.*] Would you be good enough to say who told you that you could not get on in the Force unless you have a couple of Cabinet Ministers at your back?—I cannot say who told me. It used to be remarked in conversation about the streets of Cromwell.

241. Is Cromwell a big place?—No.

242. Any very crowded streets?—No.

243. And yet you cannot remember who told you such a startling piece of news as that?—I do not remember, but I know it has been said by some of the people.

244. More than once?—It has been said once, any way.

245. Just tax your memory again and let us know who said it?—I cannot remember now who said it.

246. You are perfectly certain you cannot remember who said it?—No.

247. Are you perfectly certain anybody ever did say it?—I am satisfied it was said or I would not give it in my evidence. I was talking to many people both night and day, but I cannot remember who said it.

248. You have never stooped to any political influence?—No.

249. You would not do such a thing?—Never to my knowledge. I do not know whether anybody else looked for me. I never asked any one.

250. You entered the New Zealand service at the beginning of 1874?—Yes.

251. You got a station in 1877?—I went to Winton about the 1st November, 1877. I was transferred from Balclutha to it.

252. And then you got your advance to first-class, when?—In September, 1878, a year after I went to Winton.

253. When, without even one Minister at your back apparently, or any political influence of any shade or description you got your promotion in fairly due course, and you got charge of a sort of paradise?—I got very little promotion.

254. Then, without the slightest political influence of any sort you got your promotion, and you got what appears from your description to be one of the best stations in New Zealand?—Yes, Winton was a very good station. It was not promotion for me to be sent to the goldfields without the goldfields allowance.

255. Well, then, you got into what you consider to be one of the best stations in New Zealand, and were allowed to stay there thirteen years?—A little more.

256. And no political influence was brought to bear to allow you to stay there?—No. But some of my juniors had just as good stations, and these men got promoted over me. Lumsden is just as good a station.

257. Had you been allowed to stop at Winton for the rest of your natural life you would not have complained?—I would not have applied to take a stripe on trial at Winton because I knew a sergeant would not be kept there. If I was paid for the stripe, and paid lodging-allowance, I would not mind taking it, even at Winton.

258. You have seen a good deal of police service: do you think there ought to be periodical transfers of constables?—I think there should be.

259. When do you think a man should be removed—thirteen years is too soon—what is your idea of when he should be removed?—I think no man should be left more than ten years at the most at one station. I understand what shifting means. There is a great deal of trouble and expense attached to it. I know all about it. I had to call an auction sale at Cromwell, and had to part with my furniture for nearly nothing.

260. Then, in your idea, ten years should be the time a man should be allowed to remain in charge of a station?—I think so, in my opinion.

261. Then, you were shifted from Winton to Cromwell?—Unfortunately, I was.

262. Now, did you understand when you entered the Force that you were to have your choice of stations?—I understood distinctly I had no choice of stations. That is the reason I obeyed orders; and I may tell you a gentleman in Southland asked me, "Do you want to go to Cromwell?" I said, "Inspector Hickson was the best judge as to whether I ought to go or not." He said, "I have influence; if you want to go, or if you do not want to go, say so." I thought it was better than it turned out to be.

263. Can you remember the gentleman's name?—Mr. Roche, of Invercargill.

264. Now, you are at St. Clair?—Yes.

265. What sort of a station is that?—It is a good house, apparently, but I cannot say much about it because I am a short time there.

266. Is the duty very hard?—Not, so far.

267. Now, is not St. Clair one of the best stations we have got?—It seems to be a healthy place by the sea.

268. A good house?—Yes.

269. And very little duty?—I have not complained about the house, and St. Clair, so far.

270. In fact, a good many constables would like to be there?—I cannot say.

271. How many Ministers at your back to get to St. Clair?—None, so far as I know. I asked none.

272. Then, altogether, you seem to have had a very fortunate career, barring this Cromwell business, with no political influence whatsoever?—No; I think I have been overlooked in promotion of sergeants. Some of my comrades with equally as good stations as mine have been promoted over my head.

273. But you did not do your ten years in Cromwell?—No.

274. Are there no perquisites at St. Clair?—None, so far as I know; but living is a little cheaper than at Cromwell.

275. *Mr. Tunbridge.*] You applied to me to be sent near to Dunedin for the benefit of your children?—Yes.

276. And did I accede to your request?—Yes.

277. That will show we have no prejudice towards you?—I did not accuse any one of having a prejudice against me.

278. *Colonel Pitt.*] Would you sooner have remained at Winton or have been made a sergeant and removed from there?—I would rather have remained at Winton, than take the stripes on trial as they used to be given.

279. Would you take a sergeant's rank?—I would have taken it when I was at Winton—namely, with sergeant's pay and lodging-allowance, because I knew I had to commence somewhere if I wanted to get on.

280. *Mr. Taylor.*] You say you were asked to dig the Inspector's garden some years ago in Dunedin?—No, it was at Lawrence, under Inspector Thompson.

281. You were told to dig his garden?—I was asked by Sergeant Titchener, who is now dead. He came in with a smile, and said, "We are all to dig in the Inspector's garden to-day."

282. Did you dig it?—No, I did not. I knew I could not be forced by the regulations, and I said, No; and soon after that I got fined for changing the saddle on a horse.

283. Did some of the other men go in?—Yes, some of them did, and they did not get fined.

284. You mentioned the name of a man named Roche, at Invercargill, who offered to get political influence for you?—Yes.

285. What was he?—A storekeeper.

286. What reason had you to think that he meant political influence?—Well, I suspected he did.

287. Was he a politician?—He has been mayor of Invercargill, and he was a Justice of the Peace. He is a very respectable man.

FREDERICK MALLARD examined on oath.

228. *The Chairman.*] You held at one time the office of Inspector of Police?—I was Inspector in charge of the Dunedin district for seven or eight years. Of course, I have to tax my memory a little, as it was seventeen or eighteen years ago since I left the service. I was eighteen years in the Otago police altogether. I came down here from Victoria in the beginning of 1863. Mr. Branigan sent for me. Then, I think, I was seven years in Port Chalmers; then I had charge of the Tokomairiro district; and then I had charge of the Tuapeka district; and then I was transferred down to Dunedin, in 1871, and I left in the year 1880.

289. Will you kindly give us the benefit of your experience that you acquired during these years?—Of course, I wish to say at the outset that I have no feeling in any way. I am an old police-officer, and therefore in anything I may say my sympathies are absolutely with the Force. I know what we have all had to contend with. I see I have got down here in my note "First, police organization." May I frankly and openly give my opinion? I may say this, that after a large number of years—twenty-two years' police experience, and studying the matter carefully, and having had a desire to be ambitious enough to command the Force, I say at the outset a man may be an excellent police-officer and yet be incapable of organizing. Captain McMahon, of Victoria, organized a splendid Police Force there, and he had never done a day's police work in his life. But he was a trained disciplinarian, and he put that service into splendid shape. I may now assume for the nonce that I was organizing a Police Force. I should call my Inspectors around me, and I should implicitly make these men understand that I held them in the first instance responsible for the order and good government in their respective districts, that they must be responsible through me. I will guide and direct, but they must accept responsibility. Once having done that, the Inspectors, of course, would retire to their respective districts conscious of their responsibility. They would then be supplied with a certain number of sergeants and constables to carry out their respective duties. That having been done, the Inspector would then become a little Commissioner, as it were, in his own district. I may say that the Commissioner in my opinion should be a man of firm determination of character, a strict disciplinarian, and thoroughly impartial, and the men should know him intimately. Then the Inspectors, of course, would take their cue from the Commissioner; the sergeants again would take their cue from the Inspectors, and the constables would take their cue from the sergeants. Now, I hold that the sergeants are the mainstay of the Police Force, and upon them depends greatly the satisfactory working of the service. The Inspector should be a man equal to the occasion, or he should not aspire to be one. He should, in my opinion, live at that time just the same as if he were living in a glass-house with everybody's hand against him. Needless to say his qualifications should be equal to the work he has to perform, and they are multitudinous, as every one knows. In my opinion, if a man aspires to the office he should be competent to do the work. If he is not competent, of course he will have to be removed, or should be. I speak with some authority on this matter, because the late Mr. Weldon and myself found ourselves one night without any police at all in the city. Mark you, that was the year of the public-works policy, and they all struck, so two or three of us had to work night and day. Of course, Sergeant-major Bevin and two or three others stuck to us, and we had to organize the Force; so I have had some experience. They sent some of the Armed Constabulary down. That was in the year 1871 or 1872. However, we organized upon that basis. Of course, that will come under the head of promotions. Once a man is promoted to the rank of sergeant, then, of course, that man is a rising unit until he gets up perhaps to be an Inspector, or something of that kind. Well, I suppose recruiting would come under the head of "organization." Now, my experience has been this: that the best men we ever

had were taken from the plough-tail—that is, men we trained ourselves, and were men from the agricultural classes. These men, in my opinion, should not exceed twenty-five years of age at the outside. I defy you to break a man into discipline after twenty-two. I have been brought up in the navy, and I have been schooled in discipline, as it were, since I was ten years of age. Well, then, of course I am not going into the question of training, and a depot, and all that sort of thing.

290. How would you train them?—I would have them put in a central depot, as in Wellington, and I should take them on on probation, not as constables—that is absurd—but on probation for three or six months, to see whether their adaptability is such as to make constables of them. During the time they were in the depot, of course, I would have them drilled, and teach them, above all, to keep themselves clean, and strict and so forth in their work, and I would have them further, if possible, nearly all natives of New Zealand. I would give them the best chance. I would have a Board, consisting of the Commissioner, the head of the department, and probably some other gentleman—Colonel Hume, or some one from the gaol. Well, then, after a time they could have a look at these men, and have a talk with them, and see if they knew everything about their work, and then they should select the best men as permanent constables, and the other ones should go about their business. Then, of course, they would be drafted in the ordinary way to districts to do their ordinary police duty. Well, now, as to the general organization, distribution, and control of the Force: For the control I should say a Board—decidedly a Board.

291. *Colonel Pitt.*] Do you mean the general control of the department?—No, but I would have no objection that dismissals and serious breaches of discipline should be referred to the Board.

292. What about the Commissioner, then?—The men may not have sufficient confidence in one man. Of course, I would not deprive a man of the right to petition. I would not take Ministerial control away from the Force. Of course, the Commissioner must report to the Ministerial head of the department from time to time, and of course all recommendations for promotions, I suppose, would be submitted to the Minister for his sanction.

293. And would you make decisions of the Board subject to Ministerial control?—I certainly would. I would not let a Board be absolute. The Minister should have the control. Of course, I am assuming that the absolute primary essential of an organized Police Force is to keep it free from political influence, which, of course, has been its ruin. When I say ruin, everybody wires to members of Parliament and to Ministers on one thing and another. Now, at this point I should like to say this, that from what I have seen of Colonel Hume, and from what I know of Colonel Hume, he is an excellent organizer. He has been in the past, generally. When he came out here our gaols were in a terrible mess, but he licked them into shape any way. When he took charge of the police he had a difficult duty before him, the same as Mr. Tunbridge has to face. It is not at all a bed of roses, and if Colonel Hume had been left alone I do not think he would have got into this mess. Of course, you must understand that I am speaking now as an out-and-out disciplinarian.

294. Can you give us any reason for thinking that political influence has been detrimental to the police?—My reason is this: it has been operating ever since the General Government took over charge of the provinces, and it has become intensified of late. Of course, I cannot go about with my eyes shut or with plugs in my ears; not only constables but sergeants, in many instances, have gone over the heads of their superiors and bring about this bane that any disciplinarian detests—this political influence is brought to bear, and then the executive officer becomes a mere nonentity. Of course, I would never refuse any man the right to appeal from one tribunal to another, and, of course, that has been the trouble. I say again that Colonel Hume is a capital organizer, but then these confounded politics came in and ruined everything.

295. Can you give us any instances that have come under your knowledge, on which you have founded this opinion of men going over the heads of their seniors?—You see, I cannot give you this. I presume from the position I have held, and the position I have subsequently held, managing an insurance company, that I am not colouring. I am not in the habit of colouring. I am a mathematician, and I state what is fair.

296. You are not prepared to give us facts on which you founded this opinion?—How can I give you the facts?

297. *Colonel Pitt.*] You said if Colonel Hume had been left alone things probably would have been different: left alone by whom?—What I saw in the papers, when Colonel Hume was under examination in Wellington. I read that men were recommended for promotion to the Minister. Colonel Hume could not go over the head of the Minister.

298. Did you infer, then, that if he had been left alone by the Minister?—I inferred that if Colonel Hume had been left alone by the Minister, or by the Cabinet. I say this thing has been going on for years and years, ever since I left the service. In point of fact, I had to leave the service through political influence. Juniors were kept.

299. Then, you said you would not take away Ministerial influence?—Certainly not. Any civilian who has any sense would not go behind his executive officers in controlling the Force. I say again, Colonel Hume has simply been made the scapegoat of this Commission. The point is this: Colonel Hume has to answer for the sins of others.

300. Do you make a distinction between political influence and Ministerial control?—Well, of course, you see, the Minister of the day has to do almost absolutely what his party wants him to do. It does not matter which side of politics are in; politics is just a game, like the beautiful “ins and outs,” and you want the Police Force to be run on the “ins and outs.” And that is what has been ruining the Force.

301. Then, you say political influence is brought to bear on the Minister?—I assume it was, from what I hear.

302. *The Chairman.*] Then, with regard to promotion, what would you suggest to us?—Now, you come to a very serious point. Of course, I assume you are not going to admit a man into the Police Force unless he can write a decent hand.

303. We will assume he passes the national standard?—Quite so. If men aspire to the rank of sergeant, they should pass something like a decent examination. A set of questions should be formulated by the Commissioner, or Board, if they have a Board sitting with the Commissioner. I would examine him in the ordinary police law, and as regards controlling the men. Of course, no man can command others unless he has been a commander of himself.

304. In regard to the classes: what is your idea as to the existence of classes?—I have not given that any thought. I have been seventeen years out of the Force, and I would rather not give any answer. However, I would have first, second, and third classes. In Victoria we used to call the men with one stripe senior constables. I would not do away with that.

305. Now, with regard to constables: would you have the various classes of constables, and make their pay according to their class, or according to their years of service?—I think I should make their pay according to their length of service, provided they behaved themselves. That is, however, a matter of detail once you get your men licked into shape.

306. We have to inquire as to whether their pay should be according to class, or according to length of service?—We used to pay them according to length of service.

307. Then, you had only one class of constable?—We paid them after so many years. We had a long-service pay.

308. You are not, perhaps, prepared to express an opinion on that?—I would rather not. I should like to say that, when the names are submitted, I think, other things being equal, certainly, that seniority should count. Some men would never make sergeants, just the same as some sergeants would never make officers, and yet they all think they are competent to do it. Then, of course, we come to the promotions from sergeant's rank to Inspector. Well, then, again, with all due deference, I think the sergeants should undergo some kind of examination before they are appointed Inspectors. You see, of course, that Inspectors have terrible responsibilities. I many a time almost shudder at the responsibility an Inspector has got with the thousands of temptations open to him. Then, again, in this case I also think, other things being equal, seniority should weigh somewhat for promotions to Inspector's rank. Here you are faced again with this question. I have had fellows who were capital sergeants, but I certainly should not have recommended them to be made officers. Then they kicked up a row, and that is where the trouble comes in.

309. This personal fitness is an element which should be taken into account in promotion?—Yes; personal fitness, coupled with seniority. Now, I hold that once a man is an Inspector he should always consider himself on duty, and that quarters should be provided for him adjacent to the police-station. I am speaking of myself now, and am looking back at my career. I had quarters at the station, and my standing orders were, "Call me half a dozen times, but keep things right." The public always want to jump on you, and you have to be continually watching. If you go to Canterbury, you will find that Mr. Shearman made good provision for police quarters. A house should be built for the Inspector near the station, and, in order to make his duties as light as possible, he should have a month or a couple of months' leave during the year, and there should be an extra supernumerary officer in Wellington, under the immediate eye of the Commissioner, and let that officer be a relieving officer to go round all the districts. Then the Commissioner himself would be in touch, through this confidential subordinate officer, and would know all that was going on in the districts, and the Inspectors themselves could get their month or six weeks' leave or whatever it was. I would, further, have two first-class sergeants in every centre in New Zealand. Of course, you must bear in mind that my experience is of Otago, and when Mr. Weldon had charge of the Middle Island; and when he was away, I had charge of the Middle Island too. I would have two first-class sergeants in each centre, independent of what is called the ordinary section sergeant. I would have a first-class sergeant to go on at 9 o'clock in the morning, and to remain on till 9 at night. Then, independent of the ordinary sectional sergeant, I would have a first-class sergeant to go on duty at 9 at night, and to be available for any call that may be made by the general public or any one else, and responsible for the prisoners, and to go out occasionally and inspect the night-duty sections. Of course, a night-duty sergeant, or any man who has done eight hours duty, has quite enough to do, if he makes his three or four visits through the night to his men. Of course, here again I will have to interject, and say, Of course, the country will have to pay for it. Now, I will explain why I want these sergeants. As I said before, I am a disciplinarian. The police are only human, but they are only human to the extent that every other member of the community is human; and of all the things in the world never educate your police to be censors of morality. Every one knows that police government in any shape is atrocious, but I like police work when it is carried out properly. The reason for a second sergeant at night is this: A constable may bring a charge into the station, and the watchkeeper is only a constable the same as himself. He does not like to refuse the charge, and he has some doubts as to whether the charge is a proper one to enter. Then, there should be this sergeant to appeal to. In just the same way, if the sergeant in charge of the night-duty section should unfortunately find one of his men has taken a little more than he should have taken—and mark you, I would not punish a man too much for that, because some of the best men in the service take a glass of grog occasionally—that sergeant should take the man to some one superior to himself, and not to a constable. That is why I should like to see a sergeant take charge at night as a superior officer. Now, there is one thing I should like to impress on the Commission, and that is the absolute necessity for Inspectors especially,—and I dwell on the Inspectors because they are the real men who must work their districts properly,—and all members of the Force, cultivating judicial minds, with educated discretion; and, further, when enforcing the law and maintaining discipline throughout the service, to show no signs of partisanship. Some Inspectors in the past have shown partisanship, and that is one of the main things, of course, that you have to guard against. I will tell you what I did when I came down from the country. I had been stationed up country for some time, and I took charge here. Well, I took charge, and for two or three nights I went on night duty myself. Now, I said, "I am going to work this beat with you for two or three

hours," and then I worked the beat to see how the constable did his work, and to see that he was competent to work his beat. I do not know that I would ask the members of the Commission to put in a whole night on street duty. Now, I am coming to compulsory retirement. Compulsory retirement, of course, is a very sore point, but I also want to see promotion for the young fellows. There was never a man born yet but that you could get his equal. Now, I would certainly have compulsory retirement of officers at sixty or sixty-five years of age at the outside. That would give an opportunity of promotion to the rank of Inspector; and I would have sergeants and constables retire at sixty certainly. That would give promotions again by keeping the ranks open. I suppose now—I really do not know the ages—but you must have men in your service nearly eighty. I would certainly insist on compulsory retirement. I know it is a very sore point. Now, the next thing I have got on my notes is "Reasons for the present disorganization." Well, I have already alluded to that before; and I can only repeat that, from what I have seen of Colonel Hume, had he been left alone the thing would have gone on all right. Now, with regard to pensions, no man is more desirous of seeing the police getting a pension than I am; but if you sit round this table and formulate a scheme you will find you cannot formulate a scheme without going to Parliament for the money, and Parliament is dead against pensions. Then, once you introduce pensions to the police, what will Colonel Hume's men say in the gaols? I say that the dreary work in the gaols of watching is worse than police work. I have done gaol work myself, and I know what it is. Then, the gaols will want a pension, and Parliament will say you shall not have it. In New South Wales at the present time they will soon have to face a very great difficulty; their pension fund is running short, and they cannot keep it up without going to Parliament, and I am very anxious to see how they will get on. I do not see how you are going to give a pension.

310. Would you recommend them to pay for their own pension by a deduction from their salary?—That is the only way I can see; but you will find the country is dead against pensions. We should all like them.

311. *Colonel Pitt.*] About the appointment of Sub-Inspectors—are you in favour of having Sub-Inspectors in the districts as well as Inspectors?—I do not think you want them. It would be too expensive. It is the expense to an extent that influences me, though the districts are very large. Still, you have got a first-class sergeant.

312. How long would you leave an Inspector in charge of a district before you transferred him to another?—Now, I do not think I am a great advocate for removing men unless there is an absolute necessity for it. The Inspector, of course, must be the judge, and he must report to his commanding officer, the Commissioner; but some men are absolutely unfitted for one station and capably fitted for another. I think Inspectors should be shifted quicker and oftener than sergeants and constables, for this reason: they would each then get a grip of the duty of the colony.

313. How long would you leave a man in one district?—Only five years. I think that is quite long enough. It is impossible to lay down a general rule so far as the men are concerned. In reference to the Detective Department, I do not approve of your having chief detectives. I think they should be detective sergeants, and then they would be liable for promotion to the rank of Inspector, and absolutely—mark you—under the control of the Inspector. The chief detective assumes that he is more than the first-class sergeant. Of course, when a man gets into plain clothes all he has to do is to hold his tongue. One of the first questions I used to ask a man when he applied to be a detective was, could he hold his tongue. A detective must know how to hold his tongue.

SATURDAY, 19TH MARCH, 1898.

WILLIAM STONE PARDY: Examination on oath continued.

Inspector Pardy: I wish, Sir, to refer to a portion of my evidence. As reported in last night's *Dunedin Star*, I see it conveys a meaning which I never intended it should, and as it appears it makes me do a great wrong to a respectable body of men—the detectives—the way my evidence reads; it says they are a bad lot.

1. *Colonel Pitt.*—You said that in Taranaki they were a bad lot?—I said I would not have a detective in Taranaki, because they were a bad lot. There I stopped. I was going to mention the names of certain members of the Detective Force; but I left it at that, and went on to speak about something else.

2. You said, "I would not have a detective when I was in Taranaki, because they were such a queer lot"?—I referred then to certain members, not to the whole body. I referred to a few men. Of course the detectives would feel very much aggrieved, and justly so, if it remained as it is. The "queer lot" I referred to consisted of about three members of the Detective Force.

3. Were they members of the Detective Force then?—Yes, at that time. That referred to three members only, and I was afraid I would have one of them sent to me. As regards the general body of detectives—of course those men I referred to are now out of the Force, fortunately—they are an honest respectable body of men. As regards my own detectives in this district, they are efficient, honest, and energetic men, and I have the highest respect for them. Being in daily contact with them, I have every opportunity of judging. In regard to Constable Aitcheson's fine being remitted, I saw an account of it in the Press. I was the Inspector who inflicted the fine. Shortly before I inflicted this fine Constable Aitcheson had been guilty of a similar offence.

4. *The Chairman.*] What was it?—On the first occasion I cautioned him, and told him if he committed the offence again I should have to fine him. That offence I did not enter in the defaulter's sheet. I was not unduly severe on the man. They were not aware in Wellington of the

first offence, as it was not entered in the defaulter's sheet. On each occasion it was a wilful offence, and it was not through any mistake. It would appear from the report in the papers that I had acted tyrannically, whereas I did not. I have never acted tyrannically towards any of my men. I have always treated them with the greatest kindness.

5. *Mr. Taylor.*] I understood you to say yesterday that there were no legal brothels in Dunedin?—Not to my knowledge. If there was one, I should soon take action.

6. What is the limit of your power with regard to interfering with children, young people?—As to children under fifteen, if we find them uncared for, no one to look after them, or if we find them living with drunkards—that is, common drunkards, not drunken parents, but persons who are common drunkards, persons guilty of habitual drunkenness—or people of loose morals, otherwise prostitutes, or thieves—in these cases it is the duty of the police to bring the children before the Stipendiary Magistrate, and request him to commit them to an industrial school.

7. Can you interfere with children over fifteen?—Only as vagrants, if they have no visible means of support, and that is where the great difficulty of the police comes in.

8. If you found them soliciting prostitution you could interfere, of course?—Well, I should certainly do it. If they were known, I should not arrest but summons them. Except for serious offences, and especially young people, we do not arrest them if we can reach them by summons.

9. What is the duty of your police-officers and your detective officers in regard to houses of ill-fame?—It is their duty to keep them under surveillance, and if anything arises in the nature of an offence, it is their duty to promptly report it to me.

10. Do you keep a record of the locality of these houses?—Well, no, because they are so continually shifted about; but I have a list made out every year as to the number of known prostitutes.

11. Have you a female searcher at the station?—Yes.

12. What are her duties?—Her duties are to search all female prisoners brought in.

13. How many female prisoners do you think in the year pass through your station?—Not a great number of cases. We proceed by summons where we possibly can.

14. How many do you think—are there fifty?—I dare say there would. A great number of them would be over and over again. It would not be fifty separate people.

15. I suppose you could get a record as to how many people she searches in the year?—Yes.

16. Before this woman was appointed, female prisoners were searched by one of the officers?—Oh, no.

17. Whom were they searched by?—A woman was hired specially. She was paid 5s. for searching each individual prisoner.

18. Did one woman perform the duty right along?—Occasionally we had to call in another. Perhaps the one woman would not be available.

19. None of the constables' wives live on the police premises?—No.

20. What are her other duties in addition to being female searcher?—She has to take entire charge of all female prisoners who are brought in. She searches them and locks them up, and she keeps the keys unless she is going away. That is, of course, very seldom—perhaps a short time of an evening. She then, of course, leaves the keys with the lockup keeper in case of any accident happening to the prisoner; but it is very little she is away.

21. Does she live on the premises?—Oh, yes. She has got a furnished room to herself.

22. Any family?—One little girl about ten or twelve.

23. What other duties has she?—She is Inspector under the Infant Life Protection Act.

24. Are there not two children younger than the ones referred to at Mrs. Desarthe's—two children, six or seven years of age, not her own children?—No; not to my knowledge.

25. Have you the report that was produced yesterday?—I see in this report she has two children, five and six years old—A. W. Desarthe and D. M. Desarthe.

26. These children would not be reported upon by your Inspector?—No.

27. Have not the two girls referred to been before the Court?—I do not think it. I have no recollection of it. On the 13th November I gave instructions to the chief detective to this effect: "Please have this house, also the girls, kept under surveillance so as to see how they get their living."

28. If a constable was possessed of knowledge that prostitutes to the number of four and five were frequenting a certain house, would it be his duty to report it to you?—Certainly. It would be his duty to report it to me, and it would be my duty to prosecute under the Police Offences Act.

29. Do you remember a prosecution that took place very soon after you came here—the first prosecution under the Criminal Code Act?—Yes.

30. What was the person's name?—I forget her name.

31. Sheary?—Sheary was the name of her hanger-on.

32. Did you have a report on that house by any of your officers?—I must have had reports, because I prosecuted.

33. Can you remember whether that particular house was referred to as being a brothel of a respectable class?—No. I could not say that.

34. In connection with the return just produced of offences in the Clutha?—It is Exhibit No. 25 I suppose you refer to—a return of all crimes in the Clutha district from the 1st January, 1890, to the 31st December, 1893; and Exhibit No. 24, showing all crimes in the Clutha district from the 1st January, 1894, to the 31st December, 1897.

35. In connection with that return, No. 24: licenses were in force six months of that period were they not?—Yes.

36. *Colonel Pitt*: Which period?—The second period.

37. *Mr. Taylor*: These returns show a considerable falling-off in the total number of arrests in the latter period?—In the first period there were 347 for the three years, and in the second

period the total was 238. That gives a reduction of 109. In the first period the licenses were in force the whole time, and for six months of the second period.

38. I understand you to say you had no reports as to the existence of any tote-shops in Dunedin from your men?—No, I have not.

39. You do not know of any?—I do not.

40. If there were any to your knowledge you would have prosecuted?—Oh, certainly.

41. You discovered the one in which you prosecuted a short time ago yourself?—Yes.

JOHN ANDREW MILLAR, M.H.R., examined on oath.

Mr. J. A. Millar : I do not desire to take up the time of the Commission, nor would I have appeared before it were it not for a report of the proceedings of the Commission which appeared in the *Otago Daily Times* of Friday, 18th March, giving the evidence of Inspector Pardy. I propose to quote the extracts I wish to refer to. The first is as follows :—

The great cause of discontent in the Force was the continuous political interference of members of Parliament. If they would let the Force alone, and leave officers to conduct it, he thought there would be very little cause of complaint.

This is the first statement made. Then, further on in his evidence he says, in reply to Colonel Pitt :—

Political influence affecting the Force had existed to a large extent, but recently he had not seen so much of it. Men had thrown it in his face that they could overrule him and the Commissioner too.

Then, further on, in reply to Mr. Taylor, he says :—

Mr. Taylor.] When was there less political influence?—Under Captain Russell there was little political influence exerted.

Then, it must have got worse since his retirement?—There is no question about that ; it has been worse.

During the last six months it has been dying out?—Well, I have not seen so many signs of it. When an order has been given it has been obeyed. Naturally enough, men will be insubordinate when they know there is a power behind the throne. If men know they can get a member of Parliament to oppose anything an Inspector or Commissioner suggests, naturally they will do it. That has been done repeatedly, and I cannot help saying it.

I say that this statement, so far as I am concerned, is absolutely incorrect—that I never interfered in the case of a single individual member of the Police Force with the exception of Constable Mayne. As to that constable, I went to Inspector Hume, or wrote to him, and asked that, after twenty years' service in the Force the man desired to be put on plain-clothes duty, to see whether he was fit for a detective. I put the case before Colonel Hume, and asked him—seeing the man considered he had a grievance, and I thought myself he had a grievance from the evidence I had before me—I asked him if it was not possible to put him on as a plain-clothes constable. I had nothing to do with putting him on as Court orderly, and I have never interfered with any individual policeman with that exception since I have been a member for the district. I have on two occasions interviewed the Commissioner about matters affecting the Force as a whole : once as to promotion. I considered promotion had been very unfair, and I quoted several cases of men who had been twelve and thirteen years in the Force, and who were still third-class constables. The Commissioner, Colonel Hume, who is present, can bear me out in that. Another complaint was a habit which had grown up amongst Inspectors, where men committed an offence—say, if a man had been only half an hour out of barracks beyond the proper time at night, and reprimanded by the Inspector for being absent—the Inspector would say, “Do not let this happen again.” Naturally the man would think it was all over ; and, judge of his surprise, six or seven years after, when applying for promotion or transfer, to find this item on the defaulter's sheet that the man never knew existed. I brought this also under the attention of Colonel Hume, with the result that a circular was immediately issued to every Inspector notifying him that when an entry was made in a man's defaulter's sheet that entry had to be read to him immediately. With those two exceptions I have never interfered with the Force, and, so far as individuals are concerned, with the exception of applying to the Commissioner in the case of Mayne to put him on plain-clothes duty, I have never exercised one iota of influence to the best of my knowledge and belief in any shape or form. You can see, on a statement like this going out broadcast, the natural inference, and the inference which has been made by people in Dunedin, is that organization of the Police Force is completely broken up through this political interference which Inspector Pardy has stated existed. I think he ought to weigh his words carefully. I have been five years in Dunedin, and the Inspector seven years, and I say, so far as I am concerned, these are the only cases in which I have made representations with regard to the Police Force. If the Inspector can show to the Commission that I have interfered in any shape or form otherwise I ask him to do it, or else clear me of this imputation. The reason why it narrows down to ourselves is this : he says distinctly here that during the last six months this political influence has not existed to the same extent, and the reason for coming to that conclusion, according to this evidence, is because the men have obeyed instructions. The only inference to be taken from this is that prior to the last six months the men have not obeyed instructions, owing to this political influence or interference ; and that is the impression that is going abroad, and it puts members in a false position, and especially myself.

42. *The Chairman.*] So far as you are concerned, you have not used your political influence for the purpose of promoting any individual member of the Force, except in the case of Mayne, whom you wish to be given a trial in plain clothes?—That is the only case. Colonel Hume is present, and he can state whether that is so or not. To the best of my knowledge and belief, that is the only thing so far as any individual member of the Police Force is concerned. And then there are the other two matters, affecting the Force as a whole.

43. *Inspector Pardy.*] Are you aware—of course, I do not suppose you are—that I have felt political influence interfering with my men outside of Otago ; that is, influence brought to bear through men applying to their friends to work political influence—are you aware that I have felt that influence more so from members outside the Otago District than from members of this district?—I am not

aware of that. I am only speaking in regard to myself. I am one of those who are under this accusation of having assisted to disorganize the Police Force through political influence.

44. Are you aware that in giving that evidence I scarcely had you in my mind?—No, I am not.

45. The men in my district come from different parts of the colony, and are you not aware that if they had political influence they would exert it from the place where they came from—through their relatives and friends?—Of course I cannot say.

46. Are you aware that I myself have never put a charge in a defaulter's sheet against a constable without first acquainting him with the fact that I was going to do it?—I am not aware of that. When I brought this under the attention of Colonel Hume—the time could be easily fixed too by that fact—within a week or so of my having brought it under his notice he told me a circular was issued giving instructions to that effect.

47. *Colonel Hume.*] Your object in speaking to me, and writing about Constable Mayne, was that you thought he had not been very well treated, was it not?—Yes.

48. In fact, you thought that either I or somebody else in authority had a bit of a "down" on him?—I did. I thought the man had not received justice for the time he had been there, and therefore I deemed it my duty as his representative to bring it under your notice.

49. *Mr. Taylor.*] Did you look at Mayne's papers at all?—I had a pretty general knowledge of the man's whole career in the Force. I had no access to the official papers.

50. Do you know what Mr. Carew said in concluding his judgment in connection with an inquiry that was made into a charge against Mayne?—He said either that Mayne had neglected his duty or he was not capable of understanding an order.

51. Did he not say that the man was lacking in intelligence or regardless of the truth?—As far as I remember, he said he was either lacking in intelligence to receive an order—yes, I believe that is it—or that he was telling an untruth. Well, it was one man's word against the other.

52. *The Chairman.*] How long ago is that?—This was in 1883, I think. He joined the Force in 1877 or 1878, as far as I can remember—the Mounted Constabulary. Upon two occasions when there was a reduction of men he had been reduced. He had risen to be a second-class constable, and then he was also in charge of a station at a time when an order was given that officers in charge of stations were to be promoted to second-class constables; but he was a single man, and consequently was transferred from that station.

53. *Mr. Taylor.*] Whom did you write to in connection with this matter?—Colonel Hume, as far as I remember.

54. Did you write to the Minister of Defence?—I did later on.

55. Did you get a reply from him?—I do not know whether I had a letter in reply. I had a verbal statement from Colonel Hume that, according to Inspector Pardy's report, he was not suitable for plain-clothes duty. As against that, I had evidence that Inspector Hickson had recommended him for plain-clothes duty some years ago.

56. After, you must have written to the Minister of Defence?—I fancy so. I went right through with the thing. I thought an injustice had been done, and I took the case right through.

57. Do you think the Minister of Defence is as capable of judging the merits of a case like this as the Commissioner and Inspector?—It is quite possible, because there may be such a case as I have known myself, where an Inspector may take a prejudice against a man—have a "down" on him: the Commissioner will be guided by the report of his officer underneath him. Perhaps the Commissioner will not care to have friction with his Inspector. If you go to the Minister, who is absolutely independent, and place the true facts of the case before him, he may see the matter without the prejudice that exists in the case of the Inspector. That is why I say in some cases a Minister is quite qualified to judge.

58. You think a Minister will be absolutely independent?—I suppose he would be as absolutely independent as the Inspector, and more so, as in the case I have stated.

59. You said you knew of cases where men who had been third-class constables for twelve or fourteen years. I think it would be distinctly to the advantage of the Commission if you named some of them?—Hastie was one. He was thirteen years a third-class constable. Martin, I think it was, was the next. Both these men have been promoted some time ago. Several instances of injustice have been rectified since; but what I pointed out was that there were men with only half the service who had been promoted years ago.

60. You have known of a case where an officer in charge of a station had been ordered for transfer and refused to go?—No, I cannot say I do.

61. Supposing I mention the place of Lawrence, would that not recall it to your mind?—No.

62. Do you remember a reform association being formed here by Mr. Saunders and another, some years ago?—Yes.

63. Did you supply that with information as to the condition of the Police Force?—I supplied them with no information. I said I had information. They wanted information. I declined to give it, because the information I had was private. They wrote to me for it afterwards.

64. Did you tell them the Police Force was in a very bad way?—I said great dissatisfaction existed amongst the men in regard to promotion. I told them I knew of instances to my own certain knowledge of men being promoted who should not have been promoted. According to the evidence given to me, these men had been guilty over and over again of gross dereliction of duty as well as breaches of the regulations, while other men who had been honestly doing their duty for years and years were still in the same position, and I certainly thought the thing ought to be rectified. I endeavoured to rectify it, by bringing it under the notice of the Commissioner.

65. Did you not say the very first thing you would do when in the House would be to ask for a Commission of inquiry into the Police Force?—I did not say that.

66. You had no intention of asking for a Commission?—I will not say that. I had an intention when I went into the House to get wrongs rectified.

67. Did you get them rectified?—I got a certain portion of them rectified. I have just mentioned one, with regard to the injustice done to the men in entering charges in their defaulters' sheets without their knowledge. Colonel Hume said he was not aware of such a thing—if it existed it was wrong, and he would immediately issue instructions that it should cease.

68. Did Colonel Hume say he was aware of it?—As far as my memory goes, he said he was not aware of it; and the proof that he was unaware of it was shown by the issue of a circular stopping it within a week.

69. Five years ago, or thereabouts, did you have access to the men's defaulters' sheets?—No.

70. You did not have access to the defaulters' sheets?—No.

71. Never saw any documents relating to the men's conduct?—Never saw any documents relating to the men's conduct—got information: never saw the documents.

72. As a man always going about these people, do you think there is any disorganization amongst the police in this colony?—I think there has been a lot of dissatisfaction existing amongst the police themselves in regard to the whole of the conditions under which they work. The pay is small, the promotion has been very, very slow, and there is nothing to look forward to. In New South Wales they have a pension fund. It is made up of fines and rewards that otherwise go to the police, and other things, so that if a man gets a certain position there in the execution of his duty, or after he gets to a certain age, he has something to look forward to and something to depend upon. As far as I can gather from communications which I have had from men round the district, they all seem to think there ought to be a pension system, and a better system of promotion—more systematic. Those are the main grievances that I have found amongst the men.

73. Your knowledge of details is almost confined to Otago as far as grievances are concerned?—Well, pretty well. I believe the same thing exists in Canterbury. So far as promotion is concerned, I know from certain information there were cases there similar to those in Otago.

74. *The Chairman.*] The state of things you refer to relates to a period of how long ago?—Well, you see, I have been in the House five years, and it might be four years ago when I brought the matter first under the attention of Colonel Hume, or it might be twelve months ago. Some I brought up four years ago, and if I heard of anything wrong I have dropped in when in Wellington, and asked him if he could not remedy it.

75. You have at various times brought these matters under the notice of the Commissioner?—I should say about three or four times, with the result that some grievances have been remedied. Of course, you know it is impossible for every Commissioner of Police to promote a man immediately. It takes time.

76. *Mr. Tunbridge.*] You are pretty familiar with the scale of wages here?—Yes.

77. I would like to get your opinion as to what you consider would be a fair wage to give a constable, taking into consideration the fact that a man has to live wherever he is told, and that his wife is not allowed to carry on business or anything of the kind?—I think, considering the nature of the work, 7s. 6d. per day ought to be the minimum. I consider that low; and that is with this provision—that the uniforms are free. I think the very lowest a man could be expected to live upon is £2 5s. a week.

78. Would you think, in addition to that, married men should be allowed anything for lodgings?—I think that ought to be done when they are compelled to live close, as they are, to the station, in the towns where rents are high. I think there ought to be an allowance in that case. Single men, of course, living in barracks, can manage.

79. What I wish to get from you is this: that men who have to provide their own quarters should be allowed something towards it?—Yes.

79A. And you say 7s. 6d. should be the minimum. What do you think would be a fair maximum for a constable?—That is, first-class?

80. Yes?—9s. 6d. to 10s. per day. That would give a 1s. rise for each grade.

81. Two grades of 1s. a day up to 9s. 6d.?—Yes, 9s. 6d. to 10s. I should say, for a first-class constable.

82. *Colonel Pitt.*] Did you hear Inspector Pardy this morning, in an explanation he made to the Commissioners, say that before he left his seat, referring to what he had stated about political influence, he had been threatened by a member that he would suffer for the statements he had made?—I heard him say something about being threatened, but not that he had been threatened by a member.

83. Yes; I understood so. What do you say as to that?—As far as I am concerned, I have no feeling against Mr. Pardy at all.

84. Did you say he should suffer?—No. I never hinted here, nor have I said anything outside, beyond the fact that I was going to appear before the Commission, and ask Mr. Pardy to prove that I had been using political influence.

85. Nothing else?—Nothing. I never did a man an injury in my life-time, and I do not intend to start now.

86. In reference to a pension scheme: can you say, from what you have heard amongst the police, whether they are in favour of a pension scheme or an increased rate of pay?—I think that both should exist. I do not think they would object, from what I can understand, to paying a small amount towards a pension fund, provided it is supplemented in the same way as in New South Wales. I understand that the New South Wales scheme is working satisfactorily, and that a similar scheme could be initiated here.

87. *The Chairman.*] Your opinion is that, out of their pay, they should contribute towards a pension fund?—Yes; but a nominal sum, and have it supplemented.

88. In place of the present life insurance?—In place of the present life insurance.

89. What is a nominal sum?—Well, you see, the Civil Service deduction is 5 per cent.

90. At present they are paying into an insurance fund amounts ranging from 4d. a week upwards. What would you suggest would be a reasonable payment out of their pay towards a

pension fund?—I should think any payment not exceeding 5 per cent. ought to be amply sufficient, because, you see, most of the departmental officers, if I am correctly informed, pay 5 per cent. towards a superannuation fund.

91. Coming from the inner circle, do you think that the House of Representatives, not as at present constituted, but taking the tone of the House generally, would be prepared to grant financial aid to a pension fund in this particular Force?—Yes, I think the House would be quite prepared, as far as I know, to approve of anything which would put the Police Force on a really sound footing—a footing that will give satisfaction to the men, and enable us to get the best Force and the best class of men possible.

92. Are you aware of the respective cost of the Police Forces in the other colonies? Do you know how the cost of the New Zealand Force compares with those of the colonies of Australia?—I could not tell you right off. I have it at home. I know it is very much less here. It is 50 per cent. almost, below the lowest of the other colonies. The low rate of pay, and being practically under-manned, caused a large amount of dissatisfaction. It is the low rate of pay that affects the men principally, and there is no outlook for the future if they are thrown out of the Force when age is creeping on them, or through any accident.

93. *Mr. Poynton.*] What do you think of making the head of the Force independent altogether of Ministerial influence?—I do not believe in it. After the Railway Commissioners I do not believe in putting absolute power into any official's hands. I say every official should be amenable to the House. We are the representatives of the people and responsible to the people, and no man should be put beyond the control of the representatives of the people. My own idea is that I would like to see a Civil Service Board created, which would take over the whole control, and then you put them free of the House and free of political control.

94. *The Chairman.*] You would make the Commissioner responsible to the House, and not to the Government?—No, not as at present constituted, unless there was going to be a Civil Service Board for the purpose of controlling the whole service, then make the head of departments responsible to the Board; but, as at present, I say the head of every department should be responsible to the Ministry of the day.

95. *Mr. Poynton.*] But you would advocate the appointment of a Civil Service Board controlling the Police Force as well as the other departments?—Yes, I would include every department, every branch of the service.

96. *Colonel Hume.*] In your remarks about juniors being put over the heads of seniors, what do you refer to—a special batch that was promoted, or when?—They were individuals. Some of them, I understand, were promoted for special service. I think you informed me so. Of course that was not known to those who complained to me. I had the bald fact that, we will say, for example, there were men with seven years' service and others with thirteen years, and those men with seven years' service were promoted to second-class, while the others were left as they were. In one or two instances I pointed out to you you said there were special services for the promotion.

97. And I think I told you I was dead against it?—Yes.

98. The man Hastie, you referred to, was only passed over by those men that I had orders to promote for these special circumstances?—I think at the time you said Hastie was next on the list, or something of that kind, and I think he was promoted soon afterwards.

99. Being a member of the House, I suppose you have seen in my police reports protests about special batches?—I have no doubt of it. I am not making accusations against your administration in any shape or form.

100. *Mr. Tunbridge.*] With reference to the Civil Service Board, what would you consider their function should be—would it take entire control out of the hands of the Inspectors and the Commissioner?—Oh no, no detail work. The head of the department should be responsible for the detail work, but in promotions or appointments the Board should have control; but I would not give them a free hand to appoint whom they liked. There should be certain regulations laid down so that no favouritism should creep into the Board more than a Ministry. The head of the department should have the absolute control of all details, but as far as the appointments to the Force were concerned, then the Board should do it under a recommendation from the head of the department, guided by the regulations drawn up for appointments.

101. As regards dealing with defaults?—That would be entirely a matter of detail, that should belong to the head of the department.

102. Up to and including dismissals?—Yes.

103. And transfers?—Otherwise the head of the department could not be held responsible for the work of the department. If you expect a man to be responsible for the working of the department you must give him absolute control so far as the details are concerned, and if anything goes wrong you can hold him responsible.

104. *The Chairman.*] Whom does that give control to?—That gives control to the officer, who will be responsible to the Minister, and the Minister will be responsible to the House.

105. How is it that a Minister takes the control into his own hands, and makes appointments irrespective of the head of the department?—I do not know. If he has done so, I think it is not right.

106. You do not think there ought to be interference in any details?—I do not know that it has been done; but I know if I were interfered with in any way I would not be responsible for the results of that interference. I have always taken that stand, that if I were interfered with in any way I would not be responsible for it.

107. *Mr. Tunbridge.*] At present the appointing of constables appears to be made by the Governor, who apparently relegates that power to the Minister?—Yes.

108. Would you suggest that should be altered then?—Yes; I would like to see that put under a Civil Service Board.

JAMES MCGILL, examined on oath.

109. *The Chairman.*] What are you, and where do you reside?—Builder; Moray Place, Dunedin.
110. *Mr. Taylor.*] How long have you been in Moray Place?—Twenty-six years.
111. Have you had occasion to complain to the police at any time in regard to the character of the houses in your neighbourhood?—Yes.
112. Where are the houses situated?—In Filleul Street, close to Moray Place.
113. Are they on Filleul Street or off Filleul Street?—Well, there are some of them off Filleul Street. Some of them are facing Filleul Street, and some off Filleul Street.
114. Are some of these houses situate in a right-of-way?—Yes; there is one right-of-way called Asher's Lane.
115. Have you frequently complained about the character of these houses?—Very often.
116. What has been your complaint?—Well, low characters; and they are often occupied by women of the town. There is another place a little further down in the same street. It is just about twenty yards further down.
117. When did you last complain of the character of these houses?—Well, I think the last complaint was a letter, signed by about twelve of the neighbours, sent to the Minister of Justice. We had tried so many others that at last we appealed to him, in October last.
118. Whom have you tried besides the Minister of Justice?—We have tried the landlord, William Asher.
119. Whom else have you tried?—The agent of the ground landlord, which is the Perpetual Trustees Company.
120. Have you complained to anybody else?—The mortgagee, Bishop Neville.
121. Did you get any satisfaction from any of them?—Very little. They would be pressed for a little while, but it is still allowed to go on.
122. Has some of this property been occupied by women of the town for the whole term you have been in that neighbourhood?—For the last fifteen years, off and on. It has been known by repute as a low place from that cause these last fifteen years.
123. Did Mr. Asher, the landlord, refuse to act?—Yes.
124. What did he say?—He said he got better rents from that class, and their money was as good as anybody else's; that they paid regularly, and other people supplied them with drapery and food, and he did not see why he should not supply them with a house.
125. What did Bishop Neville say when you complained to him?—He said he was very sorry; but he had invested his money in the place, and he was afraid if he took any prompt action he would lose it.
126. Did you write him at all?—I first wrote him a private letter, many years ago. I think it is eight or ten years ago.
127. *The Chairman.*] What was the date of the conversation with Asher that you have referred to?—About twelve years ago.
128. *Mr. Taylor.*] How long ago is it since you saw the Bishop?—It is about two years ago since I saw him; but it is eight years since I saw him first and wrote to him about it.
129. How did you find out the Bishop was interested in the property?—I got to hear by a sort of side-wind that he had some interest in it, and I made a search in the register and found that he had a mortgage of £1,000 on it, for which he was getting 10 per cent.
130. When did you complain to the police last?—I think about six months ago, to Mr. Pardy.
131. Were the same people in then as there are there now?—I could not say exactly. I think not.
132. They have changed tenants again?—Yes.
133. Is there any nuisance existing there at the present time such as you complain of?—I think there is.
134. Have you seen any young girls coming out of any house?—Yes, two young girls that are living there apparently. They are from fourteen to sixteen years of age. They live with an old woman. I have seen them in company with an old woman, I should say.
135. Do you know the woman's name?—No. I have heard her called "Scotch Lizzie." She is a well-known character.
136. You do not know what house they live in?—I do not know. It is up the lane, but I do not know which house.
137. What did you observe in their movements?—I saw these young girls hanging about during the day, and hanging about in the evening, and up till 10 o'clock sometimes, in company with young men. I saw them last night at 10 o'clock—one of them in company with a young man.
138. Have you seen them with a number of different men?—Yes.
139. In proximity to the house?—Yes.
140. Are they near the house you refer to when you see them?—The one I saw last night was in Moray Place under my workshop.
141. *Colonel Pitt.*] Do you mean on the street?—Yes, on the street. Filleul Street joins Moray Place just at this right-of-way.
142. *Mr. Taylor.*] Have there been any disturbances there to your knowledge?—Oh, very often.
143. *The Chairman.*] Where?—In this right-of-way.
144. Can you fix any house?—No, I cannot fix any house. In fact, I have never been in the lane these last twenty years—at least twelve years, anyway.
145. *Mr. Taylor.*] Do you know if these girls you refer to have been before the Court?—I could not say.

146. How many rooms are there in each of those cottages in the right-of-way?—I think there are four—two downstairs and two up. It is a sort of attic room upstairs.

147. A class of building right out of date?—They have always been a low class of building—no accommodation at the back at all, and no divisions in the front. The houses are all joined together, and there is no privacy about them. There is about 6 ft. of a brickyard, and no division fences in front.

148. Do you think the police have been sufficiently vigilant in looking after that neighbourhood?—Well, they have always promised to look after it when I spoke to them, but there was nothing much done. They would get a conviction sometimes.

149. *Colonel Pitt.*] For what?—Sometimes for vagrancy. They tried one for prostitution, but failed to get a conviction, about two years ago.

150. Has the value of property depreciated very much in the neighbourhood in consequence of these houses being there?—Very much indeed.

151. How do you estimate that?—Well, I have a lot of property just a little way from it, and when any person comes to ask about a house they ask if it is near Filleul Street, and if I say "Yes," that finishes it. They toss their heads and go away, very often.

152. *The Chairman.*] That street has a bad reputation?—Has a bad reputation.

153. *Mr. Taylor.*] Have you seen this woman you refer to in company with the girls?—Yes.

154. In day-time?—Yes; I never saw them with her at night-time.

155. *The Chairman.*] What age is this woman would you say?—Oh, a woman between fifty and sixty, I would say.

156. Is she a cripple?—I do not think so.

157. *Mr. Taylor.*] You think that the value of property in that neighbourhood is injured by the existence of these houses?—I must say it is.

158. And the comfort of the public?—And the comfort of the public as well. Nobody likes to live opposite a brothel.

159. Under the definition laid down in section 140 of the Criminal Code Act, do you think you have a right to complain of this place?—I think I have.

160. *The Chairman.*] Have you made any complaint under that statute?—Not under that Act.

161. Have you gone to the Court and lodged an information against anybody?—No, I have made no charge. I tried to move the authorities, and those interested in the property.

162. Do you found your opinion as to the character of this place on the fact that two girls—one of fourteen and one of sixteen—are seen about at night and up to 10 o'clock?—Yes. I see these two girls going backward and forward to the publichouse.

163. Have you seen others?—Yes.

164. Kindly tell us what others you have seen?—The place has been generally known as a place of ill-fame for fifteen or sixteen years.

165. *Colonel Pitt.*] The street, or any particular house?—In this right-of-way.

166. *Mr. Taylor.*] Have you seen women of low character—prostitutes—frequenting that lane?—Yes.

167. Visiting some of the houses in that lane?—I have repeatedly seen women taking men off the street into this lane.

168. *The Chairman.*] How recent?—As recent as two months ago.

169. Have you any doubt at all as to the character of these women, and their relations with the men whom they took off the street?—None whatever.

170. With regard to two months ago, that you speak about, are you so frequently in the street or are you so situated from your place of observation that you can say nothing more than that? If you saw two months ago women take men off the street into the lane, are there not other women knocking about whose reputation you know?—I can fix one case about two months ago, when I saw a respectable-looking woman to all appearance stop a man in the Octagon. I was passing through the Octagon at the time. I saw them make for this place, and I made it my business to watch them. I saw her take this man up this place. There was every appearance of seducing the man off the street. I have no doubt in my mind what it was. About the same time there was a disturbance in the right-of-way. A man came running past my workshop. This woman that I refer to as having the two girls was chasing this man. They ran down Moray Place, and a crowd after them. I was walking down Filleul Street at the time. When I got to St. Andrews Street there were the same two and the crowd after them. It was in the evening, about 8 o'clock.

171. Did she appear to be chasing him in anger?—Yes. I can give you another case. I think it would be about September last year. There was a disturbance in the afternoon. A crowd gathered inside this right-of-way. This was in broad daylight, and one of these low women was making a disturbance. She turned up her clothes and exposed her person, and rushed into a house. That is a sample of what we get.

172. *Colonel Pitt.*] Were there any police about when the crowd gathered?—A policeman came on the scene afterwards.

173. *The Chairman.*] What hour of the day was this?—It was in the afternoon, about 4 o'clock.

174. *Colonel Pitt.*] Were the crowd dispersed at the time the policeman came?—Some of them were there. The woman was inside then.

175. *Inspector Pardy.*] I believe you complained to me on one occasion only?—Yes.

176. Are you aware I promptly acted on that complaint?—I do not know what you did. I did not hear any more of it.

177. You are not aware?—No.

178. Are you aware the police have again and again prosecuted people for misconduct in that right-of-way?—Yes.

179. Are you aware the police cannot take action unless they have evidence?—Yes.

180. Do you know of any instance where they have been able to get evidence and have failed to prosecute?—No, I do not.

181. Are you aware that, again and again, when they had the power they have compelled people to leave that locality when they had sufficient grounds to go upon?—I suppose I am. I know that I have complained, and they have been shifted.

182. I believe I am a near neighbour of yours, so it is quite convenient for you at any time to inform me of anything you had to complain of?—Yes.

183. And yet you only complained to me once?—Only once.

184. *The Chairman.*] Where do you live?—I live in Moray Place, 50 yards from Filleul Street, and Inspector Pardy lives next door.

185. *Inspector Pardy.*] You have seen me about a lot?—Yes.

186. You are aware I do not spend much time in my bed?—I do not think you do.

187. Are you aware that unless a house is a brothel within the meaning of the term as stated in "The Indictable Offences Summary Jurisdiction Act, 1894," the police cannot prosecute the owner of the property?—I do not know sufficient about the law to give an opinion on that point.

188. Have you seen these girls doing any improper act?—It is very difficult to say what an improper act is. I would not like to see my girls hanging about at 10 o'clock at night.

189. But have you seen them doing any improper act?—No. The general appearance of the girls is sufficient, I think.

190. You have seen nothing in connection with these girls that would justify the police in bringing them before the Court?—They would need to look closer into it than what I have had the opportunity of doing.

191. Are you aware the police have no power to enter a house without a warrant?—I do not know that.

192. You have never seen anything more than you have described to the Commission?—Oh yes, a great deal more. I have only given those cases which I am able to substantiate as facts, and which other witnesses can prove besides myself.

193. *The Chairman.*] You have seen more; then why did you not tell us?—Then you would want me to fix a time, which I could not do. I have said the place has been known these last fifteen years, all over Otago, as a place of bad repute.

194. Are you speaking of this right-of-way, or Filleul Street?—I am speaking of Filleul Street, but this right-of-way is the worst place in it.

195. *Inspector Pardy.*] Do you know if there are any women at the present time residing there who are simply living by prostitution—of your own knowledge, not hearsay?—Not of my own knowledge. I know there is a woman living in Filleul Street, or was a short time ago, that goes under the name of "Mother Montague." I have not seen her for a few weeks.

196. Are you aware that on several occasions, when complaints have been made to the police by residents, they have made every possible inquiry to get evidence for the purpose of prosecuting, and failed?—I am not aware of that. The police, as a rule, are very reticent as to what they are doing.

197. *The Chairman.*] Have you any property in Filleul Street?—Yes.

198. When did you acquire that?—About six years ago.

198a. Long after the character of this street was known?—Oh yes—bought it very cheap. I might add to that, that I got it with a view to clearing out a lot of prostitutes, which I did. I might also add that I had an interest in a lot of property that adjoins this place. I got this over twenty years ago.

199. *Inspector Pardy.*] As to this woman, you said you did not know her name. Her name is Desarthe. Are you aware she is getting an allowance from the Benevolent Trustees?—No, I am not.

200. And such being the case, are you aware the police cannot prosecute her?—No. I may say that I have complained to Sergeant O'Neill.

201. *The Chairman.*] More than once?—Yes, several times, I think. We often have a talk about it.

202. What was your complaint to him?—A general complaint about the characters in this lane. I also complained to Inspector Hickson when he was here.

203. *Mr. Tunbridge.*] You said you saw a woman accosting a man in the Octagon, and take the man up this right-of-way. Did you see them enter any house there?—No.

204. You do not know the woman was living there?—I do not know.

205. Have you ever seen either of these two girls take any man into a house there?—I have not.

206. You say you complained to Bishop Neville, and you learned he was drawing 10 per cent. interest on a mortgage of £1,000?—Yes.

207. And you gave Bishop Neville to understand that he was getting what was practically the proceeds of prostitution and brothel-keeping in the way of 10 per cent. interest?—Yes, I told him so, very plainly.

208. And, notwithstanding that, he took no action to remedy the state of affairs?—Took no action that I am aware of.

209. Did he, to your knowledge, make any inquiry at all?—I do not know. I never heard of it.

210. What you complain of more particularly are the disturbances that occur from time to time?—There are very often disturbances.

211. In the street or in the houses?—Well, both.
212. Sometimes in the street and sometimes in the houses?—Yes.
213. Do you know that the police have no power to enter a house to stop any disturbances going on therein?—That is too much of a legal question for me.
214. How long has this right-of-way been in existence?—About twenty years.
215. Your property is of a much better class than that in the right-of-way?—Yes.
216. And the fact of having that property close to yours of course depreciates it?—Yes it does, very much.
217. It would materially increase the value of your property if that right-of-way were cleared out?—It would.
218. Therefore you feel very strongly on the point?—I do.
219. Can you at the present moment mention one house in this right-of-way where there is a prostitute living?—No. I said before I had not been in the right-of-way for at least ten or twelve years.
220. You cannot say that at this present moment there is a prostitute living in this right-of-way?—No, I cannot say.
221. How recent do you know there has been a prostitute living there?—I could not fix any time.
222. I mean within the last year, or two years?—I could not fix any time.
223. Can you say from your own knowledge you have ever known a prostitute to be living there?—I said before, I have seen women take men off the street, and I have seen women stick up men.
224. Have you seen them enter the right-of-way?—Yes; and go into houses, too.
225. Can you name any particular place?—No; the houses are too close together. You cannot distinguish which house it is from Filleul Street.
- 225A. Are the people occupying these houses principally the working classes?—Yes, I may say, principally.
226. The houses are cheap, are they not?—I do not know. The landlord told me he got better rents from prostitutes than he could get from anybody else.
227. How long ago is that?—It would be ten or twelve years ago.
228. At the present time are they occupied as far as you know by the working class of people?—I cannot say. There were a number of travelling musicians in that lane.
229. Can you give any idea of the rent of those houses?—No.
230. Are there many such houses as these in Dunedin—of that class?—Well, not very many. It is not so much the houses as the surroundings. The backyard is so very small, and there are no divisions in the front.
231. And consequently the lowest class of people living in Dunedin get there—those who can afford to pay only very small rent?—I suppose so.
232. You have had experience of other towns, have you not?—Yes, a little.
233. You find in every town there is a low class of property where the poorest people reside?—Yes.
234. Do you consider that this is something on the same lines?—Yes.
- 234A. This is a low class of property, and the lowest class of people get there?—Yes. I may say that I do not complain so much of the police as I do of the owners—the ground landlord, the landlord, and the mortgagee.

JOHN BRYCE THOMSON, examined on oath.

235. *Mr. Taylor.*] Do you live in the vicinity of Asher's Lane?—Yes, my property adjoins it.
236. *Colonel Pitt.*] What are you?—A builder.
237. *Mr. Taylor.*] How long have you been there?—I have been on the section over twenty years, but not in the same house. I lived in the one above it. I may say that the Commission may understand that myself and the previous witness were partners for twenty years in the property, and we divided it, he taking the upper portion and I taking the lower.
238. Have you had occasion to complain about the character of the houses in Asher's Lane?—Yes. The complaints the last witness has been examined upon were made in company.
239. *Mr. Poynton.*] You joined him?—Yes; and the letters that were written were written conjointly.
240. *Mr. Taylor.*] Have you the correspondence that passed between yourself and the Minister of Justice?—I have a copy of it. I may say that while I was in Wellington it was sent on to me, and I asked Mr. Sligo to deliver it to the Minister of Justice as I was passing through. These are the copies:—

SIR,—

30th October, 1897.

We, the undersigned, residents and property-holders residing in Moray Place and Filleul Street, beg respectfully to call your attention to a very grievous nuisance in this locality which we have had to put up with for some years past. We refer to the conduct of tenants residing in a terrace of houses in Asher's right-of-way, and some others in this neighbourhood. We have written and interviewed the police in Dunedin several times, but the nuisance is still unabated; so we now appeal to you to protect us in this matter, which has now become so serious that if prompt measures are not taken to prevent this locality from becoming the resort of persons of low repute, property in this neighbourhood will become valueless. Considering that the right-of-way complained of is not more than one hundred and fifty yards from the Octagon and the main street in the city, we do not think it unreasonable to ask the police to keep a strict eye on the place. This has not been done in the past, as evidenced from the fact that most unseemly disturbances, accompanied by language of the most horrible description, have continued for hours, and are of very frequent occurrence. We submit that this locality has not received the attention from the police it ought to have, and ask you, in your capacity as Minister of Justice, to do something to remedy this matter, which has for some time been a blot on this city.—We are, &c.

The Hon. the Minister of Justice.

GENTLEMEN,—

Police Department (Commissioner's Office), Wellington, 26th November, 1897.

I am directed by the Hon. the Minister of Justice to acknowledge the receipt of your letter of the 30th ultimo, complaining of an alleged nuisance existing in your neighbourhood, and to inform you, in reply, that the matter is receiving the attention of the department.

I have, &c.,

J. B. TUNBRIDGE, Commissioner of Police.

J. B. Thomson, Esq., and other gentlemen signing letter, Moray Place, Dunedin.

SIR,—

Police Department (Commissioner's Office), Wellington, 14th December, 1897.

In further reference to your letter dated 30th October last, addressed to the Hon. the Minister of Justice, complaining of the conduct of the tenants of the houses in Asher's right-of-way, Dunedin, and asking that the police might be directed to pay special attention thereto, I have the honour to inform you that inquiry has been made and it is found that the police have already devoted very considerable attention to the place in question, with the result that during the past two years no less than fifteen persons have been brought before the Court for various offences committed in this place.

The present tenants are an improvement on those who formerly occupied the houses, and I trust with proper police supervision the place may be so kept as not to be an annoyance to the surrounding residents: but you must understand that, so long as the law is not broken, the police are powerless to interfere.

I am, &c.,

J. B. Thomson, Esq., Moray Place, Dunedin.

J. B. TUNBRIDGE, Commissioner of Police.

I may say I must give the police considerable credit. They have turned the people out of these houses twice; but the police cannot turn people out of their houses without evidence as to offences against the law. Then the landlord just allows the bad ones to go in again.

241. *Mr. Poynton.*] You do not blame the police?—I do not blame the police. I may tell you there are houses next to this right-of-way, and they turned them out there; and immediately after I let a house to Mr. Pardy's predecessor, and they could not let the houses all the time Inspector Hickson was in it.

242. *Mr. Taylor.*] Do you say that while Inspector Hickson lived there these houses were not the nuisance that they are now?—Not for the short time he lived there; but practically he left on account of the conduct of neighbours. They could not get tenants.

243. As a matter of fact, what do you consider the character of some of the tenants of these houses now?—I do not know who is in them now, except Mrs. Desarthe.

244. What do you consider the character of them?—Well, they are of the lowest class of people. The last witness was asked a question if they were working people. Well, they are people that will not work.

245. Do you know the woman referred to as "Scotch Lizzie"?—Yes, by sight.

246. Do you think she is a woman of the immoral class?—I could not say what she is, or anything about her. Her house is a resort of low characters.

247. What is your judgment, as far as she is concerned?—She is an oldish woman of a very disreputable type.

248. Have you seen the girls?—I have seen them going in and out by day and night.

249. Have you heard disturbances since you sent that petition to the Minister of Justice?—Yes. Yes, there was one last night.

250. What was the nature of it?—A fight, drawing a crowd—fighting in the right-of-way.

251. What time was that?—About 7 o'clock. There was a crowd of thirty or forty people. I went to ring up the police; but my son came after me and told me it was all over, and it was not worth while.

252. What age were these girls?—Fifteen or sixteen years or upwards. The police have been very active in clearing them out, but the proprietor immediately lets as bad or a worse crowd in. I do not blame the police at all.

253. Have you seen these girls consorting with men in the neighbourhood?—No. I have seen them standing in the right-of-way, and I have seen them importuning men.

254. *The Chairman.*] What, these two girls?—I would not say it was these two, but I have seen girls.

255. Do you connect these girls with Asher's Lane?—Yes.

256. How?—One of them importuned myself, and after I had gone into my house I saw two of them go up Asher's Lane with two men.

257. *Mr. Taylor.*] Do you think that women following prostitution live in that lane?—I am certain they do.

258. I mean, girls following prostitution live in that lane?—Yes.

259. Were either of these girls living with Mrs. Desarthe?—I could not tell you.

260. You do not know which house these girls do live in?—No, it is one of these houses.

261. *Inspector Pardy.*] You say there were two girls importuning for prostitution, and one of them importuned you. Do you know who those girls were?—No.

262. Can you give us any idea of their age?—From the manner of their speech I should say they were well on between twenty and thirty years. I watched the same two, after I got into my house, take two men up Asher's right-of-way.

263. You do not know whether they took them into a house at all?—I do not.

264. Can you say at the present time whether there is a prostitute living in that lane?—I do not know a soul that is living in it, nor which house they live in, except those three men, street musicians, who go up and come out of the right-of-way.

265. I believe you have on several occasions made complaints to me, both verbally and in writing?—Yes.

266. Are you aware I took immediate steps on each occasion?—That is what I said before. I know of two occasions on which you have been the means of having the right-of-way almost cleared out.

267. I have always paid prompt attention to your complaints?—Oh, yes.

268. As to these two little girls, did you see anything more of them than just hanging about?—I never saw them but once in my life.

269. *Mr. Tunbridge.*] Do you think the police have done all they can?—I do, without the assistance of the proprietors.

TERENCE O'BRIEN, examined on oath.

271. *The Chairman.*] What are you?—I am chief detective, stationed at Dunedin.
272. *Mr. Taylor.*] How long have you been in Dunedin?—A little over seven months.
273. Where were you moved from?—Oamaru.
274. Then, you occupy senior position here?—I do.
275. Were you here when the prosecution of a betting-office was instituted some months ago?—I was.
276. How long had you been here when that took place?—We initiated proceedings, I think, about a week after I came here. The prosecution took place about a week later, at the Police Court.
277. Is it part of the duties of a detective officer to take cognisance of the existence of such places as betting-shops?—I consider it is.
278. And all houses of ill-fame—you would report either of these classes of case to the Inspector?—Yes, I would.
279. Since you came here, have you any occasion to think there are any betting-shops in Dunedin now?—I have no doubt there are.
280. Do you know of any?—Yes, I think I know of one.
281. *Colonel Pitt.*] A tote-shop?—I will not say it is a tote-shop.
282. *Mr. Taylor.*] Similar to the one that was raided?—I do not know that it is similar. It is a place where betting is conducted, no doubt.
283. Do you know the definition of a gaming-house under the Criminal Code Act?—Oh yes, I have a good idea.
284. What is the definition approximately?—It is a place open, kept, and used for purposes of betting, with persons resorting thereto, shortly put.
285. Do you think the place you refer to would come under the definition set forth in the second portion of section 146?—I do not think that it would.
286. Why would it not come under that description?—Well, in the first place, there is nothing unlawful in making a bet provided it is done under certain conditions.
287. Is it lawful to keep a place specially set apart for that business?—I cannot say it is unlawful to do so.
288. You think it is a legal occupation for a man to open an office, and receive correspondence in the nature of wagers?—Yes. I think it legal for a man to carry on any amount of betting in the way of correspondence, telegrams, or telephone.
289. Under what circumstances was the conviction obtained some months ago—what circumstances were connected with the institution successfully raided then?—It was known that persons went to the office for the purpose of betting—that is, went to the counter and made their bets, and I suppose, in the event of their winning, drew their money.
290. Did that establishment not receive correspondence in the way of betting correspondence?—Yes, I have no doubt there were lots of correspondence there.
291. They were not prosecuted for the correspondence?—Not at all.
292. As to the place you refer to, and think is a betting-office, have you taken particular pains to find out whether betting is conducted there?—Yes, I have been keeping an eye on it.
293. Where is it situated?—In the Arcade.
294. Is that Barnett's place?—Yes; it is known by the name of Barnett and Grant. It is conducted by Grant.
295. Have you been able to satisfy yourself about the place being an illegal gaming-house?—Not since the last conviction. I have nothing before me to justify me in saying it is.
296. Was that the place raided before?—Yes.
297. How do you know it is still carried on?—I suspect it is.
298. Why?—Because the office seems to be occupied by the same persons, and I do not know of any other occupation that they follow.
299. Do you see people frequenting the office?—No.
300. Never seen anybody since the conviction was secured?—No.
301. Not a soul except the proprietors?—Not a soul.
302. How often have you been round there?—Sometimes three or four times a day, sometimes once or twice a day, some days not at all.
303. Is there any week you have not been round there at all?—No, not at all.
304. Do you know a man by the name of Tommy Barnett, a betting-man?—I do.
305. Where does he locate himself?—I do not know that he has got an office.
306. You do not know where his office is?—No.
- 306A. Do you know a man named Ben Curtis?—I do.
307. Is he a betting-man?—I understand he does bet. He keeps a tobacconist's shop.
308. In some parts of the colony have you had experience of tobacconists' shops being a blind for tote-shops?—No.
309. You do not know it is so?—I do not know it is so.
310. Is the man referred to just now, Tommy Barnett, a betting man?—I think he is.
311. Would he rank as a book-maker, or a spieler?—A book-maker, I should say.
312. Barnett and Grant book-makers?—Yes.
313. Not spielers?—No.
314. What is Ben Curtis—a book-maker?—I call him a tobacconist.
315. Do you know he carries on betting?—I have heard so.
316. Have you made inquiries?—I have, and I have reason to believe he does betting there, but the result is I have not satisfied myself he carries it on in any illegal manner.

317. Would it be illegal for Curtis to bet on his premises?—It depends upon what kind of bets he made. There are bets which it is not illegal to make, even in a drawing-room.
318. Tote odds?—Oh, not tote odds.
319. Have you tried to get evidence with regard to any of these tote-men?—I have, and secured convictions.
320. In Dunedin?—Not in Dunedin.
321. Do you know Moss?—Yes.
322. Where is his place?—In the Exchange Rooms.
323. Is Moss a betting man, or a spieler?—I would take him to be a book-maker.
324. He keeps an office?—Yes.
325. You know of these four places where betting is carried on systematically?—I do not say systematically. Betting is carried on.
326. In those four places?—Yes.
327. Do you know of any other place?—No, I do not.
328. Do you know of the existence of any brothels in Dunedin?—Well, not within the definition of the Act. I cannot say I do.
329. Do you know any place you are suspicious may come within the definition of the Act?—If a person could see them at all times and all lights there are places which would come within the definition of the Act.
330. Have you taken any trouble to see them, with the view of finding out whether they do?—I have.
331. Is one of those places situated at the corner of Cargill and Scotland Streets?—There was such a place there.
332. What sort of place was there?—It was a house occupied by a woman and her daughter, both of whom are indifferent characters. I cannot say common prostitutes.
333. How many girls lived with them?—So far as I know there was only one, and that one not living there—only visiting the place from time to time.
334. Is the house still occupied by them?—It was vacated either yesterday or the day before.
335. Was the house empty yesterday?—I understand so; yes. I did not see it yesterday.
336. You would be surprised to hear it was frequented last night by a number of these women?—I would.
337. Do you know Percy Terrace in Dunedin?—Yes, a lane off King Street.
338. Any similar establishment there that you have any doubts about?—There is one place that I have doubts about.
339. How many girls frequent that place?—Two, as far as I know.
340. Are cabs commonly in attendance there at night?—I have seen cabs pull up in front of the place on one or two occasions.
341. How often has that happened?—To my own knowledge, only twice.
342. Who goes in the cabs?—I saw a man get out of the cab once.
343. Never seen women get out of a cab?—No, not there.
344. Who got out of the cab on the other occasion?—I did not see any one except the cabman himself.
345. Do you know Asher's Lane?—I do.
346. Any similar establishment there, do you think?—No, I do not think so.
347. Do you know of any other houses as to which you have any suspicion?—Oh, yes; there are others.
348. Do you know one in King Street?—I do.
349. Where?—Close to St. Andrews Street.
350. Opposite the timber-yard?—Yes.
351. Why do you suspect that house?—Because I have seen the place frequented by a couple of gaily-dressed women.
352. Were they the proprietors of the house, or were they visitors?—I do not know.
353. Were they of the prostitute class?—Well, I should certainly take them to be of that class from their style and manner.
354. Do you know of any other place you suspect?—There are others in many places about the city in which females of an indifferent class live.
355. Have you ever reported any of these places to the Inspector as being suspicious houses?—Oh, yes. I reported the matter, and had convictions obtained against persons for allowing such characters to frequent their houses.
356. In Dunedin, since you came here?—Yes.
357. It is no part of your business to inquire into the moral conduct of every woman of the city?—I do not think so.
358. You say you had convictions—against any of the houses named?—Not against any of the houses named—against others.
359. On what were they charged?—For permitting prostitutes and persons of bad repute to frequent their houses.
360. You laid no charge of that kind against any of the places mentioned?—No.
361. You consider the evidence is not sufficiently strong?—Yes.
362. How many convictions of the kind have you obtained since you came here?—Two.
363. Do you class the places they had frequented as brothels—do you consider them brothels?—Well, no, I do not. They were not actually charged with that.
364. Did you consider the houses they frequented brothels?—I had no evidence that they were, and no cause to think so.

365. Is it an offence for a prostitute to frequent any house?—It is an offence for a man or woman to allow persons who have no lawful means of support to frequent their houses. It is also an offence to allow persons who are thieves, persons of bad repute, to frequent their houses.

366. Have you reported in reference to betting offices, to the Inspector, since you came here?—No.

367. Do you consider it your duty to report such places?—I do, certainly.

368. You have not done so?—I have not done so.

369. Do you know any spielers in Dunedin?—Well, tell me what you mean by the expression “spielers.”

370. The definition that has been given to us is: A man who follows racing, plays games of chance, carries loaded dice, and will clean a man out at every opportunity. A “book-maker” has been defined as a man who makes his living by professional wagering. Are there any spielers according to that definition in Dunedin?—There are a few who frequent the place from time to time.

371. Are there any men who are here pretty regularly—all the year round?—Yes, there are a few.

372. What are the names?—There is one named Thomas Burns, William Brosnahan, Harry Mooney; but he is not a resident of Dunedin, he comes here occasionally.

373. Can you recall the names of any others?—No, not just at present.

373A. Are there other men of that class in Dunedin?—There may be one or two more; I would not like to say.

374. Do these men frequent the corner of Rattray and Princes Streets?—They are about there occasionally, yes.

375. Do you see many racing-men at that corner? Have you had complaints about their assembling there?—No, I have had no complaints myself.

376. Have you seen any of them booking wagers there?—I have not.

377. You would be surprised if I saw six different wagers booked at that corner yesterday?—Yes, I would be surprised. For my seven months in Dunedin I have not seen one. I would be surprised at your seeing six.

378. You do not know that betting-men frequent that corner very much?—Oh, yes; I know that very well. I have had no personal complaints about it. I believe complaints have reached the police.

379. *The Chairman.*] Betting in the street is not an offence?—If a man offers stated odds it is not an offence; but if he bets totalisator odds, or with an infant, it is an offence.

380. *Mr. Taylor.*] Do you know if wagering is carried on with minors?—I do not know.

381. Did you know a case in Oamaru?—I did.

382. Had you a conviction for it?—I had.

383. How often?—Twice, I think.

384. No such case has come under your notice in Dunedin?—No.

385. With regard to spielers, are they subject to being charged with having no lawful means of support?—Well, I do not know.

386. Have you known such prosecutions by the police?—I know men are classed as spielers who have lots of property—perhaps property worth £1,000. Some men who are looked upon as spielers go about from one racecourse to another from one year's end to another, and yet have property to the extent of £1,000.

387. You could not interfere with a man like that?—No; I should say that was a means of support.

388. You think gambling is on the increase, or decrease?—I certainly think it is not on the increase.

389. If Inspector Pender says it was on the increase he would be wrong?—I presume you are speaking of Wellington.

390. Have you any knowledge of Wellington—is it on the increase there?—I cannot say it is on the increase there. I was only there three months altogether.

391. You do not think it is on the increase here, or in Oamaru?—That is so.

392. Is it one of your duties to report breaches of the Licensing Act to your Inspector?—I have never looked upon it as such. My practice has been to mention the matter verbally to the Inspector when I saw anything of importance; then if the Inspector called on me for a report I gave it to him.

393. During the seven months you have been here, have you noticed any breaches of the Licensing Act?—No, I cannot say I have.

394. Are you very observant of all that is passing?—I do not keep my eyes shut.

395. And in seven months you have not seen a single breach of the Licensing Act?—No, I cannot say I have.

396. *Colonel Hume.*] You were recently in Oamaru, were you not?—Yes.

397. You were there for some years?—About sixteen years.

398. During any time you were there did you consider there were too many constables?—No I did not.

399. Did you think the principal duty of the constables was to avoid tumbling against each other, when you were there at any time?—No, I think they were all better occupied.

400. Fully occupied?—Yes.

401. *Inspector Pardy.*] With regard to these spielers, have you ever lost an opportunity of prosecuting one when you had sufficient evidence?—Never.

402. I believe a considerable number have been prosecuted?—Yes, they have.

403. With regard to the house occupied by mother and daughter, is it not a fact that they were told if they did not clear out by Friday they would be prosecuted? Those were your instructions?—Yes.

JOSEPH ALBERT McGRATH, examined on oath.

404. *The Chairman.*] What is your rank?—Second-class detective, stationed at Dunedin.

405. *Mr. Taylor.*] How long have you been in Dunedin?—Nine years.

406. Do you remember a prosecution of a gaming-house here some months ago?—I do.

407. There was a conviction?—Yes.

408. Do you consider it your duty to report the existence of such places to the Inspector?—
I do.

409. Had you ever reported the existence of that place?—Not in writing. The matter was spoken of in the Inspector's office.

410. If the Inspector says he discovered the existence of that place of his own motion he would be wrong?—He would be mistaken. Chief Detective O'Connor mentioned these men to the Inspector when they had an office in the Commercial Hotel, and after that they removed to the Arcade.

411. Do you know of any similar offices in Dunedin now?—Not similar offices—not an office where the same business is conducted, so far as I know. Betting men have offices.

412. You knew nothing of the details of the business of this office that was successfully raided until they came out in Court, did you?—Oh, yes; we searched the place and found records.

413. How long had it been open before the prosecution was instituted?—I could not give you the dates from memory.

414. You know Barnett and Grant pretty well, do you not?—Yes, very well.

415. Had they been here three months prior to that?—Oh yes, fully that.

416. Had they been here five years?—No, not in the same way. They used to bet in the street.

417. How long had they been in that office?—I really could not tell you from memory.

418. Had they been there two years and a half?—Oh no.

419. How long were they in Watson's Hotel?—Only a short time.

420. Six months?—I do not think so.

421. Altogether, from the time they started business in Watson's Hotel until the time the seizure was made in the Arcade, how long had elapsed?—It would be only speculative—perhaps twelve months. I could not say with any certainty.

422. Did you know during that twelve months the class of business they were carrying on?—
No.

423. When did you find out?—About the time the matter was mentioned.

424. Did you find out?—Well, it was really a matter of common knowledge.

425. Common talk in the town?—Yes.

426. Then, the public found it out as quickly as the detectives?—The betting portion of the public, of course.

427. Do you not consider it is one of the functions of the Detective Force to know of the movements of that class of people?—Undoubtedly.

428. Yet the public get there as quickly as the detectives?—The clients of the betting-men, of course.

429. Do you know any offices that you suspect to be similar to Barnett and Grant's existing to-day?—Carrying on tote-betting?

430. I do not say carrying on tote-betting, but the same class of betting that you knew Barnett and Grant to be doing a month before they were convicted?—I do not know of any such house.

431. Where are Barnett and Grant now?—They have an office in the Arcade.

432. The same place where they were convicted?—No, they have shifted.

433. What class of business are they doing now?—They are betting, I understand.

434. Have you taken any steps to find out whether it is illegal betting?—I do not know. I know, of course, they bet in the street, and have reason to suspect that if you ring up the telephone they will bet with you.

435. And go into the shop?—No. They learned a little law. During the hearing of that case it was pointed out there must be a physical resorting to the place, and they have got a telephone in their office now.

436. Do you know of any other similar place to Barnett and Grant's?—Another man named Barnett has, I believe, an office in High Street.

437. Upstairs?—I think so—in an insurance building.

438. Have you been up there?—No. I have been near it, but I have not been in it.

439. Did you take any steps to find out what class of business they are doing there?—Yes.

440. How did you find out?—I have not found out. Of course, they do their business cautiously. Since that conviction they bet with their regular clients—men whom they know—and it is unnecessary for anything to be said almost other than to mention the amount of the wager; so that even if you heard in the street everything that passed between them, it would be insufficient to support a charge.

441. You wait until from the outside the case comes to you ready-made?—Well, I do not make evidence.

442. *The Chairman.*] You have no right to enter this office?—None whatever, without a warrant.

443. Could you get a warrant by swearing to the facts within your own knowledge?—No, Sir.

444. *Mr. Taylor.*] Do you know of any other similar establishment?—No.

445. Do you know an office kept by Moss?—He did keep an office. He is not in Dunedin now, I understand.

446. Do you know if he has an office to-day?—I do not know. I heard he left town.

447. If O'Brien said Moss was running a betting office in the Exchange Rooms at the present time he would really know more about it than you?—He would.
448. Do you know a man named Ben Curtis?—Yes.
449. What is he?—A tobacconist.
450. What else?—He is understood to be a betting-man.
451. Do you know whether tobacconists' shops are used frequently as blinds for betting-shops?—I do not.
452. Have you ever heard that?—I have heard of a case.
453. In Wellington are tobacconists' shops used to cover tote-shops?—I do not know at present. One was used there. I think there was a conviction against him.
454. Do you know of any other shops in Dunedin you suspect are used for carrying on betting of any kind?—No. I cannot call any other place to mind.
455. Where do the betting fraternity—walking-totes, and that class—frequent in Dunedin?—I do not know there are any walking-totes, but betting men frequent Princes-street.
456. Do you know Rattray Street?—Yes.
457. Have you seen them there every day by Scott's place?—Yes.
458. Have you ever seen them making up wagers?—No.
459. Never saw money pass there?—No.
460. If any one were to say he saw six different entries made by those men in their books in one day, that would surprise you?—Not at all. I have seen them writing in books.
461. You never saw the entries?—No.
462. Never got near enough?—No.
463. Have you ever seen money passing, or anything of that kind, at that corner?—No. I do not know that I would be much wiser if I saw the entries. I do not think they would give much information about the nature of the bet.
464. Do you know any spieler in Dunedin?—I do.
465. Can you name any of them?—Yes.
466. The definition we have before us is: A betting-man is a man who makes his living by professional wagering; and a spieler is one who follows racing, plays games of chance, carries loaded dice, and will rob a man if he gets the chance. According to that definition, are there any spieler in Dunedin?—Yes, some.
467. Can you name any of them?—A man named Burns, and Keogh. I do not like to put those men down as spieler who for the most part make a living by gaming, because those men have property, and have lawful means of support.
468. *The Chairman.*] Those men who use loaded dice, and hang about brothels and act as "chuckers out," as they are termed, and people of that sort?—Well, there are two brothers Miles, Chatterley, Boyle, William Brosnahan.
469. *Mr. Taylor.*] Harry Mooney?—Well, he can be hardly said to be a resident of Dunedin. He visits here. Christchurch is his headquarters.
470. Are none of these men amenable to the law as vagrants?—Well, they have been convicted of vagrancy, some of them, but of course one cannot arrest them the moment they come out of gaol and bring them up again.
471. Can you tell us how long it is since any of those men were convicted of vagrancy?—Perhaps three or four months. It might be more; it might be six months. I cannot speak with certainty.
472. You regard them as a dangerous class in the community?—Yes.
473. And you keep them under pretty strict supervision?—Yes.
474. You think the law wants altering to enable you to cope with the betting people?—I do.
475. At the present time you are not equal to the detection of illegal betting, except on rare occasions?—That is so. They can bet in the street with impunity.
476. Have you reported Barnett and Grant, or Curtis, Tommy Barnett, or A. Moss to the Inspector as being in your opinion betting-houses that should be closely supervised?—Those places were mentioned at the time of the other prosecution.
477. And the Inspector heard them mentioned?—No doubt.
478. But you have not officially reported them to the Inspector?—No. Of course, the detectives keep them under supervision, and all the Inspector could do would be to tell us to do so. We do it without being told.
479. When was the last prosecution, before the one four or five months ago of a similar character—was it five years before?—No, I do not think it would be as long as that. The man you mentioned, Barnett, was convicted of a similar offence, probably within three years.
480. Did you discover that?—Yes.
481. Were you responsible for discovering the offence, and sheeting it home?—Well, I am not certain at this distant time. Henderson was with me in the case. He and I, at all events, were responsible for it.
482. What constitutes supervision of a gaming-house by the police—you say you have never been in Tommy Barnett's office with a view to investigating what goes on inside the room—what constitutes supervision?—Well, if I saw people frequenting any of these offices, I would take steps to get evidence against them. If I thought it was possible, I would get a person who was not known to visit the office and take a wager, either tote-betting or otherwise.
483. That is what you call supervision?—Yes.
484. How often have you done that in connection with Curtis's case?—I have never done it in connection with Curtis's case, because I have never seen men go in there that I had any reason to suppose were going to bet.
485. Take Moss?—I have never seen men going in there.

486. Have you ever seen them going into Barnett and Grant's?—No, I cannot say I have; at all events, not since the conviction.

487. Do you think gambling is on the increase or decrease in Dunedin?—I am inclined to think it has not altered much the last few years.

488. Practically stationary?—Yes.

489. If anything, is it on the increase or decrease? Put it another way: supposing Inspector Pender said it was very much on the increase in Wellington, do you think he would be far wrong?—I think there are fewer spiliers and less gambling here than in some other cities—Wellington, or Auckland, or Christchurch. I am speaking now from what I hear. I have not been to those places lately.

490. In Dunedin do you think the difference is in the direction of increase or decrease, say, during the last five years?—I think it has increased.

491. Do you think any minors wager here with book-makers?—I do not know of any, but I think it is very probable they do.

492. You never knew a case?—No.

493. Would that evidence be difficult to obtain if you had any suspicion?—Well, I would require some grounds for suspicion.

494. You would send a minor to bet with a book-maker with the view of detecting him?—I have never done so. I think that would be objectionable.

495. Did you consider it objectionable to send an individual to trap Barnett and Grant?—No, not to send a man there.

496. Do you think it would be objectionable to send a boy under sixteen years of age to bet with a book-maker, with a view to detection?—I think a boy of sixteen should be kept away from those places altogether.

497. To your knowledge, none of them have been betting with book-makers?—Not to my knowledge.

498. You are a very keen observer of what is going on in Dunedin?—Well, yes.

499. You regard it as your duty to report houses you suspect are the resorts of prostitutes?—Yes.

500. When did you report such a house last?—I only report such a house when I have sufficient evidence to support a charge. It is understood to be our duty to look after such places, and if I had sufficient evidence I would report it at any time.

501. When did you report one last?—That is to say, when did I last have a case of that kind?

502. Yes?—It was a case of a woman named Thompson, keeping a brothel in Athol Place—perhaps twelve months. Of course I have given evidence in cases since that date.

503. Do you think there are any places which come under the legal definition of brothels at the present time?—No, I think not.

504. Not one?—No, not one.

505. Do you know the city very well?—Yes.

506. Is prostitution on the increase or decrease in Dunedin?—On the decrease in Dunedin, undoubtedly.

507. If the Magistrates in the colony and the Inspectors of Police in the colony reported to the House of Representatives that it was on the increase in all the large centres, they would be mistaken?—I can only give my opinion.

508. Are there more young prostitutes on the streets now than there were ten years ago?—A great deal less.

509. And less older people, of course?—Yes.

510. Do you know a house at the corner of Cargill Street and Scotland Street?—Yes.

511. What kind of a house do you regard that as?—Well, I do not regard it as a brothel.

512. How many women live there?—I do not know how many live there at present.

513. Five or six?—I do not know whether there is more than one.

514. You have not investigated it at all?—No, I have not.

515. Do you know Percy Terrace?—Yes.

516. Any house there that you may suspect to be a brothel?—There are immoral women living there.

517. How many?—There is one house in which two live.

518. Is it frequented by others?—Not to my knowledge.

519. Have you ever seen cabs go up there?—No.

520. Have you ever seen cabs go down the lane at all?—No.

521. Have you investigated that case to see whether there are two or five there?—Yes; there are only two there.

522. Is that a house kept for the purposes of prostitution?—I do not know that it is. I have no reason to think so.

523. How do you know what house I refer to?—I told you that there was one house there in which two women live.

524. You do not suspect that as being a house of ill-fame?—As I say, there are immoral women, but I do not know of any person frequenting the place for the purpose of sexual intercourse.

525. *The Chairman.*] But if you did, as the law now stands, could you interfere?—I certainly think so. What I say is this: If I could prove men frequented a house occupied by one prostitute only for the purpose of sexual intercourse, it would be a brothel. I know it has been held otherwise.

526. *Mr. Taylor.*] Do you know of any other similar place to the one in Percy Terrace that you suspect may be a house of ill-fame?—Well, what do you mean by a house of ill-fame? As I told you, I know other places where prostitutes reside. I know a place where two reside together.

527. In King Street?—Yes.
528. Have you seen women frequenting that house?—No.
529. Not seen other women frequenting that house?—No.
530. Have you never seen cabs there?—No.
531. Do you know Asher's Lane, off Filleul Street?—I do.
532. Are there any houses of that character there?—Yes, there are houses in which prostitutes reside. There is a house in Asher's Lane where one prostitute resides.
533. Do other women frequent that house?—Not to my knowledge.
534. Have you reported the existence of any of these places to the Inspector?—The Inspector knows as well as I do; it is unnecessary to report it. There is a report sent in every month.
535. Do you ever find young girls of fifteen or sixteen importuning on the streets here?—No.
536. Never known a case?—Not within my own knowledge, but there have been cases. Girls have been brought up and sent to the Magdalen Asylum.
537. Within your own knowledge you know of no such case?—No.
538. Are you on the streets much at night?—Yes.
539. Have any girls, during the last year, been before the Court from Asher's Lane for brawling?—Not that I remember.
540. The Desarthe girls, have they not been before the Court for brawling?—I believe one of those girls has been before the Court for drunkenness. I heard so; I do not know of my own knowledge.
541. Whom does she live with?—She lives with Mrs. Desarthe.
542. Have you had Asher's Lane under supervision?—Well, I did not have it under supervision especially. The plain-clothes constables have it under supervision. I may say I am a great deal out of town. I have a good deal of country work, and these women shift about frequently; they are hunted about a good deal.
543. Would you report to the Inspector if you knew of any persons, say, of sixteen or seventeen, who were living with women of an immoral character?—Yes; young girls, do you mean?
544. Yes?—I should bring them before the Court.
545. Supposing they were over sixteen and under eighteen, would you do it then?—No.
546. Do you consider it your duty to report breaches of the licensing law to the Inspector?—If I saw a serious breach of the law of course I would report it.
547. Generally speaking, do you regard it as being the duty of the detective branch of the service to report breaches of the licensing law to the Inspector?—Not unless it was something serious.
548. What would you call a serious breach of the licensing law?—Well, I would consider it a serious thing if drunkenness was permitted, and if drunken men were about the place, and disorderly scenes were occurring, or if a place was frequented by thieves and prostitutes.
549. Have you seen any such breach of the licensing law recently?—No.
550. Have you seen any such breach of the licensing law since you have been stationed in Dunedin?—Yes.
551. Did you report it to the Inspector?—Verbally, I think, on two occasions, and I think the publicans were prosecuted.
552. As a result of the report?—I can only say I mentioned the matter verbally, and they were prosecuted shortly afterwards by the general police.
553. How long ago is that?—A couple of years ago, I suppose.
554. During the last two years you have not noticed any serious breach of the licensing law?—No. I may say I have not looked for trifling breaches of the Licensing Act. It has never been regarded as part of the detective's duty to do so hitherto.
555. The two branches of the police—the detective and the uniform branches—work amicably together?—Yes.
556. No jealousy?—I have not known any jealousy between the two branches. Of course, there may be a solitary case of jealousy, perhaps. I do not know of any.
557. *Mr. Tunbridge.*] With regard to spielers: Have you ever let an opportunity of arresting these men slip?—Never.
558. You have been asked about making reports to the Inspector. Do you not frequently have conversations with the Inspector?—Every morning that I am in town.
559. Any matter that comes under your observation you call his attention to, without making a formal written report?—Yes, Sir.
560. With regard to betting places, or offices kept for betting, have you not other means of getting to know what is going on at these places than by your own personal observation?—Yes.
561. Through informers?—Exactly.
562. It is not necessary for you to go and personally watch, to know what is personally going on there?—No.
563. You know from other sources of information that they do keep their books in such a way that it is impossible to get at them for "tote" betting?—Yes.
564. Although you have not seen those books yourself, you know that to be a fact?—Yes.
565. You were asked if you would interfere with young prostitutes, girls over sixteen years of age. Do you mean it to be understood you would not interfere with them if you saw them soliciting prostitution in the streets?—I would certainly arrest them if I saw them committing any breach of the law like that, of course.
566. *Inspector Pardy.*—Do you know a single young girl, a girl under twenty, on the town in Dunedin?—No, I do not.
567. Do you remember the last young girl that went on the town?—a girl of about seventeen—some four or five months ago, I forget her name?—I do not recollect the case.

568. Do you remember a young girl we sent to the Magdalen Home in Christchurch?—Yes.

569. What was done with her as soon as the police found out she was living a loose life?—I do not recollect the case. Of course, the two plain-clothes constables do this work specially.

570. What were your instructions from me as to young girls living a loose life?—To take steps at once to have them brought before the Court. I may say that I have read in the newspapers that jealousy existed between the detectives and their chief. I have served with five chief detectives. I have never been jealous of them, and I have never known a detective who was.

571. *The Chairman.*] With regard to the uniform branch of the service, have you found any jealousy on the part of constables which has in any way interfered with your work?—None whatever.

572. They have not withheld information from you on account of jealousy?—No. I have had no reason to suspect anything of the kind.

573. Have detectives withheld information from the uniform branch of the service in order to keep cases in their own hands?—No.

574. It has been suggested that the detective branch will withhold information from constables in uniform in order to keep to themselves the prestige of a case, rather than let it pass into the hands of the uniform men. Have you found any such feeling to exist?—No, never.

575. *Mr. Taylor.*] With regard to Tommy Barnett's office, is it downstairs or upstairs?—I think it is upstairs. I am not sure.

JOHN COONEY, examined on oath.

576. *The Chairman.*] What are you?—I am a plain-clothes constable, stationed at Dunedin.

577. *Mr. Taylor.*] How long have you been in Dunedin?—A little over eight years.

578. Have you been doing plain-clothes duty all that time?—I have been doing plain-clothes duty three years last October.

579. Did you make application to be placed on plain-clothes duty?—No. I understand Inspector Parry sent for me to do plain-clothes duty.

580. Do you remember a prosecution against gaming-house people a few months ago in Dunedin?—Yes.

581. Had you anything to do with that case?—Yes, so far as seizing some of the books, and assisting the chief detective and Detective McGrath was concerned.

582. Did you know the class of business they had been carrying on prior to that prosecution?—There was some talk about it.

583. How long had Barnett and Grant been carrying on that class of business—the class of business they were prosecuted for?—I could not say how long they were carrying it on. They had an office, I suppose, for four or five years down there.

584. Where had the office been?—In the Arcade, and one lower down High Street.

585. For at least four years before the conviction?—Yes, I would say it would be that.

586. If Detective McGrath said they had only been carrying on the business for a year, he would be mistaken?—Yes; I know they had an office in Watson's.

587. Did you ever make it your business to find out exactly the class of business they were carrying on?—No, I have not.

588. You consider it your duty to report such places you may suspect as places being used for illegal gaming to the Inspector?—Yes.

589. Did you ever report that one?—No; I was not aware there was illegal gaming carried on.

590. Do you know any establishments similar to Barnett and Grant's carried on in Dunedin now?—Tommy Barnett has an office in High Street, downstairs.

591. Upstairs?—No, downstairs.

592. Are you sure it is downstairs?—Yes.

593. Do you know of any other similar establishment?—No.

594. Are Barnett and Grant not carrying on a similar office?—Oh, yes, in the Arcade.

595. Do you know the Exchange Buildings, in Princes Street?—Yes.

596. Is there a betting office there?—Not now. I believe there was a man who had an office there.

597. What was his name?—Moss.

598. Are you certain Moss is not there to-day?—I am not certain.

599. Have you reason to think the office has been closed since the time you speak of?—I understood he left and went to the North Island.

600. How long since you saw him?—It is some time since I saw him.

601. Is it a month?—I think it would be more.

602. You do not know whether his office is open now?—No.

603. Do you know Ben Curtis, the tobacconist?—Yes.

604. What place does he keep?—He keeps a tobacconist's shop in Rattray Street.

605. Have you reason to suppose any gaming is carried on there?—No.

606. Is he a book-maker?—He has been, but I think he has given up that business for some time.

607. What makes you think he has given it up?—Well, he had some racehorses, and he was barred from going into the Jockey Club racecourse, and at that time I understood he gave up all that sort of business.

608. How long ago is that?—Twelve months ago.

609. Have you made any inquiries within twelve months as to whether he is carrying on betting?—Yes.

610. And the report has been?—He has not been betting.

611. If Detective McGrath said he was a book-maker now he would be mistaken?—Well, I have stated the result of my inquiries.

612. To the best of your knowledge he has not been betting this last year?—That is so to my knowledge.

613. Have you reported any of these places to the Inspector?—No I have not.

614. Have you endeavoured to get information as to whether they are carrying on illegal betting?—Well, I have tried to get information, but it is a very hard thing to get information—they are so cunning—as to whether they carry on this sort of business now, especially since the last conviction.

615. In connection with the raid against Barnett and Grant, a few months ago, do you know if a number of policemen were rated before the Inspector because names similar to their surnames were found in the betting-books?—Yes, I believe there were some.

616. Did you ever know any of the policemen in Dunedin to wager with any of these tote-shops?—No.

617. Did you know a policeman in Dunedin to wager with any of these book-makers?—No, not to my own knowledge.

618. And you never wager yourself with them?—Well, I have done so—not totalisator odds, though.

619. Do you not think that, if police-officers have that class of transactions with betting-men, it would render the prosecution of these men very difficult?—If it was carried on to any great extent, of course it would.

620. Do you think betting is on the increase or decrease?—I think it is rather on the decrease.

621. Do you know if there is any betting on the part of minors, boys under sixteen?—No, I do not.

622. Do you regard it as part of the duty of the detective branch of the service to report breaches of the licensing law to the Inspector?—Well, I always heard it was not the duty of detectives to do so, but I think if I saw a glaring case I would always do so; in fact, I have done so—not since I was in plain clothes; when I was in uniform.

623. Do you consider it your duty to report the existence of houses of ill-fame to the Inspector?—Yes.

624. Do you know of any such places in Dunedin?—Well, there are houses occupied by prostitutes, but it is very hard to prove they are brothels. I may say plain-clothes Constable McIntyre and myself were told off to do duty together, and we were instructed by Inspector Pardy to prosecute all occupiers of brothels. We did so. We brought a good many of them up, and had them prosecuted. We also had the girls that were living with them brought up, and charged with vagrancy. The brothels were broken up at that time. For a long time they were afraid to go back to the houses again. The consequence was a lot of these girls when they came out of gaol went to live at boarding-houses, and went from that to live amongst the Chinamen. We then had to prosecute the Chinamen for keeping houses frequented by prostitutes, and ever since then we have always been pretty well bringing these people up before the Court.

625. These houses you raided three years ago, were some of them occupied by a single prostitute, some by two, and some by three?—No, there was more than one. There were three and four, and five in some of them.

626. Are there any houses in Dunedin now where there is that number?—No.

627. Do you know a house at the corner of Cargill and Scotland Streets?—Yes.

628. Is that frequented by prostitutes?—No; not to my knowledge.

629. You do not know?—I know a man named Burton was living there, and was up till the last week or so. He is a hawker.

630. Do you know if prostitutes live there?—He has got a woman there living with him. I know she has got a bad character.

631. Would you be surprised to know five women were there?—I would.

632. Do you know any place at all in Dunedin kept for the purposes of prostitution?—There are a number of houses, as I say; but only two, at the very most, are living in those places.

633. They are used for the purposes of prostitution?—I dare say they are, but it is very hard to prove.

634. Do you know Asher's Lane?—Yes.

635. Are there any prostitutes living there?—Yes.

636. *The Chairman.*] Do you know how many?—There is one. She is living with a man. He is keeping her.

637. Why do you call her a prostitute?—Well, she knocks about the street at night.

638. *Mr. Taylor.*] Do you know Mrs. Desarthe?—I do.

639. You made special inquiries into that case, did you not?—Yes.

640. How did you satisfy yourself she was getting charitable aid?—Well, she told me herself.

641. Did you check her statement in any way?—No.

642. Do you usually take the evidence of a woman of that class?—I always knew her to be a respectable woman.

643. Did you check her statement to the effect that she was getting 9s. per week from a house on Maori Hill?—No.

644. How many children has she with her?—She has got four.

645. Are they her's?—No, adopted.

646. Do the girls follow any regular occupation in the day-time?—No.

647. Do they frequent the streets at night-time?—Not much.

648. They have been before the Court?—No.

649. Not for brawling?—No.

650. Neither of them?—No, not to my knowledge.
651. Do you not think these girls should be taken from a home of that description and taken care of?—Well, of course the mother is an invalid, and she is not able to look after these girls. One of the girls is rather fast.
652. *The Chairman.*] What is the age of them?—The oldest girl is about sixteen.
653. *Mr. Taylor.*] Is the other fifteen?—About fifteen.
654. Is it not a criminal act for men to have intercourse with girls under sixteen?—Yes.
655. Have you known these girls to solicit in the street?—No, I have not, and I have watched many a time.
656. *The Chairman.*] You do not think they are guilty of immorality?—I do not, and I know the mother would not allow a man in the house.
657. *Mr. Taylor.* Would the health of the woman, within the last two months, have permitted her to run down Moray Place and down King Street after a man with whom she was quarrelling? Well, in the state of her health I do not think it would be possible.
658. Are there any juvenile prostitutes in Dunedin?—No, there are not. There have been, and they were sent to the Magdalen Home in Christchurch some time ago.
659. You think that is on the decrease in Dunedin?—Yes I do.
660. Do you know a house in Percy Terrace?—Kept by women?
661. Yes?—Yes. I know there are prostitutes living in it.
662. How many?—There are two in one house. There are three houses there altogether with prostitutes. Two is the most that live together.
663. Have you known cabs go down that street?—Yes, I have seen cabs pull up outside.
664. Have you seen women or men get out?—Well, men.
665. Ever seen women get out?—No.
666. What class of evidence will convict of keeping a brothel?—One case we had in Asher's right-of-way, there was a man named Haddock was brought up for keeping a brothel. He was living with a prostitute. I would not be certain, but I think there was a prostitute in the house at the same time; and the police went in and caught a man in bed with this other prostitute. He was brought up before the Stipendiary Magistrate, and because it could not be proved there was more than one copulation, the case was dismissed.
667. You think all the houses of this class are known to the police in Dunedin?—Yes, I think so.
668. *Inspector Pardy.*] I believe it is a particular part of your duty to look after houses of ill-fame, and young girls?—Yes.
669. Is there a single girl on the streets in Dunedin?—No.
670. Are there any that you might call comparatively young?—No.
671. Has the number of prostitutes increased or decreased since I came here?—They have decreased.
672. Is any house passed over that it is possible for the police to get a conviction against?—No.
673. Are we not continually—over and over again—prosecuting these very women that Mr. Taylor is referring to?—That is so. When brought before the Court, the Magistrates hardly know what to do with them, they are brought up so often.
674. As regards spielers, are there any number here?—No.
675. Is there any opportunity passed over of getting them convicted, when we have got sufficient evidence?—No, there is not. If there is any show at all, we bring them up.
676. Are there any loafers or bullies allowed about these unfortunate women?—No. I may say at that time we brought a lot of these bullies up, and had them charged with vagrancy, and had them convicted.
677. I believe you assisted me to break up a den in a publichouse?—Yes.
678. *Mr. Tunbridge.*] You have admitted to having made bets with betting-men?—Yes, Sir, on one occasion, a long time ago.
679. When was it—about?—About four years ago.
680. Was it a large amount?—No.
681. What was the amount?—Five shillings, I think.
682. Did you win or lose?—I lost.
683. You have not been betting since?—No, Sir.
684. I believe you have been directed to ascertain something about two prostitutes living near Scotland Street, who were said to have gone away to Napier?—Yes.
685. These women were told that unless they left the place they would be prosecuted?—Yes.
686. And they have left the place?—Yes.
687. When were you there?—Yesterday evening at 4 o'clock.
688. What did you find?—The house was empty—nothing in it—no furniture nor anything else.
689. Is that close to Scotland Street—turning into Scotland Street?—Just near the turning.
690. *Mr. Taylor.*] Is this house in Scotland Street or Cargill Street?—It is just as near the one as the other.
691. *Mr. Tunbridge.*] The house you speak of is very close to the corner?—Yes.
692. *Colonel Pitt.*] Is there no house at the corner?—Yes, but not one that I know of that is frequented by prostitutes.
693. As to this woman, Mrs. Desarthe, has she any nickname that you know of?—No.
694. Do you know any one of the name of "Scotch Lizzie"?—Yes.
695. Is she not Mrs. Desarthe?—No, it is a different person altogether. "Scotch Mag" is a woman that lives in Asher's right-of-way. She has a daughter called "Scotch Lizzie." She is a washerwoman, a very old woman.

696. *Mr. Tunbridge.*] It is not with her these two young girls are living?—No.

697. She has a daughter?—Yes.

698. What age is the daughter?—Oh, she is a pretty old woman.

TUDOR BODDAM, examined on oath.

699. *Colonel Pitt.*] What are you?—I am a plain-clothes constable, stationed at Dunedin.

700. *Mr. Taylor.*] How long have you been here?—I have been in Dunedin ten years, but I have only been a plain-clothes constable for twelve months.

701. Do you remember the prosecution of Barnett and Grant for keeping a tote-shop?—I do.

702. How long had they been running that business prior to detection—in the Arcade and Watson's?—Well, as far as I can say, perhaps twelve months.

703. Do you know any places in Dunedin you suspect are used for gaming-houses or betting-offices?—Well, none to my knowledge—that is, used for illegal betting—tote odds betting, or laying wagers with minors.

704. If there were any in which they were conducting an illegal business you would prosecute them?—Certainly.

705. Leaving that out of the question—as to whether or not they are conducting an illegal business—are there any you suspect are used for betting purposes?—There are three. There is an office kept by a man named Moss, one by Tommy Barnett, and one by Barnett and Grant.

706. During the last year you have not been able to get any evidence that would enable you to convict?—No.

707. Have you kept them under close supervision?—I have. The only evidence I could get would be evidence enough to justify a suspicion that such a thing was going on, but direct evidence it was impossible to get.

708. They are so astute?—They are—betting in the town and on the racecourse, too.

709. Where is Moss's office?—In the Exchange Buildings. He was there. I believe he has given it up now. He is away.

710. Do you know he has not closed his office?—I am not aware of that.

711. Do you know Ben Curtis?—Yes.

712. Is he a book-maker?—No, I do not think so. He is a tobacconist.

713. Has he been a book-maker?—He was in years gone by, when he was a racehorse owner; but he has thrown it all up.

714. Have you acquainted the Inspector with the fact that these offices are still running that you suspect to be betting offices?—No, I have not.

715. Do you consider it your duty to acquaint him with information of that kind?—Certainly; if I had direct proof that any breach of the Gaming Act was going on I would report it to the Inspector or the chief detective at once.

716. Do you regard it as your duty to report breaches of the Licensing Act? Do you consider it your duty, or more the duty of the ordinary constables?—I have no direct order. I should say it was more the duty of the ordinary street constables.

717. Have you noticed any breaches of the licensing law during the last year in your movements in the city?—No; I cannot say I have. Of course, I never looked specifically for them.

718. Is prostitution on the increase in Dunedin?—No; I should say it was on the decrease.

719. Do you think gambling is on the increase?—Well, no; I should say it is the same now as it was a year ago.

720. About stationary?—Yes.

721. Did you ever know of a case of a minor under sixteen betting with a book-maker?—Never. I do know of one case. That was about four or five years ago. He was a witness in a case—a material witness—and he asked the Stipendiary Magistrate to indemnify him against any future action against him if he gave evidence.

722. You think that evil does not exist in Dunedin?—Not to my knowledge.

723. Of course, as a detective, you are very much about amongst these men?—Yes, almost daily.

724. Do you consider it your duty to report houses you suspect are being used for the purposes of prostitution?—Well, if they come specifically under our notice.

725. They require to be very plain cases?—No, not necessarily.

726. Do you know any cases in Dunedin?—Brothels in Dunedin?

727. Yes, used for the purposes of prostitution?—Well, there are houses certainly frequented by persons of questionable character; but whether they come under the category of a brothel or not I would not like to say. I do not think they do.

728. Do you know a place at the corner of Scotland and Cargill Streets?—I know of a house that was there, but the inmates have left.

729. At the corner?—Not exactly on the corner, but on the right-of-way.

730. There is a house on the corner, and one on the right-of-way: is there no connection between the two?—No; the houses are cut off.

731. Do you know such a place in Percy Terrace?—Yes; I know three houses occupied by women of questionable character.

732. You have no evidence whether the houses are used purely for the purposes of prostitution?—No, I have not.

733. You do not think you have sufficient evidence to get the nuisance removed?—No, I do not think so.

734. Do you see cabs going down there?—On isolated occasions I might.

735. How many houses of that character do you think there are in Dunedin: are there thirty?—No.

736. Are there twenty?—No; I do not think there are twenty.
737. Do you know of any jealousy existing between the two branches of the service?—Personally, none whatever.
738. All work together amicably?—As far as myself and the detectives are concerned, yes. In fact, it is just the reverse of jealousy.
739. *Inspector Pardy.*] Do you know any young prostitutes on the streets?—No.
740. What was done with the last young girls? Do you remember a young girl that turned out some few months ago; I forget her name; about seventeen years of age, and who was sent to the Magdalen Home?—Yes.
741. Was it long before the police had her up?—No.
742. Almost immediately?—Yes.
743. She was brought before the Court?—Yes; and sent to Christchurch, to the Magdalen Home.
744. Since then, I believe, there have been no young girls on the streets?—No.
745. This is your particular duty, is it not?—Yes.
746. What would you say were the ages of the youngest women on the town now?—From eighteen to twenty.
747. None younger?—No.
748. Are there many of that age?—No; there are few of that age.
749. We have tried to assist these people again and again to reformation?—Yes.
750. Induced them to join the Salvationists, and take up other occupations?—Yes.
751. In some instances we have been successful, and others go back to the old life?—Yes.
752. And the police have done everything they can to assist any unfortunate girl to lead a better life?—Yes.
753. *Mr. Tunbridge.*] As to the offices kept by Moss, by Barnett, and Barnett and Grant, are these offices frequented by betting-men?—No, Sir, I cannot say they are.
754. Is there anything, so far as the evidence you could get—any evidence so far as you know—forthcoming to prove them to be common gaming-houses?—No.
755. So far as you know, is there any betting carried on inside these offices at all?—No, not to my knowledge.
756. Do you know if there are any books kept there?—I believe there are in Barnett and Grant's.
757. At the other two?—I do not know, Sir.
758. Have you any information as to how these books are posted?—Oh, yes. Barnett and Grant's books contain communications from all parts of New Zealand and the Australian Colonies.
759. Correspondence?—Correspondence about wagers—straight-out betting.
760. Is it recorded as straight-out betting, or tote odds?—Straight-out betting.
761. And as regards the other two, you are not able to speak?—No; I have not been inside either of them. I have been to the door, that is all.
762. They are not frequented by any number of men which would justify their being termed common gaming-houses?—No.
763. *Colonel Pitt.*] Do you know Thomas Barnett's office?—I know the building. It is at the corner of High and Battray Streets. I was never in the office.
764. Do you know whether it is upstairs or downstairs?—I am not certain.

FRIDAY, 25TH MARCH, 1898.

NICHOLAS AZZARITI, examined on oath.

1. *The Chairman.*] What is your name?—Nicholas Azzariti.
2. Now, what reason have you for writing in your letter: "This is all spite that Constable Treacy has against my wife, because she would not let him have her boy one Sunday to go and recognise a stick"?—He dragged my wife into the Court. We have been for many years in Port Chalmers, and in all that time I have never seen my wife drunk.
3. I do not see in the police records that she was drunk; only that she was excited with liquor. She was not convicted of being drunk; she was bound over to keep the peace with Mrs. Rennie?—She had no quarrel with Mrs. Rennie. When I got home one day I heard of a summons coming, and I asked where it came from. I had done nothing; I have a good character.
4. Your wife has been unfortunate, perhaps, because there are two or three records against her. On the 18th June, 1887, she was fined for assault; in February, 1888, she was charged with insulting language, and the case was dismissed; in December, 1888, she was fined £1 for another assault; on the 5th May, 1896, she was charged with using insulting language, but the charge was withdrawn; on the 24th November, 1897, she was fined 10s. for a breach of the peace; and on the 18th February, 1898, she was bound over to keep the peace for six months. She has been unfortunate in getting into troubles, but she has not been drunk, according to the police records. Tell us, now, about refusing to allow the boy to identify the stick?—The constable was angry with me, and was against me.
5. What makes you think that?—He said, "Why not give me the boy?" and my wife said, "I want him to go to church."
6. Did that make him spiteful?—Yes; that is my opinion.
7. Now we come to the next thing. You say, "Constable Treacy boasted that if my wife and family were dead on the road he would not pick them up." Have you anything to say about that?—No.

8. Did you hear it?—No.
9. Some one told you?—Yes.
10. Can you tell us the name of any one who heard the constable say that?—No, I cannot.
11. *Constable Treacy.*] Do you remember my going to you and asking for your boy to identify a stick?—Yes.
12. Did I make use of any insulting remarks to your wife, to yourself, or to your boy?—No.
- My wife said she would not give the boy.
13. You did not hear me say that I would “have” you on a future occasion?—Yes.
14. You did hear me say that?—Yes, I did.
15. And you think I have a spite against you?—Yes.
16. Have you not been ill recently?—Yes.
17. Did you ask me for anything during your illness?—Yes.
18. Did you ask me to do you a favour?—No.
19. Do you know Jewiss?—Yes.
20. Did you not ask him to interview me, so that I might become a witness to your will?—I never told him that.
21. And if Jewiss came to me and told me that, he did it without your permission?—I told him nothing of the kind.
22. If Jewiss says you told him to do that he would be telling a lie?—I never asked you.
23. Did Jewiss not tell you that under the regulations I was not permitted to have anything to do with private matters?—No.
24. When I had occasion to bring your wife before the Court for bad conduct in Macandrew Road, do you say at that time I had a spite against you?—Yes.
25. Are you aware that Mrs. Lightbourne and other residents of Port Chalmers have spoken to the police about your wife’s conduct?—No.
26. Did your wife ever tell you that when Mrs. Lightbourne asked your wife for 2s. she owed her your wife insulted her?—No.
27. Did you not complain to Sergeant Geerin about your wife’s conduct, and say that you were persecuted by her?—When?
28. Did you, or did you not? Did you not say that you could scarcely live in the house owing to your wife’s conduct?—No.
29. Has your wife influenced you to write that letter?—No.
30. Did you write it?—No. My girl did, at my request.
31. If Sergeant Geerin says you have spoken to him about your wife’s conduct, and the way she spent your hard-earned money, he will be telling an untruth?—She has never spent my money.
32. Will Sergeant Geerin be telling an untruth if he says you complained to him about your wife’s conduct and about her spending your money, and that you would have to get lawyers to protect you in Court?—I never said that.

SUSAN AZZARITI, examined on oath.

33. *The Chairman.*] What is your name?—Susan Azzariti.
34. What have you to say as to this complaint?—This is the summons I got. [Summons produced.]
35. And you went to Court on it?—Yes.
36. The letter says there is no name to it. I see it is signed by “J. Morgan, J.P.”?—But I did not know who was to prosecute me.
37. It is not necessary to state that?—That is where Constable Treacy’s spite came in.
38. There is nothing in that. Will you say what reason you have to think that Constable Treacy has a spite against you for not allowing your boy to go and identify the stick?—Constable Treacy took the boy by the arm and said he would have him. He said, too, that he would have me yet, and that it was a long road that had no turning.
39. When did that occur?—About a year and a half ago.
40. Was it before you went to the Court?—Yes, it was a long time ago.
41. Is this list correct? On the 18th June, 1887, were you fined £1 for assault?—Yes.
42. A year afterwards, were you charged with using insulting language, when the charge was dismissed?—I do not recollect that.
43. In December, 1888, were you fined 20s., or seven days’, for another assault?—I do not recollect it.
44. On the 24th November, 1897—the occasion of this summons—were you fined 10s. for breach of the peace and fighting?—No, not for fighting; Constable Treacy is in fault there.
45. On the 18th February, 1898, you were bound over to keep the peace for six months?—It was by my own wish.
46. You and another woman were both bound over to keep the peace?—Yes.
47. Do you say that any of these charges arose out of the conversation about the stick?—Every bit of it.
48. What reason have you for saying that?—I know it. Did he not say he would “have” me?
49. Then, your husband says that Constable Treacy stated that if he found you or any of your family dead on the road he would not pick you up?—Yes, he said it. On the 24th November I went in to pay the fine. I thought I would see Sergeant Geerin at the office, but I found Constable Treacy there, and he said, “Get out of this, or I will put my boot through you.” He also said, “It won’t be my fault if I do not get you six months.”
50. Remember, now, that you are on your oath?—I am a good Christian—I am a good old Catholic, and I am telling you everything that happened when I was fined the 10s.
51. *Constable Treacy.*] You remember the day I went and asked your boy to identify the stick?—Yes.

52. How long ago is it?—About a year and a half ago.
53. Who was in the house?—My husband, my two children, and myself.
54. Was there any one outside?—No.
55. Where was I standing when I was speaking to you?—At the door.
56. And I said it was a long road that had no turning?—Yes, those are the words you used.
57. You have a neighbour named Mr. Miller, have you not?—No.
58. He resides near you?—No.
59. Perhaps you know him by the name of “Bob, the butcher”?—He lives at a great distance from me.
60. How far?—From here to the front steps.
61. Was he listening to our conversation?—He could not have been at my house.
62. You did not notice him on the road?—No.
63. You have all your witnesses, and you say that I behaved badly to you and that I was impudent?—Yes, you were. My family were there at the time.
64. You did not notice Mr. Miller, then?—No. I do not know any man of the name.
65. Did I not ask you to allow your boy to come to the station to identify a stick, for the purpose of bringing a man to justice for assaulting another in the tunnel?—Yes, you asked me that; and I said it was Sunday, that I would not let him go on Sunday, and that you could have him on the Monday.
66. Where did I make use of the insulting language?—It was at the fence. You said it was a long road that had no turning, and that you would “have” me yet.
67. Where there any neighbours listening?—I have none.
68. There was no one listening but your own family?—There was not a soul there, but my daughter, my boy, my husband, and myself.
69. *The Chairman.*] Were you inside the house?—Yes.
70. How far was the constable from you when he used the words?—About two yards.
71. *Constable Treacy.*] You did not see any one else about?—Not a soul.
72. Mr. Azzariti has been ill lately?—Yes, he is often ill.
73. Did he request me to become a witness to his will?—I do not know about that.
74. Are you aware that Jewiss asked me to become a witness?—No; and I would not like to have you as a witness.
75. Do you know that I told Jewiss that I could not interfere with private matters?—I could not say that.
76. Does your idea of spite come in because I once brought you before the Court for bad conduct in Macandrew Road?—Well, how does that come in?
77. Now, you say that on the morning of the trial I was at the police-station?—Yes, on the 24th.
78. How many times have you seen me at the station?—I spoke to you at the station once about Wilson, who insulted me on the street. That is about two years ago.
79. It was on the street that you spoke to me, was it?—Yes.
80. How many times have you ever spoken to me at the police-station at Port Chalmers?—Only once, when you said you would put your boot through me.
81. Did you not speak to me, about twelve months ago, in the presence of Sergeant Geerin?—What was it about?
82. It was a complaint about some neighbours?—I have no neighbours, except Mrs. Wilson. Let Sergeant Geerin answer that for himself.
83. Who told you I would not lift your family off the road if I saw them lying dead there?—You said it yourself; you said it to me.
84. Where was that?—In the sergeant’s office. You were doing up some things at the time.
85. Did I ever say it to anybody else?—You made the remark to me at the police-station.
86. *The Chairman.*] Was it on the day he said he would put his boot through you?—Yes.
87. *Constable Treacy.*] If your husband says I told another person that I would not lift you off the road, is he telling a lie?—I cannot say that, but I know you said it to me.
88. And who heard me?—I heard you myself.
89. Have you any witnesses to call with reference to my conduct to you?—I have Mrs. Brown, who was my witness in the Court that day.
90. Why do you not have Mrs. Brown here?—I was not asked to bring her.
91. *The Chairman.*] Will you tell me about this list again?—On the 18th June, 1887, you were fined £1 or forty-eight hours’ imprisonment for assault? You admit that?—I could not tell you.
92. In December, 1888, you were fined £1 or seven days’ imprisonment for assault?—I do not recollect that. I recollect that a woman said I struck her, and I was fined £1 7s. Mr. Carew was on the bench.
93. Then, on the 24th November, 1897, the date mentioned in the summons, you were fined 10s. or twenty-four hours?—Yes; it was all on account of Constable Treacy and Sergeant Geerin.
94. And on the 18th February, 1898, you were bound over to keep the peace?—Yes, by my own wish.
95. *Colonel Pitt.*] On the 24th November, when you say the constable made these statements to you, there was no one present but yourself and Constable Treacy?—We were the only two in the office.
96. *Mr. Poynton.*] He has not interfered with you since that date?—No, he has said nothing since.

DENNIS TREACY, examined on oath.

97. *The Chairman.*] What is your name?—Dennis Treacy. I am a constable stationed at Port Chalmers. With reference to this case, I have to say that I have never in all my life spoken to Mrs. Azzariti except in the police-station twelve months ago.

98. Did you at any time say to her that it was a long road that had no turning, and that you would "have" her yet?—No; I have always been respectful to her in every way. When I spoke to her I had reason to be respectful; there was a case coming on.

99. Do you say that some one else heard what took place?—No; but there were several knocking about.

100. Did you say, in the sergeant's room, that you would put your boot through her, and that if you saw her lying on the street you would not pick her up?—I never said that.

101. *Colonel Pitt.*] Was she in the station on the 24th November?—No. She asked me that morning where the station was, and then started to abuse me for bringing a charge against her.

102. *The Chairman.*] Where did you see her?—On the footpath, outside the station.

103. Did you make use of any such language as she attributes to you?—No; none whatever.

104. *Mr. Azzariti* said he had no questions to ask the witness.

105. *Mrs. Azzariti.*] Did you not tell me to clear out of the office?—I remember your being at the station once.

106. It was at the office, and you were writing?—I saw you in the station about twelve or eighteen months ago. You had not spoken to me in the station before that, and you have not spoken to me there since. You did not speak to me on the day of the case, except on the footpath, when you asked me the way into the Court.

107. *Mr. Poynton.*] You were going to give a reason, Mr. Treacy, why you wished to be civil to her when you spoke about the stick, but you did not finish?—Yes. My reason was this: She is a disagreeable woman, and I thought that by talking the matter over nicely with her the boy might identify the stick on another occasion.

108. And for that reason you were especially civil?—Yes, and for other reasons.

109. *Colonel Pitt.*] What took place between you and Mrs. Azzariti on the footpath? You say it was not in the station?—She came up to me and asked where her witnesses were, and where the Court was.

110. What did you say?—I told her she would have to find her own witnesses, and that I had nothing to do with them.

111. Was anything said about you getting her six months?—No. The first I heard about that was in the letter.

CONSTABLE TREACY'S CASE.—DENNIS TREACY, examined on oath.

112. *The Chairman.*] Your name?—Dennis Treacy.

113. When did you join the Armed Constabulary?—In 1879, as near as I remember.

114. When were you transferred to the Permanent Artillery?—About 1885 or 1886.

115. And when were you transferred to the Police Force?—In January, 1891.

116. What is your present rank?—Third-class constable.

117. You have received no promotion since you joined the Force in 1891?—No, Sir.

118. What do you wish to say about this question of long-service pay?—I wish to point out that I was serving under the old Armed Constabulary Act, all the time I was in the Armed Constabulary and the Permanent Artillery.

119. Was there any long-service pay in the Armed Constabulary when you joined it?—Men going from the Armed Constabulary received long-service pay when they had been five years in the Police Force—that is, prior to the 10th February, 1887.

120. They received it when they were entitled to it?—Yes. Their services in the Armed Constabulary counted in the term. When I was put in the Permanent Artillery, it was my wish to join the police.

121. And why did you not get your wish?—There were no vacancies.

122. That is, from 1886 to 1891?—In 1884, or the early part of 1885, I went to Wellington and interviewed the Commissioner, and he told me there were no vacancies. I then went back to my station. I was told that when my services would not be required in the Armed Constabulary I would be transferred to the police; but, instead of that, I was afterwards transferred to the Permanent Artillery.

123. What was your pay in the Armed Constabulary?—I joined at 6s. 6d. a day. It was reduced two or three times, and once it was increased.

124. What was your pay in the Artillery when you joined?—6s.

125. And in the Police Force when you joined?—7s. The reason I was forced to leave the Permanent Artillery was that there was a reduction, and, having a family, it was a matter I had to consider.

126. To what amount was the pay reduced?—5s. 6d. I was not reduced in pay, however, as I had just been promoted.

127. What pay were you getting in the Permanent Artillery when you joined the police?—6s.

128. When you joined the Police Force, were you aware that the long-service pay had been abolished by the circular of February, 1887?—Yes, Sir.

129. What claim have you to it now, if you accepted transfer knowing that it had been abolished?—I joined the Armed Constabulary on the understanding that when the Native difficulty was settled I would be transferred to the police. My services were required for years in the Armed Constabulary, and I was kept there.

130. You joined the Armed Constabulary on the understanding that when your services were no longer required you would be transferred to the police?—Yes, when a vacancy occurred.

131. What reason had you to suppose that long-service pay would go with you?—It was given to other men who were transferred from the Armed Constabulary to the police; they took their numbers and their services with them into the police.

132. *Colonel Pitt.*] Do you mean that if you had been transferred to the police earlier you would have got your long-service pay?—Yes, Sir. Several of my comrades are getting it now.

133. *The Chairman.*] You were anxious to be transferred to the police at a time when the long-service regulation was in force?—Yes.
134. Had you any special qualifications that led to your being put into the Permanent Artillery instead of into the police?—We were all drilled by Sergeant Parker, and I was one of twenty-five who were picked for service in the Permanent Artillery.
135. And that has had the effect of depriving you of your long-service pay?—Yes. It was not through any fault of mine, and it is not what I have already lost that I care about so much as what I am likely to lose in the future.
136. *Mr. Poynton.*] You are now getting 7s. a day?—Yes, Sir.
137. And some of your comrades are getting 8s.?—Yes. I think the second-class constables get 8s. 6d.
138. And what is a constable on the same grade as yourself getting?—From 8s. to 9s. a day—equal to.
139. If they are third-class they now get 8s. a day?—Yes.
140. They were your comrades in the Artillery, and they are now doing the same duty as yourself?—Yes.
141. And they were the same grade, but they had the good fortune to be transferred prior to 1887?—Yes.
142. *Colonel Pitt.*] Are there any entries on your defaulter's sheet?—There are none against me; but I have several "merits."
143. *Colonel Hume.*] You joined the Armed Constabulary in March, 1879?—Yes.
144. You were transferred to the Permanent Artillery in 1885?—Yes.
145. Did you get 6d. a day for long-service pay?—No.
146. Why not?—I was not entitled to it.
147. Why did you not get the 6d? You had been over five years in the Armed Constabulary?—The men who were transferred into the police got 6d. a day.
148. And the Armed Constabulary did not get long-service pay?—No.
- 148a. I think you told the Commissioners that they did?—If so, I was wrong.
149. You joined on the understanding that you were to be put into the police?—Yes.
150. That is, when you joined the Armed Constabulary?—Yes.
151. Who gave you that understanding?—I asked the Commissioner, Colonel Reader, and he told me that when the Native difficulty was settled I would be transferred to the police. He told me that before I left the depot.
152. Some of your comrades are still in the Artillery?—Yes.
153. What pay do they get?—I understand that men who were junior to me have risen from the ranks, and are now getting from 7s. 3d. to 7s. 9d.
154. *Mr. Tunbridge.*] It is only a question of long-service pay that you wish to speak about?—Yes, and of my back services.
155. You are not being treated in any way different from other men who have come from the Artillery to the Police Force since 1887?—Nearly all my comrades have received promotion except myself. There may be a few who have not, but they are very few.
156. No man has received promotion since you joined?—Not for services.
157. You have not been passed over in promotion?—No, sir, I have not; but soon after I joined the Police Force all the men with seven years and a clean sheet got promotion, and I was in hope that when I had served that time I would also get promotion; but I still hold the third-class rank.
158. *Mr. Poynton.*] Have you a free house?—No. I have to pay £1 16s. a month for rent, and I have paid rent since 1885.
159. *The Chairman.*] What family have you?—Five.
160. *Colonel Pitt.*] Do you hold any outside offices?—I was connected with the dog-tax work once, but it has been taken away.
161. *Mr. Poynton.*] Is 9s. a week for rent a fair allowance for the Dunedin district?—No, it is not. I think that 10s. a week should be allowed.
162. *Colonel Hume.*] I understand your contention is that the Armed Constabulary men should count in their police service their term of Armed Constabulary service?—Yes, Sir.
163. You think that your service as a police constable should date back to March, 1879?—Yes, that is what I am asking for.
164. How long have you been in Port Chalmers?—Three years and a half.
165. Why were you sent there?—I applied to go there.
166. For what reason?—Because I could get a better house there for my family at a cheaper rent than I could in Dunedin.

WILLIAM STONE PARDY, examined on oath.

Inspector Pardy: I produce Constable Treacy's defaulter's sheet, which is absolutely clean. His merit-sheet shows that in 1893 he received £3 for the detection and arrest of Phillips; that he received long-service and good-conduct medal in 1893; that in 1895 he received £1 for the arrest of a deserter; in 1896, £5 for services in connection with the arrest of Thomas Horne, and 10s. for arresting an absentee from Her Majesty's ships; £2 in 1897 for the arrest of two absentees from Her Majesty's ships; and £2 16s. 8d. in 1898 for securing a conviction for smuggling against Coleman.

167. *The Chairman.*] Constable Brennan complains of a statement in your evidence in the paper that "you had no occasion to reprimand or fine him lately." Do you now produce his defaulter's sheet?—Yes. By referring to it I find that on the 25th January, 1879, he was

cautioned for being absent from barracks without leave. He was absent between the hours of 11 p.m. and forty minutes past 12. On the 14th December, 1880, he was reprimanded for neglect of duty in not making himself acquainted with the provisions of the Licensing Act. On the 29th July, 1888, he was charged with neglect of duty by being fifteen minutes late for parade when going on duty, for which he was reprimanded. Those are all the charges against him.

168. *Colonel Pitt.*] Are there any merits?—On the 14th June, 1893, he received the medal for long service and good conduct.

169. *Mr. Poynton.*] This all took place before you had charge of the district?—Yes; years before.

170. You have never had occasion to reprimand him?—No; the paper has made a mistake in my evidence. The official report is correct.

171. *The Chairman.*] You say you have never reprimanded him?—That is so. It has been quite the reverse. I have been pleased with the way he has done his duty.

172. Now that you are here, I wish to ask you a question about ambulance work. Is anything done with the men to train them in that way—in ambulance work or in giving first aid to the sick?—Not since I have been here; but I believe that at one time they were trained. It was before I came here. I think it would be a very good thing. The police often come on the scene of an accident, and if they had a knowledge of how to stop bleeding, and to treat wounds, life might in some cases be saved. There was the case of a man who was stabbed in South Dunedin, where a constable bound up the wound as well as a medical man could have done it. He was a man who had been trained.

ROBERT RAINIER JONES, examined on oath.

173. *The Chairman.*] Your name is?—Robert Rainier Jones.

174. What are you?—I am a private detective.

175. Were you ever in the Force?—I was.

176. At what time?—I joined the Force in 1874, in May. I joined the Mounted Armed Constabulary, and in 1879 I was transferred to the Detective Force in Auckland under Inspector (then Sub-Inspector) Pardy. I served with him for over four years. I was transferred to Christchurch, and from there I was sent back to Auckland. From there I was transferred to Invercargill, from there to the Bluff, from the Bluff to Clyde, from Clyde to Arrowtown, and from Arrowtown to Queenstown.

177. Where did you leave the service?—In Dunedin.

178. Did you come from Queenstown to Dunedin?—Yes. In Dunedin I was doing street duty. I have here my medal for long service and good conduct, also my discharge. [Produced.]

179. You held the rank of first-class constable when you were discharged?—Yes.

180. The arrest you wish us to consider took place when you were in the Force?—Yes; but I am not making any complaint against the Force, good, bad, or indifferent. I am simply asking for what is set out in my statement.

181. On what do you found your claim for £20?—On the Prisons Act.

182. Is that sum fixed to be awarded?—I think so, Sir.

183. *Colonel Pitt.*] Was this man you captured an escaped convict?—Yes. I think he was doing eight years for robbery with violence.

184. What was his name?—McGuire.

185. *The Chairman.*] You claim £20?—I claim half of it on behalf of Wake, who arrested the man with me.

186. Did you receive any reward for the arrest of the man?—I received none. I never applied for it. I had done my duty, and I expected one.

187. And why do you expect it now, if you did not expect it then?—Well, the Commission is sitting now; and I am positive that some of my comrades who were also entitled to rewards for capturing men who had escaped from the penal settlement have not received anything, and it is hardship for them.

188. *Colonel Pitt.*] Where did they escape from?—From Humesville, at Milford Sound.

189. *The Chairman.*] Before you make any claim against us you should have made your application to the department?—Well, I did not do so.

190. It is a curious thing to allow a claim to remain in abeyance for so long, and then come here and claim it?—As long as it gets publicity it will be known that when a man gets away from a penal settlement the arresting constable will be entitled to a reward.

191. *Colonel Pitt.*] Why do you not apply to the Prisons Department for a reward?—I will do that.

192. Have you not had a long correspondence with the department about it?—No. Wake was with me; but I do not wish to be mixed up with him.

193. *The Chairman.*] Did Wake apply?—Yes.

194. *Colonel Hume.*] Did you arrest the prisoner yourself?—Yes.

195. Where?—At Mararoa Downs.

196. Were you by yourself?—I was with Wake.

197. *The Chairman.*] Well, never having applied to the department, I think you had better do so?—I will apply to the department.

The Chairman: The following is an extract from "The Prisons Act, 1882," section 42: "Whoever shall discover and prosecute to conviction, or shall give such information as shall lead to the conviction, of any offender, being at large contrary to the provisions of the two last preceding sections of this Act, shall be entitled to a reward not exceeding twenty pounds, at the discretion of the Judge, for every such offender so being convicted."

JOHN DWYER, examined on oath.

198. *Colonel Pitt.*] What is your name?—John Dwyer.
199. What are you?—I am a third-class sergeant of police, stationed at Clyde. On the 5th February, 1887, on the recommendation of Inspector Thompson, under whom I was then serving as district clerk, I was promoted to the rank of acting-sergeant.
200. *The Chairman.*] When did you join?—In October, 1878.
201. You joined the police?—Yes. I was never in the Armed Constabulary.
202. What Force were you in before?—I was in no Force. I graduated from the plough. I have here the recommendation of the Inspector at the time I was promoted. It is as follows: "Referring to the application of Sergeant William Beatty for his discharge, I respectfully beg to recommend that, in the event of its being granted, the constable named in the margin (First-class Constable John Dwyer) be promoted to be acting-sergeant in his stead. Constable Dwyer is an active constable, of more than ordinary education, zealous, and with a good knowledge of his duties, and would, I believe, make a good non-commissioned officer."
203. *Colonel Hume.*] What is the date of that?—It is dated the 15th January, 1887. The following first-class constables were promoted as follows: John S. Bernard, 1st June, 1890; Edward Mackay, 1st October, 1892; Alfred James Mitchell; 1st May, 1893. I was senior to these men by years.
204. Were they made acting-sergeants or sergeants?—They were made acting-sergeants. As I say, I was senior to these men; yet in January, 1894, they were promoted to third-class sergeants, and on the 15th February, 1898, they were promoted to second-class sergeants, while I still remain in the third-class list. In May, 1890, I was asked by Major Gudgeon, then Commissioner of Police, to take charge of the Oamaru Gaol. I may say that at the time there was some trouble with the gaolers there. I agreed to take charge on the understanding that I would be allowed to retain my rank, also that I should receive long-service pay from the Police Department, and that I should be promoted in my turn. I think I might read the report I submitted to the Inspector at the time. It is dated the 8th May, 1890, and is as follows: "I beg to state that I am willing to accept the appointment of Gaoler of the Oamaru Gaol on the following conditions: That I be allowed to retain my rank, also that I receive long-service pay from the Police Department, and that I be promoted in my turn."
205. *The Chairman.*] Did you ever hear from the Inspector that he received that?—I was clerk at the time, and I laid it on his table; and he sent it on, or perhaps the contents, to Wellington. I was the sergeant residing in the station, and was responsible for the good order, and if any complaints came in at night I attended to them. On the 27th December, 1893, a local appeared in the *Otago Daily Times*, as follows: "We understand that Sergeant Dwyer, who has been acting as gaoler at Oamaru for some years past, will take Sergeant Shirley's place in the Dunedin Police Force. Sergeant Dwyer was stationed in Dunedin some eight or nine years ago, and was presented with a gold medal for saving life in a fire in Cumberland Street. About eighteen months ago he was awarded the Humane Society's bronze medal for his conduct in swimming to the rescue of a man who was drowning in Oamaru Harbour." This paragraph stated that I was to be transferred to Dunedin.
206. Did you get the bronze medal?—No, a certificate of merit. The paper, it seems, was wrong in both statements, as I only got a silver medal in Dunedin. I waited daily for the receipt of orders to go to Dunedin, but no orders came to me.
207. What was the origin of the local?—I do not know. I had received no instructions to go to Dunedin. On the 5th January, 1894, Colonel Hume paid a visit of inspection to the gaol at Oamaru, and I asked him if the report appearing in the newspapers that I was to be shifted to Dunedin was true. He replied that it was—that he was thinking of sending me there. I said I would rather be sent to any other station; that I had relatives there, and that I did not care to be in a town where I had relatives or friends. I also pointed out to Colonel Hume that I had a growing family, and that after paying 15s. a week for house-rent, which I think I would have had to pay in Dunedin, I would be a loser, and would not be able to keep it up on my pay. There was no allowance to sergeants at the time, but there was talk about it. I asked Colonel Hume if he could send me to a station with free quarters, as I then had, or allow me 10s. a week for house-allowance. He said he could not allow me house-rent, but that he might find a station for me somewhere North, and with this understanding he left me. I heard no more about my transfer. There was nothing said as to promotion, and when Commissioner Tunbridge quoted Colonel Hume's memorandum for me in his correspondence on the subject—that I had refused promotion, and wished to remain in Oamaru—I was greatly surprised. I had not heard of the memorandum before. I remained in charge of the Oamaru Gaol until February, 1897.
- [Further examination adjourned.]
- SARAH JANE SLATTERY examined on oath.
208. *The Chairman.*] What is your name?—Sarah Jane Slattery.
209. You are married, are you not?—Yes.
210. Where are you residing?—In Dunedin just now.
211. Your husband is away?—Yes.
212. You do not know where?—No. I want to find out, but the police will not help me.
213. What right have you to say they will not?—He has been seen in Dunedin.
214. What have you to say about the house you refer to in your letter?—I say that it is ill-kept.
215. What house do you refer to—to the Matakau Hotel?—In Tinker's; it is called the Newtown Hotel.
216. Who keeps the house?—Mrs. Mellor owns it, and, although Wall has his name there, it is Mrs. Mellor all the time.

217. Tell me any nights that the house has been kept open to your own knowledge?—It was kept open for years to my own knowledge. Sergeant McLeod was there once when it was open till 2 o'clock in the morning.

218. How long ago was that?—Two years ago. He came there on the 23rd December, and stopped there till very late, and got a bit "winey" himself. He then began to put the people out himself.

219. Tell me an occasion when you have seen the house open all night, giving the day of the month and the year?—On the 9th March, 1894, and all the year in 1895. We were living there, and could not go to sleep at all. We were alongside the house; the two houses are close together. When we complained of the noise the policeman told us we were living too close to the hotel. On the night of the 9th March, 1894, the house was open all night. I was watching my house that night, because Constable Leece had broken into it. On the 28th October, 1895, and on the previous night, it was open all night. Ask Constable Leece and Sergeant McLeod what time they went away, and what time they went there. They went there at half-past 11; but they had sent word that they were going.

220. That is a matter you have not brought before us in your letter. In the letter you only speak of the child being taken away, and about the conduct of the house?—I will tell you all about the other matter now then.

221. Do you say that on those two occasions the house was open all night?—Yes.

222. Was it noisily conducted?—Yes. They were nearly killing each other, and they were lying about on the road. There was a crowd of men fighting, and some of them were on top of the house, trying to tear the iron off the roof of the kitchen. That was in October. I sent for Constable Leece next morning.

223. How far were the policeman's quarters from the house?—Seven miles.

224. Who was the constable?—Constable Leece. We went for him next morning, but he would hear of nothing. All he would say was that we were living too close to the hotel.

225. You say the men were tearing the iron off the roof of the house? Whose house was that?—It was their own house.

226. You sent for the police the next day?—My daughter sent for the police next day, because the fence had been cut down.

227. Was any portion of your fence cut down?—It was my daughter's fence that was cut down. Mrs. Mellor cut the fence down. She is a terrible woman, and I told my daughter to say nothing to her about it. When Constable Leece came, all he would say was, "You are living too near."

228. What did you do about the fence being destroyed?—I did nothing; but the man who owned the place gave Mrs. Mellor notice to put it up, and after a time she did so.

229. You say that Constable Leece did nothing but tell you that you were living too close to the hotel?—That is all.

230. What did you expect him to do?—Well, what are the police for? What is pulling down a fence?

231. You could have taken the people to Court, but the constable could do nothing?—My daughter wrote to Colonel Hume.

232. Is there any other occasion when disorderly conduct was noticeable?—It was every day of the week—every day, and every night.

233. What was the date?—I will ask Constable Leece to tell you that. Constable Leece and Sergeant McLeod came, and sent in word that they were there.

234. Do you know that they sent in word?—I know it from a man who was inside the house.

235. Well, that man should come here and say it. He was not on his oath?—But I have not come here to tell you a falsehood.

236. Did you see anything more that you remember?—I remember the men coming out and knocking each other down.

237. Where were you?—I was in the garden at the back of my house. It was a moonlight night.

238. And you saw Constable Leece and Sergeant McLeod outside?—Yes.

239. Did you see them speaking to anybody?—Yes; and then Mrs. Wall went into the house and spoke to her husband.

240. Where were the constables?—They were towards the back of the house.

241. And when Mrs. Wall went into the house what happened?—Mr. Wall went into the room where the gambling was going on.

242. And did you see any more?—I saw the men come out at the front door.

243. Where were the police then?—They were still towards the back of the house.

244. What happened then?—The men ran away, knocking one another over.

245. The men ran away?—Yes; and I could tell you where they went to. I could point out the ground they walked on.

246. And they got clear?—Yes.

247. And what did the police do?—I do not know.

248. Did you see them go into the house?—No, I did not.

249. Is there any other matter in connection with the house that you wish to tell us about?—Yes; there is the night on which Sergeant McLeod slept in the house. That was the 23rd December, 1895; I think it was 1895. Inspector Parry has a note of it. He knows all about it.

250. What happened on that night?—Well, I cannot say what time it was when they knocked off drinking and singing. Then, some of them came out and lay against the wall of our house,

and it was 3 o'clock in the morning when Billy Wall came along and shifted some of them from our window, so that they would not annoy us. He had no coat on.

251. What did he do with them?—I do not know. I called the sergeant in the morning, when he was getting his buggy ready, and I asked him if he then knew the conduct of the house, and he would not answer me.

252. Was the sergeant in the house that night?—Yes.

253. Where were the men lying?—Under the bedroom window, against the wall of our house.

254. What is the sergeant's name?—We called him McLeod.

255. How do you know that Sergeant McLeod was in the house?—Because I was talking with him in the evening, and again at 10 o'clock; and in the morning when he was getting his buggy ready I sent for him, and asked him if he knew the conduct of the house, and he would not say a word.

256. Was Constable Leece there then?—No. On another night a big stone came through our window about 2 o'clock. I went out in my wrapper, but could see no one except Billy Wall, the man in the publichouse, and another man. I went to them and I said, "Wall, who put the stone through the window?" He said he saw no one. I said, "This is a funny time for you to be up," and he said the brewer had just called, and he had been taking in the drink.

257. When was that?—I do not know. Inspector Pardy has the date, and Constable Leece has the stone, but he never said a word about it.

258. Is there anything more you can say?—I would ask you how old a child must be before it gets drink.

259. Have you seen children getting drink?—Yes.

260. Well, is there any other fact you would like to bring before our notice in respect to this house?—There was a letter sent in objecting to Wall getting a license, as he was not a fit and proper person; and at Tuapeka, before the committee, Sergeant McLeod objected to the letter being read, as there were no such persons in the district as those who signed it. Sergeant McLeod was wrong in that, because I have lived in the district for thirty years, and I know the people who signed it. Now, why did Sergeant McLeod interfere? Why was the letter not read?

261. When was that?—It is two years ago this month.

262. Who was that letter from? Did you sign it?—Yes. I do not know if others signed it.

263. Do you wish me to understand that no one else signed it?—I think I was the only one who signed it.

264. Was it your letter he objected to produce?—Yes, it must have been. I signed my maiden name to the letter; but he knew the name. I had brothers in the district.

265. You must not be surprised at what occurred then, if you did not sign your name?—He said there was no one of that name there. There are people of the same name in Black's now, I think.

266. *Constable Leece.*] What did I say to you when I spoke to you about the fence being destroyed?—I do not think I said anything about the fence at all. It was my daughter who spoke about the fence.

267. Did you hear what your daughter said?—Yes.

268. What did she say?—She said the fence had been cut down by Mrs. Mellor, who had used some disgraceful language.

269. But what did she say about the fence?—That Mrs. Mellor had cut it down.

270. What was my reply?—You said, "The fact of the matter is that you are living too near."

271. Did I not tell you to go and lay an information?—I do not remember that.

272. Did I not say that, if you came to me as Clerk of the Court, I would prepare an information, and you could summons Mrs. Mellor?—No; you never made use of the word.

273. What was the damage?—There was from one house to the other. It was a wooden fence.

274. Could you say the extent of the damage?—No.

275. How much of it was cut down?—I suppose about 14 ft. or 15 ft.

276. How was it destroyed?—It had been cut down with a tomahawk, or an adze.

277. Could you not get your daughter to lay an information?—She is simple. If she had had any "savey" she would have laid it against you when you left me for dead out in the yard; and there is some of my grey hair that you tore out of my head. [Hair produced.]

278. Your daughter was satisfied?—Seemingly so; but I do not know.

279. As regards the publichouse, where were you when you saw the row?—I saw you coming down, and afterwards I saw the men rushing out of the house.

280. What sort of a night was it?—I believe it was a moonlight night.

281. Was there any wind?—I do not remember.

282. Where did we go to afterwards?—I did not see you go anywhere.

283. Have you been in the house since Wall has been the licensee?—No.

284. How do you know it has been badly conducted—gambling, and so on?—I know it has. I went in one afternoon to ask Wall to come and remove some men from our place.

285. Did you ever see gambling in the place?—I have not played cards there, and I have not seen it done.

286. Did you have any drink in your place?—It has never been without drink for any one that I choose to bring in and treat.

287. Have I not laid an information against you, and got a conviction for sly-grog selling?—Yes; but I swear I never sold a glass of drink to the man.

288. Is it not a fact that I once arrested you for having stolen goods in your possession?—Yes; it was a cowardly thing. You arrested me at night.

289. Did I not find some goods hidden in your house?—No.
290. *The Chairman.*] What came of the case?—It was dismissed.
291. *Constable Leece.*] Did you not apply at one time for a publican's license on the top of the hill?—No.
292. Did your husband?—Yes.
293. *The Chairman* (to Constable Leece).] Did you arrest this woman at night?
294. *Constable Leece.* Yes. The instructions of the Justice of the Peace on the search-warrant were to search "day or night," as it was supposed the goods were to be taken away before the morning.
295. *The Chairman.*] Do you say that Constable Leece entered your house?—Yes. He was bailiff, and he entered my private house where there was a billiard-table. In another house, half a mile away, there was a piano, which was mine. He had a distress warrant against the goods of my husband, and he took charge of the two. He left them in the billiard-room, and he had a carpenter to nail wood across the door. I got the piano back on paying £32 4s., but they took it again afterwards for my husband's debt.
296. *Constable Leece.*] You say that a stone was sent through your window?—Yes.
297. And you say I picked up the stone?—No; I said I gave it to you, and I heard no more about it.
298. When was this?—About November, 1895.
299. Was it about the time the fence was broken?—Yes.
300. Was it your window?—It was Fogarty's house, and my daughter had rented it from him.
301. *The Chairman.*] There is another matter. Mrs. Slattery says that Wall makes the statement that he can buy the policeman at any time for £5. Have you heard him say that?—Yes, he said it in the presence of my daughter and me. He said, "I do not care that (snapping his fingers) for you, because I can have the policeman on any day for £5."
302. When did he say that?—I cannot tell you the date.
303. How long since?—About a couple of years ago—more than a year ago, anyhow. It was in 1895. He did not say it once, but more than once; and when he said it to me I said, "Very well."
304. *Constable Leece.*] Did he refer to any particular policeman?—There was only the one on the ground at the time.
305. And he said he could buy me for £5?—No; you do not get me there. He did not say you. I suppose he meant any one.
306. *The Chairman.*] You say there was disorderly conduct when Sergeant McLeod and Constable Leece were in the house. Was there any more of the same conduct when they were in the house?—I do not know.
307. You do not know whether on those occasions the constable was there, or whether he was nearer than his quarters?—I do not know where he was—whether he was in Black's, or whether he was in the neighbourhood.
308. *Colonel Hume.*] You have lived in the district a long time?—Yes.
309. How many years?—I have lived between St. Bathans and there for about thirty years.
310. You are well known in the district?—Yes.
311. Will you tell the Commissioners the object you had in not signing your proper name to the letter?—I will tell you straight. I did it so that it would be read. I knew that if it was my own name to the letter it would not be read, because there was too much of the publichouse influence against me. That was my object. I signed the letter with my own name, and I can surely do it when I like.
312. Was it moonlight on the night of the 28th October?—I do not think it was. If it was it was a very early moon. I know that they were going round the house with candles in their hands.
313. You wrote to me frequently, did you not?—Yes.
314. And you always got answers?—Not always.

SARAH JANE SLATTERY, recalled.

315. *Mr. Poynton.*] Did Mr. Gilkison, solicitor, appear for your boy when he was charged with stealing the gooseberries?—Yes.

WILLIAM McLEOD, examined on oath.

316. *The Chairman.*] Your name?—William McLeod, sergeant of police, stationed at Sydenham.
317. Did you visit Matakanui about two years ago?—Yes, I have frequently visited it.
- 317A. Were you there one night with Constable Leece?—Yes.
318. Were you at the Matakanui Hotel on the night of the 23rd December, 1895?—I might have been.
319. *Mr. Poynton.*] Did you sleep there at any time?—Yes; several times.
320. *The Chairman.*] Do you remember the fact of a conversation with Mrs. Slattery the morning afterwards?—Yes.
321. She says that at that conversation she said to you, "You can no longer say you do not know the character of the house." Is that the conversation that took place when you were preparing your buggy?—It might have been something to that effect.
322. How was the house conducted on that night?—It was conducted all right.
323. What did the conversation refer to when she said, "You cannot now say you do not know the character of the house"?—I went there that night to inquire into a complaint of Mrs. Slattery's against Constable Leece.

324. This is the report that you wrote next day? [Report produced.] It is dated the 24th December, 1895?—Yes.

325. You say the house was conducted in an orderly manner?—Yes.

326. Is there any truth in the statement that there was disorderly conduct and rowdy drinking up to half-past 1 in the morning?—No, sir, certainly not.

327. You interviewed Mrs. Slattery next day with the view of making inquiries from her?—I spoke to her on the evening I reached Matakauui, and asked her to be kind enough to get her witnesses, so that we might go to Shepherd's store, opposite the hotel, where I would take down all the evidence of the complaint, and forward it to Inspector Pardy. She said she would see. This would be about 6 o'clock in the evening. She afterwards sent a boy to the hotel for me, and when I saw her she said, "Oh, I won't bother about it."

328. Are you prepared to tell us that the house was conducted in an orderly manner that night?—Yes. There were two Justices of the Peace in the room next to mine; and other gentlemen of standing in the district were also in the hotel. There was Mr. Flint, and there was Mr. Ewing, of Cambrians, and in the early part of the evening Mr. Shepherd was there. The other two gentlemen, however, stayed all night, and if anything serious had been the matter they would have taken notice of it.

329. *Mrs. Slattery.*] Do you remember going to Matakauui, driving in a buggy?—Yes.

330. When I came out to speak to you what did you say?—I forget.

331. Did you ask me why I did not give Mrs. Mellor possession of the house I was then in with my daughter?—No.

332. I told you I had no necessity to give Mrs. Mellor the house; and as we were speaking at the side of the house, did not my daughter come round and say that Mrs. Mellor had two boys going on the roof to take the iron off?—That is not the occasion. The occasion of the iron being mentioned was an afternoon; but on this evening it was late when we got there. It was 6 o'clock.

333. You stopped at the hotel on the night of the 23rd December?—Yes.

334. Were you not in the bar that night at half-past 12?—No.

335. Did not Wall go that morning and take men from under our window?—I do not know anything about that.

336. Did I call for you in the morning before you left?—Yes; I was there at half-past 5.

337. *The Chairman.*] When did you make your inquiry, then?

Sergeant McLeod: She would not have any.

Mrs. Slattery: What inquiry?

The Chairman: The witness says he arranged with you to go to Shepherd's store to take evidence.

Mrs. Slattery: No, nothing of the sort.

338. *The Chairman* (to witness).] No inquiry was held, because Mrs. Slattery would not bring her witnesses?—That is so.

Mrs. Slattery: He never asked me about an inquiry.

JAMES DANVERS LEECE, examined on oath.

339. *The Chairman.*] What is your name?—James Danvers Leece, second-class constable stationed at South Dunedin.

340. Will you tell us the character of this house?—I was often in Matakauui for the purpose of keeping order at times of concerts or other gatherings.

341. Where were you stationed in 1894-95?—I was at Ophir from 1890 to 1896.

342. How far is that from Matakauui?—Seven miles and a half. I was often at Matakauui, as it was a district in which there were a number of miners; and rabbiters, miners, and shearers used to congregate at the concerts. I had also a number of summonses to serve there, and to do police work generally. I had ample opportunity of noticing how the hotel was conducted. I always saw it conducted in a proper manner. Sergeant McLeod and I occasionally paid surprise visits, on account of the reports from Mrs. Slattery saying that the hotel was not conducted properly. On those occasions we found that the hotel was properly conducted. Certainly, there were miners there playing cards.

343. For a publichouse it was properly conducted?—Yes. It was conducted in an orderly manner for a house of its class in a mining district. I heard of no gambling taking place in the house except through Mrs. Slattery's reports. She was so continuous in them that I wrote to the Inspector asking for an inquiry, to show who was in the right and who in the wrong. I could have got respectable people in the neighbourhood to speak as to the manner in which the house was conducted. The hotel was shut up at the proper time.

344. The other matter concerns the occasion when the fence was damaged?—I do not remember the circumstance. Mrs. Slattery and her daughter spoke to me about it, and Mrs. Mellor was there and denied it. I told Mrs. Slattery that her best plan would be to lay an information, and fight the matter out in the Court. I said I would prepare an information for her to take the matter before the Magistrate, as I could do nothing in the matter myself; but neither Mrs. Slattery nor her daughter did anything further. They seemed to be satisfied with the fence being put up. As to the stone going through the window, I made careful inquiries into the matter, and I could find no evidence as to the person who threw it. I believe it was an accident through some boys using a "shanghai."

345. Now, as to the taking of the child to the Court. Why was it taken to Clyde instead of Black's?—The reason was that Mr. McCarthy was the Magistrate for the Cromwell, Clyde, and other districts. He was taking Mr. Dalgleish's place at Black's. That was the reason he signed the order at Clyde.

346. Where was the case heard in Court?—In Black's.

Mrs. Slattery: No, it was not.

347. *Colonel Pitt.*] But the order was signed in Clyde?—Yes.
348. *The Chairman.*] The order was made at Black's, and signed at Clyde?—Yes, and the reason the child was sent to Nelson was on account of Father Sheehan's recommendations.
349. What was the ground on which the child was sent to the school?—He was charged with the theft of gooseberries from a garden, and assault.
350. *Colonel Pitt.*] How old was he?—Twelve years old, Mrs. Slattery says.
351. *The Chairman.*] Was it a charge of assault?—Yes, I think so; I think it was throwing a stick.
352. He was taken from the mother's custody and sent to Nelson?—Yes. We had a great job to get him, and it was by strategy that we got him at last. He had been tried and allowed out; and we went up several times to try and execute the warrant, but we could not get him. He was a very cunning boy. We had to remain in the house one night, and the next morning we got him.
353. *Colonel Pitt.*] Was the mother in Court when the order was made?—I believe she was, but I could not swear to it.
354. *Mrs. Slattery.*] You said I was present when he was convicted?—I said I believed you were.
355. *The Chairman.*] As far as you know the child is still in the school?—Yes.
356. *Mrs. Slattery.*] Did Mr. Gilkison not plead for the child?—I believe he did.
357. Did he not bring it out that there was nothing against the child; and did he not ask you to put a value on the gooseberries?—I believe a value was put on them.
358. Did I offer to pay it?—I do not know.
359. How long after was it that you took the child away?—It was a considerable time after the hearing of the Court.
360. *The Chairman.*] What is the boy's age?
- 360A. *Mrs. Slattery.*] He was fourteen on the 29th December, 1897. (To witness:) How many times did you break into my house?—Occasionally I had a distress warrant, and at times I had ejection orders.
361. *The Chairman.*] Did she ever demand to see them?—No. I begged and prayed of her to give me the key, and told her I would have to force my way in if she did not. She said it was her daughter's place. I asked her, for peace sake, to give me the key, but she would not do so.
362. *Mrs. Slattery.*] Did Fogarty not come forward and produce his documents?—Yes, and I told him to interplead.
363. *The Chairman.*] Who is Fogarty?—The man who laid claim to the place. I told him that if he owned the place he could interplead. He attempted to interfere with me, and I told him that if he did I would have to land him in Black's lockup.
364. Did he interplead?—No.
365. *Mrs. Slattery.*] Had you a warrant with you when you went into the house on the hill in June, 1894?—I had.
366. Why did you not show it to me?—You never asked for it.
367. During the time that Wall was in the hotel, how many times did your duty call you to the place?—Twice a week.
368. Did you ever enter it except when you were called?—I had other parts of the district to look after as well.
369. When I drew your attention to the conduct of the house, did you not tell me that you did not require it?—No.
370. *The Chairman.*] How many hotels of the same kind—in miners' districts—had you under your charge?—There were Ida Valley, Laudervale (sometimes), and another.
371. Which was the nearest to you?—They were all about the same distance away—about seven miles.
372. And you paid them periodical visits?—Yes.
373. There were licensed houses at each place?—Yes. There were eight licensed houses, extending over an area of eighteen miles, and there was only the one constable.
374. Were they all frequented more or less by miners?—By miners, rabbiters, and shearers. It was generally about the Christmas-time that shearing was on. The hotels were also frequented by the public, and by commercial travellers.
375. In visiting these eight houses, had you any system? Did you visit them at regular intervals?—Generally about twice a week each way.
376. So that each house would be visited—how often?—Each house would be visited once a week, any way.
377. What time in the day did you visit them?—About the afternoon. I was also there when concerts were on at the different places in the evening, and sometimes I stayed all night.
378. Were the concerts held in halls?—Yes. This generally occurred about once a month.
379. Did you consider that that was sufficient supervision of publichouses of the class?—I did.
380. What can you tell us as a general report of the houses?—I had one case against one of them for selling liquor to a person who was drunk, but the case was dismissed; otherwise, they were always well conducted.
381. Against a licensee while you were in charge of the district you had only one case?—Yes. I had one conviction for sly-grog selling.
382. That was within the last six years?—Yes.
383. *Colonel Pitt.*] When was that?—I think it was in 1892 or 1893.
384. Had that anything to do with the feeling against you?—That was the start.
385. *The Chairman.*] Was that the case of Mrs. Slattery?—Yes. That was the start of the troubles.

386. Was the case against her, or against other members of her family?—It was against her husband and herself.

387. Do you know anything of the husband's whereabouts?—No.

388. You know there is a warrant out for his arrest?—Yes. I have heard it said that he was at Coolgardie.

389. Have you heard the remark that he was at Dunedin?—No. I would like to say before I conclude that it is simply on account of doing my duty that I have trod on this woman's corns. She is the only person in the neighbourhood of Ophir who alleges a complaint against me.

WILLIAM STONE PARDY, examined on oath.

390. *Inspector Pardy.*] In regard to the boy, I wish to say that the constable came to me and spoke to me about him. I said I would write to Mrs. Slattery asking her to hand the boy over. I also told her that every care would be taken of the boy, and that he would be committed to the Nelson Industrial School, where he would be educated and properly brought up. Mrs. Slattery replied that she would not give up the child. I then informed Sergeant McLeod that the Magistrate's warrant must be executed, and that I expected him to have it done. The sergeant then sent Constable Chisholm, who was a stranger to Mrs. Slattery, from Alexandra to Matakauui to bring the boy, and, to prevent any scene or any violence with Mrs. Slattery, the constable waited until the boy came out of the house to go for the cows and then quietly secured him. Mrs. Slattery was informed of the fact. That is all that occurred in connection with the taking of the boy. In regard to other matters I have nothing to say, unless the Commissioners have anything to ask me. The witnesses seem to have explained it fully.

391. *Constable Leece.*] The house was reported to you as disorderly, was it not?—Yes, and repeatedly I sent either Sergeant McLeod or Constable Leece to make inquiries.

392. And you were satisfied with the police reports as to the conduct of the house?—Yes; I was quite satisfied. From the tenor of Mrs. Slattery's letter to me I could see that she had a bitter feeling against Sergeant McLeod and Constable Leece.

393. Have you had any other complaints about the conduct of the house, or about my conduct?—No, I had no complaints except those from Mrs. Slattery. As far as I was able to judge you did your duty most satisfactorily.

394. *Mrs. Slattery.*] Do you know that there is a warrant out for the arrest of my husband?—Yes. The police all know about it, and any man who says he does not know about it must be guilty of gross negligence for not reading the *Police Gazette*.

395. *Mr. Tunbridge.*] Inquiries have been made for Slattery?—Yes; all over New Zealand and in Australia.

396. He was found in Western Australia?—Yes.

397. Did he send Mrs. Slattery money?—Yes.

398. Through the action of the police?—Yes.

399. Then he left there?—Yes.

400. What was the last you heard of him?—He was calling on a relative, who kept a hotel in Melbourne. I forget the name, but I think it was Mrs. Slattery's sister.

401. That is the last information the police have about Slattery?—Yes.

402. *The Chairman.*] What is the name of Mrs. Slattery's sister?

Mr. Tunbridge: Mrs. Mitchell. (To witness:) Since that you have not been able to ascertain anything about the man?—No.

403. *The Chairman.*] How long is that ago?—About twelve months ago, or well on for it.

404. *Mr. Tunbridge.*] Slattery is known to a good many people in Dunedin?—Yes; and he is well known all over the goldfields. Sergeant Conn knows him, and Constable Leece knows him, and there is a private detective who knows him.

405. Since Mrs. Slattery has stated that her husband is in Dunedin, you have called special attention to the fact?—Yes.

406. *The Chairman.*] Does Mrs. Slattery say she has seen him within the last twelve months?—Yes.

407. You believe there is no foundation for that statement?—She must have been mistaken.

408. *Colonel Pitt.*] Is there any power to execute a warrant in Australia?—Yes, for wives desertion. In this case the warrant was issued, but it was not put into execution as the man sent money.

SATURDAY, 26TH MARCH, 1898.

CHARLES BONNER, examined on oath.

1. *The Chairman.*] What is your rank?—Third-class constable, stationed at Queenstown.

2. I have received a letter from you the terms of which are very similar to a letter received from Constable Treacy, and you refer to him in your letter?—Yes.

3. Will you just state the matters you desire to bring under the notice of the Commission?—I joined the Armed Constabulary—I am not sure as to the year, but I think it was in 1882, and was transferred to the Permanent Militia in 1884, and to the Police Force in 1890. I have got the long-service medal, and I am still a third-class constable. I have been nearly thirty odd years in the Constabulary and Police Force. I joined the Armed Constabulary first in November, 1867, and I put up with all the hardships connected with it during the war. I have the New Zealand war medal also. During the whole of my service I have never been once before an officer.

4. When did you leave the Armed Constabulary from that first service?—In 1869.

5. And rejoined?—In 1882.
6. *Colonel Pitt.*] Why did you leave in 1870?—I do not know. There was sickness in the family, and I tried to get leave.
7. *Colonel Hume.* You resigned?—I resigned; quite so.
8. *The Chairman.*] The particular subject of your complaint is you have not received promotion?—Yes. I lost all my service through being transferred to the police, and I find that young fellows are over me who have done no service at all.
9. You refer to loss of service, not in the police, but taking in the Armed Constabulary?—Not loss of service in the police, but loss of service as a whole; in fact, it was through no fault of mine I was not in the police before. I made application time after time, but it was never attended to until I saw Colonel Hume, and he transferred me immediately I saw him about it.
10. Is it the question of long-service pay you particularly draw attention to, or do you join with that the slow promotion?—Well, the long-service pay.
11. May we take all that has been said by Constable Treacy on that subject as embodying your views?—Yes.
12. Have you any suggestion to make to us in respect of any matter connected with the working of the Force?—There is one thing I would like to refer to. Being a third-class constable residing in the goldfields district, I find 7s. a day is just about as much as I can live on at all. Everything is so very dear there. We pay from 25 per cent. to 30 per cent. more for everything than they do in the town.
13. Do you call Queenstown, where you are now stationed, a goldfields town?—Yes.
14. *Mr. Poynton.*] You are a married man?—Yes, sir. Take coal, for instance: we pay £2 2s. a ton for the Kaitangata coal, and we burn as much again as they do in any other part.
15. *Colonel Pitt.*] I suppose there is no wood up there?—Very little. Then, again, the quarters are very bad indeed.
16. *Mr. Poynton.*] Do you get free quarters?—Yes, Sir.
17. *Colonel Pitt.*] Do you know if you have any merit records on your sheet?—I see by the sheet I have one reward of £2 2s. for obtaining convictions against two boys for breaking telegraph insulators.
18. *The Chairman.*] And your defaulter's sheet is quite clean?—Yes.
19. How long have you been stationed at a goldfields station?—Something over three years.
20. How many of a family have you?—Four children.
21. Are you in charge of the station at Queenstown?—No, Sir.
22. How many men are there?—One sergeant and myself.
23. How is it you get free quarters?—Well, the quarters were built a number of years ago, when it was an officer's station. They were single men's quarters, and the building has been there for thirty or forty years—at any rate, for a very long time.
24. *Colonel Pitt.*] Have you any perquisites outside your pay?—I am Inspector of Slaughter-yards.
25. What does that bring you in?—It brought me in, I think, £3 10s. or £4 10s. during last year. Of course, in winter time, they have to get their stock of coal away down the line.
26. Are you a mounted constable?—Yes, Sir.
27. *The Chairman.*] You find that 7s. a day leaves you hard pressed to pay your way?—Very hard indeed.
28. Is there any special wear and tear on your uniform on the goldfields?—Well, the long riding spoils your clothes sometimes.
29. You have breeches and boots to find?—Yes.
30. Do you get any special allowance on account of being mounted?—No, Sir.
31. You have to find a double uniform, as it were?—Yes, but it means simply a pair of breeches extra in the country.
32. What do you consider your uniform, including your riding-gear, costs you annually?—I could not say just now.
33. *Colonel Pitt.*] Have you to find a helmet?—No, Sir.
34. *The Chairman.*] Is there anything else you would like to add?—No, Sir.
35. *Mr. Tunbridge.*] I would like to know which you would prefer, a retiring-allowance, or a pension?—Well, with a family, I think I should like a retiring-allowance. It might be more good to them. I mean, that a retiring-allowance would be more good to my family than a pension. My family are all young, and, if I had to retire, the retiring-allowance might get me into something.
36. Personally, you would prefer a retiring-allowance to a pension?—Yes.
37. Have you any means of knowing what the opinion of your comrades is on that point?—No, Sir, I have not.
38. You are only expressing your own individual opinion?—Yes, Sir.
39. You must be rendered unfit for further service before you could be retired?—Yes.
40. And, although you might be rendered unfit for further work, you still think the retiring-allowance would be better for you than the pension?—I do not know, when I come to think of that again, a pension might perhaps be the best. Perhaps I might get laid up at any time. I did not look at it in that light.
41. *Mr. Poynton.*] Are you insured?—Yes, for a small amount.
42. *Colonel Pitt.*] How much are you insured for?—£150.
43. *Mr. Tunbridge.*] You say that, on considering the question, you are not so sure that a retiring-allowance would be preferable to a pension?—I was thinking of it for my family's sake. As the family are all young, it would be more good to them than a pension would be to me. They might go into business with it. I have not considered the pension.
44. *Colonel Hume.*] When you joined the Armed Constabulary Force in 1882 where were you stationed?—Wellington.

45. Did you go up the West Coast—Rahotu, Parihaka, and other places up there?—Yes.
46. And you were there in camp?—Yes.
47. And you were employed making roads?—Yes.
48. And you got some extra pay for that?—I myself never made roads.
49. The majority did?—Yes.
50. What was the pay in the Armed Constabulary Force then?—6s. a day.
51. And then they got 1s. a day for making roads?—Yes.
52. Did they get anything for camp allowance?—No, Sir.
53. Then, they were getting 1s. a day extra, and they had a fairly good time of it. They stopped at 12 o'clock every day and had the afternoon to themselves?—No; I never saw that.
54. Do you think the service they were then performing was in any way so hard as going on the streets from 9 to 5 every day?—No, Sir.
55. And yet your contention is that your date as constable should go back to 1882?—Quite so.
56. Would you not be going over the heads of those men that were working hard on the streets, when you were having a fairly good time on the coast?—I may say I was driving a wagon the best part of my time in the Constabulary, and I was out day and night, and it was very hard.
57. I understand the contention of your comrade was that police seniority should be the date of your joining the Armed Constabulary Force?—Yes.
58. Will you say you think the Armed Constabulary Force in those days were doing anything like as severe duty as the constables were doing on the streets?—Perhaps for six months in the year they would not.
59. But do you think it was so hard?—No, I do not think it so hard.
60. You have been a long time a third-class constable?—Yes.
61. Supposing you had been in the police in those days, and these Armed Constabulary men had come in over your head according to seniority, how long would you have been a third-class constable?—Well, they have left the Armed Constabulary Force and gone into the police with their service.
62. *Colonel Pitt.*] When was that?—I suppose that would be in 1878.
63. *Colonel Hume.*] Come into the police with their Armed Constabulary dates?—Yes.
64. But is it not a fact that a third-class constable would never know how he stood on the list at all if every man in the Armed Constabulary Force were to come over with the date of his Armed Constabulary appointment?—Yes. I was not asking for seniority; I was asking simply for long-service pay.
65. When you came in in 1890 you knew perfectly well you were not going to get long-service pay?—Well, I never made any inquiries.
66. You were in the Permanent Artillery, and did not know on what terms you were transferred?—No. There was simply an order asking men from the Permanent Militia if they wished to be transferred to the Police Department, and the men were transferred.
67. You did not know that three years previously long-service pay was abolished?—I heard so, but I did not think it was going to apply to old hands.
68. You say your quarters are bad at Queenstown. Now, there has been a large sum of money spent on your quarters at Queenstown recently, has there not?—Yes.
69. I passed through Queenstown not very long ago, did I not?—Yes.
70. You did not make any complaint about your quarters then?—I had not the time.
71. *The Chairman.*] You do not make any complaint about them now?—No.
72. They have been improved of late. When you say "very bad," do you refer to the condition they are in now since the repairs?—No; they are very much better now.

JOHN DWYER: Examination on oath continued.

73. *The Chairman.*] The last words yesterday were, "I remained in charge of Oamaru Gaol until February, 1897." Will you proceed now?—In February, 1897, I received official notice through my Inspector that I was transferred to Clyde, where I am now stationed. I wish to point out here that I used no political influence in any way to thwart the orders of the department, although I knew I was going to the worst station in New Zealand.
74. Do you consider Clyde the worst station in New Zealand?—I do; that is, for a sergeant and his family. I might call it the Siberia of New Zealand.
75. Is it known by that name?—I have heard it called that name before. I am seventy-six miles from the nearest railway-station.
76. What is the population?—About three hundred and fifty, I think it was, by the last census.
77. *Colonel Hume.*] It is a great deal more since the dredging?—It is not Clyde; it is Alexandra that has increased on account of the dredging.
78. *The Chairman.*] Where is the nearest railway-station?—Lawrence.
79. Have you any men there with you?—One constable. Living is at the very least 25 per cent. dearer than in any other town or centre in the colony.
80. What is the price of coal there?—Well, there is lignite coal to be obtained there at from 16s. to £1 5s. per ton.
81. When you say living is dearer there, then, it does not apply to coal?—It does not apply to coal. It is the necessities of life that it applies to. My perquisites for the year ending the 31st December, 1897, amounted to £3 1s.
82. What were they for?—Inspector of Slaughteryards, and bailiff's fees in the Warden's Court.
83. Do you do the bailiff's work yourself, or does the constable do it?—I do it myself. I am bailiff. The position of some of the constables serving under me is at the very least £20 a year better than mine.

84. But you have only got one man?—I have a sub-district.

85. How do they get that extra £20?—As Clerk of the Stipendiary Magistrate's Court, looking after the Court, and bailiff's fees, and other perquisites. I do not care whether some of them got £50 or £100 more, but I am only quoting this to define my position. I consider a man with 2s. a day less in one of the larger towns is very much better off than a man stationed in the goldfields district.

86. What family have you?—I have eight mouths to keep—five children, a servant, and myself and my wife.

87. And quarters?—Yes, Sir, I have free quarters.

88. And your pay?—My pay is a third-class sergeant's pay—that is, 9s. 6d. a day.

89. *Colonel Hume.*] And 1s. a day long-service pay?—The 1s. a day long-service pay is included in that—8s. 6d., and 1s. a day for long-service. I contend, your Worship, that, as it suited the department to have allowed me to remain in charge of the gaol, when these men were promoted over my head in 1894, in common fairness, I think, I should have been promoted in my place, unless there was some cause to the contrary, which I am not aware of.

90. *The Chairman.*] Is there a gaol at Clyde?—There is.

91. And who is in charge of it?—Constable Pratt, the constable who is serving under me.

92. I do not quite follow that remark of yours. You say, "As it suited the department to keep you in charge of the gaol in 1894." What do you contend?—That I should have been promoted then in my turn. There was a certain number of acting-sergeants junior to me, and they were promoted over my head at that time. That is my grievance.

93. Has Pratt any other duties to perform than those of gaoler?—Oh, yes. Of course, he has only a prisoner about once in six months or so there. He does police duties when he has no prisoner, the same as I had to do when I was in charge of Oamaru Gaol. I had to do police duty when I had no prisoners.

94. Any emolument attached to that office?—There is this: He gets £156 a year salary from the Prisons Department, and he gets 1s. a day long-service allowance from the Police Department, and free fuel and light from the Prisons Department. He gets free quarters, of course, the same as I get. I think that shows, your Worship, that he is about £20 a year better off than I am. I am not finding any fault with that. I do not begrudge any man what he gets. I only mention this to make it a basis on which to urge my claims. Other members of the Force who were acting-gaolers at that time were promoted in their turn, and still left in charge of their gaols. The gaoler of the Timaru Gaol for one.

95. I understand that, situated as you are at Clyde, if the gaoler has a prisoner in charge, the only active force is yourself?—That is all, and I have to attend to the out-stations. I may say I consider that is quite enough for the place. I believe the number of prisoners who went through the gaol last year was eight or nine.

96. *Mr. Poynton.*] How long do you keep them there?—For a month—thirty days. I notice that, in the last batch of promotions that were made, a large number of constables that were acting-gaolers were promoted in their turn, clearly showing that Commissioner Tunbridge recognises the justice of deserving men being promoted in their turn, even though they are acting-gaolers. It would not have cost the Police Department one penny to have promoted me in 1894 in my turn. As I was receiving my salary from the Prisons Department it mattered not whether I was third-class constable or first-class sergeant. My pay would be the same. In July, 1882, I performed an act of bravery by saving life from fire at Dunedin, for which I was specially promoted from second to first-class constable by Colonel Reader, who was then Commissioner of Police, and I also received a silver medal from the Mayor and citizens of Dunedin for valour displayed on that occasion.

97. *Colonel Hume.*] That is down on your merit-sheet?—I think it is. In 1891, I performed another act of bravery by jumping into the Oamaru Harbour one dark, cold, stormy night, and swimming out a distance of 80 or 100 yards to save a man who was drowning. I received a reward of £5 from the department and the Royal Humane Society's certificate of merit. I wish to quote a case as a comparison. In doing so I have no desire to cast any reflection on the officer. First-class Constable Joseph S. Kelly was promoted from first-class constable to acting sergeant in August, 1887, or seven months after my promotion. I think he was promoted in Auckland. In 1892, for jumping into the Auckland Harbour and saving life from drowning, he was promoted from third-class to second-class sergeant. It would appear that the act was not rewarded, looking at the *Government Gazette*, by any award from the Royal Humane Society. He is now a first-class sergeant, while I am still a third-class sergeant. I would like to know why there has been such a great difference in our treatment.

98. *The Chairman.*] You got £5, and he got promotion?—He got promotion, yes, for, perhaps, an act that was of a good deal less merit. In placing these facts before you I have no desire to pose as a man with a grievance. After my twenty years' service this is the first personal complaint I have made on any matter or thing whatever. I have always done my duty to the best of my ability, and got on well with every officer with whom I have served. It has always been my ambition to get on in the service, and I never missed an opportunity of advancing myself.

99. How about your defaulter's sheet: is it clean?—It is not clean. I am over eleven years and a half years wearing a stripe—that is, acting sergeant—and men who were promoted last month are on the same level with me to-day. What I ask is that I be placed according to my seniority on the second-class list—that is, fourth from the bottom.

100. Are you aware there is no recognised claim to promotion by seniority?—Well, if I do not stand equal to those men that have been promoted over my head in merit, then I am willing to withdraw this complaint. I am prepared to stand an examination in criminal law with any of those men who have been promoted over my head.

101. You allege that your record is as good as theirs?—I think so. I might add that I have been five years and a half district clerk, and six years and a half gaoler, and that has shut me

out from the most active part of my life in the service. You will have an opportunity of seeing my record, and I say, without any fear, if I was engaged on active police work during that time, perhaps it would be twice as good. I have asked for certain documents to be produced. I have had correspondence with Mr. Tunbridge on the subject, showing that I had no desire to come before you to settle this matter. [File of papers produced.] I would like, Sir, to make a few remarks here about defaulters' sheets and records of merit. Men have complained to me that they decline to appear before the Commission on account of their defaulters' sheets being published in the newspapers. They do not object to the Commissioners seeing their records, but they object to their being published in the newspapers throughout the colony, and for that reason they are not going to come before the Commission. One man brought it under my notice only yesterday. I may be excused for saying that I do not see any good coming out of it—the publishing throughout the colony the fact that a man committed some venial offence perhaps eighteen or twenty years ago. Men object to come here and give their evidence on account of that fact. I have no objection myself. My records and my career in the Police Force are open to the strictest scrutiny.

102. *Colonel Hume.*] When you were made gaoler at Oamaru you were district clerk to Mr. Thompson, the Inspector?—I was.

103. As district clerk, I suppose, you read all his letters and telegrams and that sort of thing?—Pretty well.

104. Then you would have written this telegram probably, accepting the appointment?—I did not write it. I do not think I did. I laid my report before him and he wired from the contents of it.

105. Do you know what was in that telegram?—I do not. I have no remembrance of the full contents of it.

106. You took a press copy of the telegram if you did not write it for Mr. Thompson?—I know, at the time, he said he was not going to send the full report. It was too long. He said, "There is no fear of your being passed over. You will get promoted in your turn."

107. You told us yesterday you took charge on the understanding that you were not to lose your rank or promotion, and to get long-service pay from the Police Department?—Yes.

108. Although you took it under what is contained in this telegram?—No, I did not. I placed a report before him, a copy of which I produce.

109. Then the Inspector sent a false report to the Commissioner?—I do not know that he did. I know he curtailed my report in the telegram.

110. Were you aware of the contents of this telegram: "Oamaru, 8th March, 1890.—The Commissioner of Police, Wellington.—If there is no difficulty, Dwyer will gladly accept the position of gaoler, if he is allowed to retain his rank. I will recommend him for it"?—I must have been, because I forwarded it. I know at the time Mr. Thompson made reference to the fact that there was no fear of anybody going over my head, and he said he would shorten the telegram.

111. That was Mr. Thompson's telegram, and you placed your confidence in what Mr. Thompson said?—Yes. I placed my report before him.

112. You had been away from police work proper for about twelve years—district clerk for five years and a half, and gaoler for six years and a half?—Yes. I did police duty at the same time.

113. Where—at Oamaru?—Yes, at Oamaru.

114. In Oamaru you generally had prisoners, had you not?—Yes, pretty well always.

115. And when you had prisoners you did not do police duty?—Yes, that is it.

116. Can you tell me of any non-commissioned officer of the police that has been promoted and allowed to remain as gaoler?—Sergeant Green, who was in charge of Naseby, for one.

117. But was not Sergeant Green in charge of the station?—He was, and also gaoler.

118. Were you in charge of the station, and also gaoler?—From 9 o'clock at night till 9 o'clock in the morning I was in charge at Oamaru. I was sergeant residing at the station, and I was responsible for the conduct of the station there from 9 o'clock at night till 9 o'clock in the morning.

119. Was not Sergeant Green in charge of the sub-district?—I am not talking about the station?—There is no sub-district attached to the Naseby Station. It stands by itself.

120. Quite so. That is a district, is it not? Was Sergeant Green in charge of Naseby sub-district?—Yes, he would be.

121. Were you ever in charge of Oamaru sub-district?—Yes, when the sergeant was absent from the town—when he was called away, or when he had leave.

122. But you were not in charge?—I was in charge at the station when I paraded the men coming off and going on night duty.

123. Quite so; but who was in charge?—Sergeant O'Grady.

124. Did the sergeant give up his command to you for the time being?—That was the rule.

125. That was an arrangement between you and the sergeant?—Yes, and between me and the Inspector.

126. Who was responsible for the good order of the town?—Oh, Sergeant O'Grady.

127. I visited the gaol, as you say, on the 5th January, 1894, was it not?—That is so.

128. On that occasion we talked about transfers and promotions together?—We did.

129. Had we talked about transfers and promotions before that—on any of my previous visits?—No.

130. You are sure of that?—I am; not that I remember.

131. I have never told you that as long as you remained gaoler you would never get promotion?—I am certain of that. You never told me.

132. What was that conversation on the 5th January? You asked me if you were to be shifted to Dunedin, did you not?—Ten days before your visit to the gaol it appeared in the Dunedin papers I was to be shifted to Dunedin. When you came to Oamaru I asked you if there was any truth in that rumour. You said there was. I gave my reasons why I should not be shifted to Dunedin.

133. That was on the 5th January, and I was going straight up towards Christchurch?—I think so. According to the record you made in Wellington you arrived some days afterwards.

134. You may be surprised to hear I wrote this memorandum to my clerk from Christchurch on the 9th January, four days afterwards: "Mr. Evans.—These promotions can now be published. Acting-Sergeant Dwyer declines promotion, and desires to remain at Oamaru, so we shall have to find some one else for Dunedin. Sergeant Mackay, Auckland Water Police, must be told he will be transferred at an early date, and his promotion will be subject to such transfer"?—I never heard of that before; I never saw that memorandum.

135. At that conversation do you remember telling me you would like to go to the North Island?—I did, sir; any place North, so long as I could get free quarters. If you could give me free quarters, of course it would be better for me.

136. And you are still certain in your own mind you did not decline promotion, and ask to remain at Oamaru?—Yes, I am certain of that.

137. What did you say when I said you were to go to Dunedin?—I pointed out to you my relatives were living there. My wife's people were living there, and I did not care to be stationed where I had friends. I also pointed out it would cost 15s. a week house-rent, and I did not think my pay would be equal to that. You fell in with those views, and you said you would try and get me a station up North.

138. If, as you say, I had never spoken to you about promotion before that, how was it you did not ask for promotion at this time?—Because my juniors were not passed over my head. My position was not affected in any way.

139. Was it not affected in 1892?—No.

140. When was it first affected?—In 1894. It was affected when I was sent to Clyde. They were third-class sergeants as well as I was. The only thing I applied for was my place in the seniority list, and I thought I would have no difficulty in getting that the moment I placed it before the head of my department.

141. Is it not an important part of a sergeant's duties to conduct cases in Court?—Yes.

142. Is it not a fact you had been twelve years away from the chance of conducting cases in Court, except, perhaps when the sergeant was on leave, or away from the station at Oamaru?—I had good experience in Oamaru while gaoler. I was in the Court every day in the week when I had prisoners there, and I can conduct a case as well as any of the sergeants that have been passed over my head. That is my opinion of myself.

143. Is not this a very important thing, and had you any practice at it?—I had in Oamaru. I conducted several cases there in the absence of the sergeant. He was Inspector of Weights and Measures, and he had to go round the district.

144. Did you ever conduct an important case?—No, I did not. I was generally present in the Court, and had a good knowledge of the routine work in connection with the conduct of cases.

145. *The Chairman.*] Are you having that experience now—are you conducting cases in the Court now?—I am. I have sent seven prisoners down here for trial to the Supreme Court.

146. Have any of the third-class sergeants you have named as having gone over your head been away from police work?—I am not aware. I may say men have been promoted lately who are district clerks.

147. *Colonel Hume.*] Who?—Sergeant Wright, of Wellington, has been promoted. He is a district clerk, and has never been anything else. Sergeant Ross here was nothing else but a district clerk, and he was promoted when he was only a second-class constable.

148. In Sergeant Kelly's case do you know anything about the circumstances of the case?—I have heard a little about it. He was promoted to acting-sergeant for arresting some Maoris in the North Island; and in the case of saving life, which I have referred to, I understand there was no merit whatever attached to it. It was in the open daylight when he performed the act, and there was no danger attending it as far as I can understand.

149. Where did you get your information?—I got it from a reliable source. These things were talked about by constables stationed with him at the time.

150. Well, then, you say now you want to be put on the same footing as those who were promoted to second-class last month?—That is it—that is, those who were passed over my head in 1894 through no fault of mine. I want to be placed in my proper place. That is my complaint.

151. If that were done would you not be taking the place of men who have been doing active work all the time you have been employed on other duties?—But that is no reason why I should not receive promotion in my turn. These men know I have a right to be there.

152. Is it not a fact that you have been twelve years away from police duty, while these men have been doing police work all that time?—Yes; but I have done police duty in Oamaru, as I have already stated. I do not consider that a reason why I should be passed over, with everything else equal.

153. In all my visits to Oamaru, from time to time, you never once asked me as to how you stood for promotion—that is what I understood you to say?—Well, you promised to shift me in 1895, and in 1896 again, when you visited the gaol.

154. Did we ever talk about promotion at any of those times?—No.

155. During the whole time you never spoke to me about promotion?—No, I did not. We did not speak about promotion at all.

156. I think you said things were 25 per cent. dearer at Clyde than elsewhere?—Yes; that is a very low estimate of the cost of living there. I will bring that, however, before the Commissioners in another form.

156A. Have you ever been at Queenstown?—Yes, I have passed through there.

157. Do you know anything about prices at Queenstown?—They are not quite as dear as at Clyde, but they are very dear there.

158. *Mr. Tunbridge.*] What were your pay and emoluments as gaoler at Oamaru?—My salary was £156 as gaoler. All police gaolers, no matter whether third-class constables or first-class sergeants, got the same pay, and 1s. a day long-service.

159. What else?—Fuel and light, and house.

160. What do you estimate fuel, light, and lodging to amount to?—About eight tons of coal in the year—that would be £12: light about £5 or £6 in the year: that would be £18, and I suppose house-allowance would be about £25.

161. Can you get a house at 10s. a week?—In Oamaru you would get a decent house. For 10s., in Oamaru, you would not get as good a house in Dunedin for 15s., or in Wellington, perhaps, for £1 5s.

162. That is equal to about £218 10s., then?—Yes.

163. The pay of an acting-sergeant is what?—9s. a day.

164. He gets nothing besides?—Nothing besides.

165. As a matter of fact, you were getting constable's pay although you held the rank of acting-sergeant?—Yes.

166. On being gaoler at Oamaru, you had pay and emoluments equivalent to £218 10s., whereas if you had remained acting-sergeant you would have been receiving just over £170?—That is, if I had been stationed in a town, but if I had been in charge of a country station my perquisites would have been considerably higher.

167. Will you instance any case?—I will.

168. Where were you as acting-sergeant?—In Oamaru.

169. What were you getting there in addition to your pay?—When I was district clerk I was getting 9s. a day.

170. *The Chairman.*] Including long-service pay?—Yes.

171. *Mr. Tunbridge.*] Roughly, you were benefited, by getting gaoler's position, to the extent of £1 per week?—Not that, Sir.

172. You would be benefited, roughly, about £50 a year?—That is, if I was in a large town and paying house-rent.

173. I mean, from the position you were holding at Oamaru, as acting-sergeant and district clerk, your appointment as gaoler benefited you to the extent of £50 a year?—That is, if I did not have free quarters.

174. *The Chairman.*] You had free quarters as district clerk?—I had. I lived at the station for two years.

175. *Mr. Tunbridge.*] You were benefited something under £30 a year, roughly?—£25, I put it down as.

176. You were going to give instances?—Well, there is Sergeant Hannan on the West Coast, at Stafford, whose perquisites, I understand, are equal to £100 a year, besides free house.

177. Do you know the date of Sergeant Hannan's appointment as acting-sergeant: was it before your appointment?—Yes, he was senior to me.

178. At that rate you would have had no opportunity of getting Sergeant Hannan's appointment, because he was already there in possession of it?—Well, juniors have been appointed to stations and seniors left in town.

179. You say you understand Hannan's emoluments are worth £100 a year?—Yes.

180. Will you look at that return and see if that bears out what you understand?—He shows his perquisites here at £34 a year; and free quarters, of course.

181. *The Chairman.*] Do you imagine that that includes the mileage, or is it only bailiff's fees?—Those are the fees for serving summonses. I do not think it does. I think his mileage at Stafford is five times that amount.

182. *Mr. Tunbridge.*] Have you any reason to suppose that is an inaccurate return?—I think so.

183. Why?—Because mileage is a great deal more than that, I suppose.

184. What other remuneration as bailiff would he receive than mileage?—Nothing else.

185. You maintain there is no room for mistake, that it must be deliberate misrepresentation?—I do not say that. I saw a return sent in here to the Inspector's office which did not represent the amount received as perquisites. There were more than bailiff's fees omitted from the record. The constable who had charge of the station has left the service now. His predecessor's perquisites as Clerk of the Court, looking after the Court, and other things, amounted to £42 15s., and yet they were returned as £8 for the year ending December last year, together with the £16 for Clerk of the Court and looking after the Court.

186. What was the name of that constable?—Constable Gleeson. He has left the service now.

187. Had that return to pass through your hands?—No. It was sent to the office.

188. You say your position was not affected until the three sergeants whose names have been mentioned were advanced to second-class last month?—My place in the list was affected, but not my position in regard to pay.

189. But your pay was only £156 per annum?—In the gaol?

190. Yes?—And long-service pay together with that.

191. You say your position was not affected till then: but these sergeants were third-class sergeants; and what was the pay of third-class sergeants with long-service pay?—About £174.

192. You were only ranking as acting-sergeant, and these men were ranking as third-class sergeants from 1894?—Because they were promoted over my head.

193. You said in your answers to Colonel Hume that your position was not affected till last month, when these sergeants were advanced to third-class sergeants?—No; I said my position as regards pay.

194. But you did not say as to pay?—Well, I correct that. My position was, of course, affected in the seniority list, because I was the senior acting-sergeant; and these men were promoted over my head in 1894, and therefore my position was affected as far as seniority was concerned.

195. Why did you not raise the question at that time?—Well, because my position as far as my pay was concerned was not affected.

196. As a matter of fact, if you had raised it at that time you would have been a great loser?—I do not know that I would. I might have been a gainer.

197. But, taking your pay, instead of drawing £218 10s. in 1894—they were not getting 10s. a week house-allowance at that time—if you had raised the question, and your request had been acceded to, you would have lost the difference between £170 and £218?—If I was sent to a city I would, but I might have been sent to a station. I might have got a country station.

198. As to these three men, where were they sent to?—Mackay was sent to Lawrence. Mitchell is in Napier. Mitchell had charge of a country station, and he was my junior.

199. Where was Bernard sent to?—I could not tell you. I think he was stationed in Auckland or Onehunga. I know Mitchell had charge of Hastings before he was promoted.

200. You ran the risk of losing the difference between £170 and £218?—Well, it was a risk. I might have got charge of a country station. You asked me to give you instances. Well, Mitchell was stationed at Hastings, and he was junior in the service to me. You can turn up the records, and see the perquisites he got when he was stationed at Hastings. I will give you another instance. There was the late Constable Florence O'Donovan, whose memory I respect and venerate. He was promoted when he was only second-class constable to acting-sergeant; but some time afterwards, in order that he should not lose his station, he reverted to the rank of first-class constable, and four years afterwards he was promoted over all the acting-sergeants to third-class sergeant in 1892.

201. *Colonel Hume.*] When was he made acting-sergeant?—About 1884 or 1885.

202. *Mr. Tunbridge.*] Did you protest against that?—I did not. I never protested. I never asked for one single favour since I joined the Police Force, nor have I protested against a single thing until to-day.

203. Why did you not protest at that time?—Well, I am not a man to protest.

204. Was it not because you were receiving a great deal more pay yourself?—It might not be the reason. As soon as you took charge, sir, I laid the matter before you.

205. And did I not deal with the case?—Yes, you dealt with it impartially and honestly. You said you could not reopen a matter that had been decided by your predecessor. There was nothing else left for me but to bring the matter before the Commissioners.

206. *The Chairman.*] We understand that you feel aggrieved at your position in the service?—At my juniors going over my head.

207. *Mr. Tunbridge.*] You will appreciate the difference between the report you read and the telegram that was sent up with reference to your appointment?—Well, I swear I laid that report before the Inspector.

208. What was the habit of Inspector Thompson in dealing with reports of that kind?—Filed them.

209. Did you file that report as district clerk?—I did; certainly.

210. Can you suggest why, if that report was filed, it is not with the other papers?—I will suggest a reason. Since the district was abolished, a lot of the papers have gone to Christchurch time after time. The sergeant who was appointed, and who is there now, has not got the knowledge of looking up the correspondence. He has not got the run of the office or the files of papers, and he may search for a week and not find it. And further, so many papers have been searched for time after time that the files have been disturbed. They have been put into empty packing-cases, the rats have got at some of them, and the files have been disturbed in every shape and form. All I can say is I filed a copy of that report at the time I furnished it to the Inspector. I have a copy of that report here.

211. Were there any other papers in connection with your appointment as gaoler at Oamaru?—I am not aware of any more. There was a lot of correspondence passed with the Inspector at the time, because there was considerable trouble with my predecessors in the gaol. There was a lot of trouble with them at the time, and Major Gudgeon wanted me to take it for some reason or other. He seemed to be anxious I should take the gaol: for what reason I do not know. I know my predecessor did not conduct himself properly, and there was a good deal of trouble, and he asked me to take it as a sort of special thing.

212. Did you not appreciate at this time, when the telegram was sent up, the difficulty you might be placed in owing to the telegram not specifying the conditions under which you were accepting this?—Mr. Thompson told me there was no fear of my promotion not going on. I might also add I was living in two rooms, and I had one or two children, and I was kept there against my wishes. I submitted a doctor's certificate. There was then a sum of money voted to put up sergeants' quarters when the vacancy occurred in the gaol, and in order to save that money, I dare say that was one of the reasons I was asked to go into the gaol. I tried to get out, and pay house-rent, several times.

213. You will admit, I take it, that your duties as gaoler at Oamaru, although better remunerated, were very much less onerous than a street sergeant's duty would be?—No, Sir, they were a lot more onerous, and I am glad you asked me that question. I see it has been suggested at Wellington that the police at Oamaru were simply getting out of each other's way. I have a return here of the number of prisoners that passed through the gaol during my time. My duties were some days eighteen hours on a stretch. I put through twenty-two lunatics in one year. For the year ending the 31st December, 1890, the first year I took charge of the gaol, I put 242 prisoners through the lockup, and 125 through the gaol.

214. *The Chairman.*] Are they not necessarily the same?—Some of them would be. There were outlying stations, such as Hampden, Ngapara, and Kurow, where I received prisoners from, and there were also prisoners in transit. In 1892 there were 227 prisoners through the lockup, and 129 through the gaol; in 1893, 230 through the lockup, and 132 through the gaol, and so on to the time I left it.

215. *Mr. Tunbridge.*] What were your actual hours on duty?—I got up every morning at 5 o'clock. I was called out to parade the men coming off night-duty, and at 6.30 I was attending to my prisoners. If I had prisoners awaiting trial, I gave them the usual exercise in the yard. I was also probation officer for the district.

216. But the whole of your duties were done under cover. Do you consider the position of a sergeant performing eight hours' duty at night on the streets in Dunedin would be an easier one than yours?—I often wished, when I was in the gaol at Oamaru, that I was doing my eight hours on duty.

217. But do you consider his duties were lighter than yours in that gaol?—No. Sometimes, as I say, I have been on for eighteen hours at a stretch in the gaol, when I had a violent lunatic that I could not leave.

218. Your duties were done under cover?—Oh, no; the prisoners had to be looked after—to be watched when doing their hard labour.

219. *Colonel Pitt.*] Do you consider that the twelve years you were away from police duty proper has in any way incapacitated you from performing the duties attaching to the rank of sergeant?—No, Sir, not in the least.

220. You have said some of the constables objected to their defaulters' sheets being published?—Yes. I think it is hardly fair to the men to publish in the newspapers the fact that, perhaps, some twenty years ago they were punished for some venial offence, and so discredit them. I know they have told me they would not come before the Commissioners on that account. They have grievances they would like to ventilate, but on account of the publicity given to their defaulters' sheets, they would not come before the Commission.

221. *Mr. Tunbridge.*] Would you give us your opinion on the question, pension *versus* retiring-allowance?—I think the police would be a good deal better off with a pension than a retiring-allowance.

222. You think a pension would be preferable to a retiring-allowance?—Yes, a great deal more preferable, in fact some of the men have asked me to speak on that point to-day. They cannot come in themselves, and they have asked me to state that they are in favour of a pension as against a retiring-allowance.

223. Do you think the men would object to contribute towards a pension fund?—I do not think they would.

224. They would not object?—I, for one, would not object to contribute towards a pension fund.

WILLIAM STONE PARDY, examined on oath.

225. *Sergeant Dwyer.*] How long have I been stationed under you?—I think it is something over twelve months.

226. Fourteen months?—About that.

227. How have I discharged my duties during the time I have served under you?—You have given me great satisfaction.

228. Do you know Sergeant Mackay?—Yes.

229. Do you know Sergeant Bernard?—Yes.

230. Do you know Sergeant Mitchell?—Yes.

231. Now, Inspector Parady, supposing the four of us were stationed in your district, and we all held the rank of acting-sergeants, and I was the senior man of the four, and you were asked by the department to recommend a man for third-class sergeant, would you recommend any of these men over my head?—Certainly not.

232. You consider me to be as suitable a man for that rank as any of the men I have named?—Yes. I should say a man like you should not be kept in the ranks. I am not flattering you. I am telling you honestly what I think of you.

233. Since I have taken charge of the Clyde sub-district I have sent seven prisoners for trial to the Supreme Court in Dunedin, and I have supplied you with copies of the depositions. How have I conducted the cases?—I cannot say any more than I have said before—that you have given me every satisfaction since you have been there. I was highly pleased with the way in which you got up those cases—the way in which you placed the evidence before the Court.

Colonel ARTHUR HUME, examined on oath.

234. *Sergeant Dwyer.*] You heard the questions asked Inspector Parady. Do you concur in what Inspector Parady says?—I quite concur in what Inspector Parady says. I would like to explain to the Commissioners that this is one of those cases I mentioned in Wellington. Almost all the North Island stations are held, or have been held, by acting sergeants-major or first-class sergeants, and, directly you attempt to send a third-class sergeant to succeed an acting sergeant-major or a first-class sergeant the particular locality at once considers it an insult. Now, in this particular sergeant's case, I had not forgotten his request to go to the North Island, and the two stations which were vacant happened to be Palmerston North and Wanganui. I thought he would be a suitable man for Palmerston North, where they had just had an acting sergeant-major, who died, but I found if I had sent him there I should only have brought an hornet's nest about my ears, because his rank, unfortunately, was only third-class. And then down here Clyde was the only place vacant, except the town, where he would not get a house, and that was the reason I sent him to Clyde, so that he might get a house there.

235. *Mr. Tunbridge.*] What would you consider the relative positions of Sergeant Dwyer and those other three who have been mentioned—Bernard, Mackay, and Mitchell—at the time they were made, and Dwyer was left at Oamaru?—As far as that goes I have always made up my mind, and I cannot understand how Sergeant Dwyer does not recollect my telling him that as long as he remained there he would not be promoted. That I always understood to be a compact we thoroughly knew about.

236. *The Chairman.*] Apart from that—supposing that understanding not to have been in your mind—what then would you have considered his proper position with regard to the men named? Did you understand they would be passed over his head?—I did understand it.

237. Did you consider Acting-sergeant Dwyer would stand lower on the seniority list than those three who were made sergeants at that period?—Yes; because, as I said before, he has had no practice in conducting cases in Court.

238. When you made those three men sergeants, you were aware they would stand above Sergeant Dwyer in the rank of seniority?—Yes.

239. You could see he would stand so in any future case?—Yes.

240. That he would lose his seniority of those three from that date?—Yes.

241. Did you consider these three men had any special claim to be passed over his head?—Yes, I did.

242. You were under the impression there was a compact: he was under the impression there was no compact. Supposing there was no such compact, and there was a misunderstanding as to his being promoted as long as he remained in the gaol, would his qualifications for promotion have been as good as the other three men?—Yes, with the exception of conducting cases in Court.

243. *Mr. Poynton.*] That was the only objection?—That is the only objection.

244. Otherwise he would have been entitled to promotion in the absence of any understanding?—That is it.

JOHN DWYER, examined on oath.

245. *The Chairman.*] You desire to bring before the Commission the position of men on the goldfields?—Yes, Sir. If the goldfields allowance could not be granted, a recommendation may be made that men should not be left over a certain period on the goldfields. I represent Sergeant McKenzie, Queenstown; Constable Marsh, Pembroke; Constable Chisholm, Alexandra South; Constable Fouhy, Roxburgh.

246. You are acting for those men and yourself?—Yes. Up to 1887 there was a goldfields allowance granted to the police stationed on the goldfields. When it was taken away there was nothing given in return for that allowance. I respectfully submit that the prices of the necessaries of life are as high as they were fifteen or twenty years ago. As far as Alexandra, Roxburgh, Clyde, Cromwell, Pembroke, Arrowtown, and Queenstown are concerned, railway communication is no nearer. It is as far off to-day as it was then. Every article of living is at the very least 25 per cent. dearer—I am putting it in a very mild way—at those places than it is in Dunedin or towns along the coast here. I have given in a list of prices, and you can see that such is the case. I trust I am not out of place in saying that if some allowance is not made, some suggestion might be made with regard to not keeping constables or sergeants stationed on the goldfields over a certain number of years. I consider it is a considerable handicap on men stationed there. Their more favoured comrades who are stationed in large cities have better facilities for bringing up their families and living a good deal cheaper.

247. *Mr. Poynton.*] What period would you consider the maximum?—I consider three years is sufficient punishment to keep a man on those stations.

248. *The Chairman.*] Your idea is they are not good stations for young families?—No. As soon as children grow up to a certain age there is no employment for them there. As far as I am concerned myself, my ambition is to get my children educated, and I feel at the present time I am not able to do that in the place where I am now stationed.

249. *Colonel Hume.*] You have named seven stations on the goldfields. Do you know how many constables out of those seven have been there over three years?—Well, there are four.

250. You will be surprised to hear, then, that there are only two—Roxburgh and Cromwell—that have been there over three years?—Constable Pratt has been there over three years.

251. I thought you said in charge of stations?—No; I am speaking of constables generally. I know there has been a lot of changes during the last few months.

252. You will be surprised to hear there is only one of the seven you have named that has been there over three years?—There have been changes at Naseby, Cromwell, Arrowtown, Queenstown, and at Ophir. I think there have been five changes during the last few months.

253. *Colonel Pitt.*] You said there were four men who had been there for more than three years. Do you stick to that?—I will not stick to that.

254. You do not know how many there are?—No. I did not say they were there any period of time. I was not sure. I thought they might have been there over three years.

255. *The Chairman.*] Can you tell us how long they were there before they were transferred?—Constable Mulholland was there seven years. Constable Bonner, at Queenstown, was there three or four years.

256. *Colonel Pitt.*] When you recommend that these men should be removed every three years, have you taken into consideration the cost to the department of carrying that out?—No; I have not.

257. Supposing the men's pay were increased at these stations, do you think there would be the same anxiety for removal as there is now?—No; I hardly think there would. Perhaps some would still be anxious to leave there. For myself, I think a couple of shillings a day would not be sufficient to make me satisfied. It is my children that I am considering. Personally I am all right myself, but it is the education of my children that I am anxious about.

INVERCARGILL.

TUESDAY, 29TH MARCH, 1898.

ARTHUR CHILLAS HENDERSON was examined on oath.

1. *The Chairman.*] You are a solicitor, practising in Invercargill?—Yes.
2. Will you kindly state the matter which you wish to bring under our notice?—In May, 1892, a man named Peter McDermott was brought up for assault, and he informed me that he asked the police to send for me, as he wished me to defend him. I was sent for. The next case was in August, 1892, when eight sailors were taken into custody from the ship "Lienfield," at the Bluff, for disobeying lawful commands. They were brought to Invercargill by Constables Brooks, Burnett, and McDonough. The men informed me that they asked the police to send for me to defend them. The men were informed, as they told me, that I was out of town and the police had brought Mr. Wade in my place. Within not more than an hour, at least, I was informed by a friend of the men who had come up from the Bluff and who knew they wanted to see me. I went down to see them, and was then told by the prisoners that they had been informed I was out of town, and that Mr. Wade had been recommended by the police. I lost £18 or £20 through that, because that was what Mr. Wade's bill came to, and I presume mine would have been the same if I had got a chance to defend them.
3. Who is the policeman you are referring to?—I do not say Sergeant Macdonell interfered personally in that case. I have named the constables under him.
4. I understand that it was an allegation as against the personal conduct of a particular officer; do I understand that you do not ascribe this conduct to any one particular officer?—I had a difference previous to this with Sergeant Macdonell: and then, since that difference with him, clients and prisoners wishing to employ me have been prevented.
5. If you can fix upon any individual officer, the fact that he has advised any prisoner to apply to any one else but yourself, knowing that the prisoner wished you to be engaged, of course that is a matter we shall be very glad to hear you upon. Well, the next case goes to show that within half an hour of their arrival you heard these eight sailors wanted you, and they informed you they had been instructed by Mr. Wade, who had been introduced to them by some officer of the police?—Yes; and they had been informed I was out of town; and I was not out of my office that day.
6. By what police?—I presume by one of the three constables who brought them up. The next case is that of *Moffatt v. Powell*, a civil case.
7. When did this happen?—On the 16th September, 1897. Mrs. Powell was summoned by the plaintiff in a case, and she came to me immediately after receiving the summons, and asked if I would appear for her in Court and take the case up. I had other transactions with her at the time, and said I would be very glad to appear for her. After I had arranged preliminaries she said she had promised to let Sergeant Macdonell know when she received the summons. She had had a previous conversation with the sergeant, and he had asked her to inform him when she got the summons, with the intention of holding an inquest, if she was summoned in connection with the fire. She asked me to hand her the summons, with particulars of demand, so that she could show them to the sergeant, and promised to return immediately with the papers to me, after showing them to Sergeant Macdonell. She did not return. On the 16th September—the day on which the case was to be heard—I went to the Magistrate's Court. The case was called, and Mr. Macalister appeared for Mrs. Powell. I think the case was then adjourned for a week. I saw Mrs. Powell outside the Courthouse, and asked her the meaning of Mr. Macalister appearing for her.
8. She made a statement to you?—She made a statement, and signed it. These are the only three cases that I have scheduled, so to speak; but the same thing has gone on for the last six years. About eighteen months ago I placed the case before the Magistrate sitting here, and he saw Sergeant Macdonell at the time.
9. You complained to the Magistrate that the sergeant had taken away clients?—Yes; I complained privately. I believe the Magistrate saw the sergeant, and recommended that a list of the solicitors practising in Invercargill should be placed in the cells, so that prisoners could make their own selection.
10. Will you call the Magistrate?—Yes, if I have power to call a member of the Commission as a witness.
11. But you can call the sergeant?—Yes; I think the sergeant will admit that the Magistrate suggested that the sergeant should put up a list of the solicitors practising in Invercargill in the cells, so that the prisoners might select whom they liked.
12. What did you say happened about eighteen months ago?—About eighteen months ago I complained to the Stipendiary Magistrate that prisoners who had wished to employ me were not allowed to do so, or words to that effect. That they had been prevented from employing me. The Magistrate undertook to see Sergeant Macdonell, and informed me afterwards that he had seen him, and that he had suggested to the sergeant that he should put a list of the solicitors' names in the cells so that the prisoners could select any one they chose without being influenced. I am not aware that any such list exists now, or that the sergeant acted on the suggestion. I know of no list. I have the impression, and it is the impression of the profession here, that the sergeant thinks he has the prerogative to suggest to any prisoner the solicitor he shall employ.
13. Have you any reason for making such a statement?—I have heard such a rumour made by the profession, and I think that is the sergeant's feeling as the head of the Police Force here—that he has the right to dictate to those who wish to employ solicitors; but, of course, the profession to a man disagree with that.
14. That, you say, is the impression amongst the members of the profession?—Undoubtedly so.

15. Can you give any grounds on which that impression rests?—From the constant practice of the police in selecting certain solicitors, almost, I might say, one or two solicitors. I have nothing more to say on that point of my letter. The only other point I touch upon is the very long term constables are allowed to remain in one place. In past years the length of service in Invercargill was very much too long in my opinion, and I have been associated with the police for nearly forty years. In past years the length of term that constables have been allowed to remain in Invercargill has been much too long. In many cases they would have been removed, but political influence or some other influence was brought to bear at once, and the orders were cancelled. That happened in several cases. It happened in the case of Constable Burrows. He was ordered for removal, but it was cancelled.

16. *Colonel Pitt.*] How long ago was that?—A year or two ago. Sergeant Macdonell was moved to Queenstown, but he got back within a few months to Invercargill.

17. When?—That is some years ago—four or five, or probably more. I am quite guessing at it. I am informed seven years ago.

18. How long was he away?—He might have been away six months. Since then, he has received instructions to remove to Oamaru. That transfer has been hung up by some influence; but it is not cancelled yet, or was not a few weeks ago when I spoke to Mr. Ward.

19. Mr. Ward, M.H.R.?—Yes, the Hon. Mr. Ward.

20. You say you were informed by him that the order was not cancelled?—Yes, not cancelled, but simply suspended, through influence that had been brought to bear. Mr. Ward was not aware that it had been cancelled. Constables who are any length of time in a town naturally make connections and friends, especially in spheres likely and almost certain to come into contact with the Force. The police are courted, and long residence has an evil effect in my opinion. I notice from the reports of the Commission in Dunedin, that ex-Inspector Mallard gave it as his opinion that constables ought to be moved certainly, but not sergeants. Now, I think in a place like Invercargill that it is far more important that the sergeant should be moved than the men. That does apply to a place like Invercargill, where a subordinate officer like the sergeant comes into contact with the whole community.

21. *Colonel Pitt.*] Do I understand you to say that the officers ought to be moved more frequently than the men?—Yes, in Invercargill, certainly.

22. *The Chairman.*] Do you mean the local head of the police, whether sergeant or Inspector?—That is just the point I was coming to. I would not say an Inspector. We want an Inspector in Invercargill; things have never gone right since we lost him. And we want an Inspector who from his surroundings and bringing up and associations has nothing in common with the men. There is too much "Hail fellow well met" in the camp, and it interferes with discipline. I certainly think that three years is quite long enough for any constable or officer to be in a place like Invercargill, or any place; and some of the constables here at the present time have been double that time. I do not refer to country constables, but I am speaking of the town proper. I think, too, there is a tendency to employ men who are too young for the Force. There are very great temptations. That is a subject Sergeant Macdonell and myself have more than once spoken about. The great temptations young constables are exposed to have been the ruin of more than one of them. I think men of thoroughly mature years, and married at that, should have preference to a number of young ones I have seen. I am speaking of Invercargill proper. There is a matter that I do not know if I am entitled to mention it, and it is in the matter of taking evidence. There was a local appeared in the *Invercargill Times* of the 24th March last, which I produce, which is well worthy of consideration; and I also produce a case here in the "Quarterly Digest" on the law of evidence. That is a practice that has been constantly going on in Invercargill.

23. You refer to the practice of taking statements from prisoners?—Yes; and Sergeant Macdonell and constables, but especially the sergeant, going into the witness-box to give evidence as to the admissions made. It is quite common to see either the sergeant or some one in the Force go into the box and refer to admissions made in the police-station when both parties were not there.

24. *Colonel Pitt.*] They might be perfectly voluntary confessions?—But it does not so appear on the surface in many cases.

25. *The Chairman.*] We will take it from you; and you say other members of the profession will support your statement that this practice is carried on to a reprehensible extent in this district?—That is my impression, and the impression of others.

26. Getting statements from prisoners, and then going into the box to give evidence?—Yes. In fact, the matter was brought to my notice by another solicitor.

27. *Colonel Pitt.*] What do you know of the matter yourself; what are you prepared to say?—I am not prepared to state any case. The matter was suggested to me to-day as a matter that ought to be brought before the Commission for their consideration.

28. *The Chairman.*] Of course, you understand it will rest there unless you give us something to support your statement?—I am not prepared to state a case, although it may be within the knowledge of the Stipendiary Magistrate here. I say the principle of the practice is improper.

29. Do not you think the law is responsible for that, and not the practice?—To some extent probably; but in my opinion, and the opinion of others, prisoners ought not to be questioned and cross-examined in the absence of the other party. If the two parties were there, when the other side would have an opportunity of denying or admitting any statements, the practice would not be so bad; but the case I have quoted goes to support my argument. It is quite a common thing to see Sergeant Macdonell in the box, and he occupies, I hold, the same position as a solicitor.

30. Have you anything more to say?—No, I do not think so. I might say I have always supported the removal of Sergeant Macdonell on many grounds, and I do think it would be in his interest, and in the interest of Invercargill, if he were removed.

31. Do you know how long it is since Sergeant Macdonell came into this district?—He was here before 1892.

32. *Mr. Tunbridge.*] You admit political influence, I believe?—I say that the police from time to time have used it.

33. You condemn the use of it?—I think it is wrong for the police.

34. Either on the part of the police, or outside people?—I do not say that.

35. You say you have always supported the removal of Sergeant Macdonell?—Yes.

36. Through what medium?—At meetings of citizens. I have made no secret of it. I have never gone behind the bush with Sergeant Macdonell.

37. To whom have you made representations that he should be removed?—To the Government.

38. Through a political channel?—To the Government.

39. To the Minister?—I have never gone myself, but I have known people wait on the Hon. J. G. Ward when he was a Minister, and since.

40. To endeavour to bring about the removal of Sergeant Macdonell?—I have known of that, but I was not one of the deputation.

41. Kindly say what you have done yourself?—I have never done anything myself beyond going to citizens' meetings here.

42. Did you ever make any complaint against Sergeant Macdonell to the Commissioner of Police?—Yes, to Inspector Pardy. All that I brought out to-day with regard to losing clients I mentioned frequently to Inspector Pardy, and he informed me he had spoken to the sergeant.

43. You never submitted your complaint in writing?—Yes, I think I wrote to Inspector Pardy.

44. Not to the Commissioner of Police?—I certainly saw Inspector Pardy on more than one occasion.

45. The first case you complained of was in 1892?—Yes.

46. When did you first make any complaint about that particular case?—I do not remember doing it, but there is not the slightest doubt I complained at the time.

47. To whom?—Probably to the sergeant, or probably to the Inspector. At this distance of time it is impossible for me to say more than this: I did speak of it at the time, probably to the Magistrate.

48. You are not prepared to swear that you spoke to any one?—Yes, but to whom I cannot say.

49. You never brought that case before the Commissioner of Police?—No, not to the Commissioner of Police, but I brought it up frequently before the sergeant and Inspector.

50. Did you ever make any complaint of that to the Commissioner of Police?—No.

51. Did you ever make any inquiry at all beyond what you allege the men told you?—I satisfied myself at the time that what I have stated to-day was the fact.

52. By what means did you satisfy yourself?—By going to the gaol to see the men, and in conversation with Sergeant Macdonell, who stated to me on one occasion that he believed it was perfectly correct. I do not say the sergeant had anything to do with that case, but he made inquiries into it through my speaking about it. I naturally made a noise about it at the time. It was a big case and there was money in it, and I lost that case.

53. You said, until last Wednesday you did not know the names of the constables who escorted these prisoners to Invercargill?—No. I may have known at the time, but I forgot it.

54. But although you considered one of the constables or probably all of them were instrumental in recommending Mr. Wade, and misleading the prisoners, you never until last Wednesday took sufficient trouble to find out the names of the men?—I do not know the constables on whom the blame rests. It may not have been one of these three constables who recommended Mr. Wade, and told the falsehood that I was not in town. I do not know who it was. The fact remains that a constable was sent for me. He returned to say I was out of town. It was false, because I was in my office; and within an hour I heard of the matter and went to the gaol and found out the facts.

55. Of course, these sailors are not to be got at now?—I suppose they are out of the colony, or may be dead.

56. Then, beyond your bare statement that they did make such a statement to you, there is nothing to support it?—It is not beyond the knowledge of Sergeant Macdonell that it did happen, and Constable McDonough may remember it.

57. You form your opinion that the police dictated to prisoners the name of the solicitor they should employ, from the fact that one or two solicitors usually were employed?—Well, I may say that I know it.

58. Will you kindly give me the names of these solicitors you suggest are employed through the action of the police?—I think Mr. Macalister has in past years got scores of cases through the police.

59. Which Mr. Macalister?—Mr. John Macalister.

60. And the other one?—I am not prepared at this moment to mention any other than Mr. Macalister, but I know any number of cases that the police have recommended. That is the impression in the profession.

61. I am sure you will assist the police in endeavouring to refute any suggestion you have made, if it is possible for them to do so?—Yes.

62. You have made statements, and it is my desire as Commissioner of Police that these statements should be fully inquired into, and I can only do that by calling the gentleman to whom you refer. For instance, I propose calling Mr. Macalister to say whether or not he has received work through the police; and I should like the name of the other gentleman?—The police are best able to tell you the gentlemen whom they recommend. It is possible a solicitor may be recommended by the police and know nothing about any such recommendation. I may have been recommended by Sergeant Macdonell and not know of it. I know other cases where he has recommended me.

63. *The Chairman.*] And Mr. Macalister might be recommended by the police and not know it?—That is so. It is a practice that cuts both ways; but I think it is a practice that is so bad that it should be stopped.

64. *Mr. Turnbridge.*] I may say at once, if it is any satisfaction to you, that I entirely disagree with the police acting as touts to any solicitor; they have no business to do so at all?—It has been generally done in the colony.

65. I should like the name of the other gentleman to whom you specially point?—In one or two trifling cases, I think, Mr. Matthews has had cases put in his hands, but no one grudges them to him.

66. Do you suggest he has got these cases through the action of the police?—That he has been informed that prisoners are in the cells and to go and see them.

67. Do you suggest that the police get any percentage or anything of the kind?—Certainly not; that never entered my head.

68. You know of no other motive?—Not beyond friendship. I never heard of such a thing.

69. You were speaking about police removals, and said that had it not been for political or some other influence removals would have taken place; will you kindly give the Commissioners particulars of any case, because the statement was general?—I can only point to Constable Burrows as a case.

70. The influence in that case being?—I do not know what the influence was, but he had the power to get the transfer cancelled. I have it from himself.

71. You advocate frequent transfers of police?—I do.

72. Can you point to any instance where it has been prejudicial to carrying out the law through the long detention of police in Invercargill?—Well, if you put it that way, I am not prepared to say right off, but the danger accruing from long residence in one place is that friendships are formed and enemies are made, who in the one case get benefits, and in the other case are punished; and I think a large number of the illegitimate cases in Invercargill would not have happened if the service had been shorter. There have been quite a number in Invercargill to the Force, and I think short service would have prevented that.

73. *The Chairman.*] Do you suggest there have been many cases of that kind here?—I think Sergeant Macdonell has a list of them. There have been a good number, and I think the long service in one place has a great deal to do with the illegitimate children, and that is why I recommend that married men and men of mature years should be enrolled in the Force.

74. *Mr. Turnbridge.*] You say your principal reason for advocating frequent removals is that some persons would get beneficially considered, and others the reverse; now, will you kindly instance any case where a constable has shown favouritism to any individual, or, on the other hand, has persecuted any individual?—I could cite my own case, where I have suffered.

75. I understand you do not blame Sergeant Macdonell particularly about that?—Well, I would be very glad if he can satisfy the Commission that he is not to blame. I do not come here with any feeling, but simply to put down an abuse of power in the selection of solicitors—that prisoners should be left to their own will in the matter.

76. Any other case than your own?—Not at the moment. I cannot state one.

77. Do you base your opinion as to these frequent transfers upon your own case?—Certainly not.

78. Well, I am asking you for any other cases?—I cannot give cases, but I have known of cases extending over a great number of years, and, associating with men who were in a position to give an opinion on police matters, I say long service in one town is a mistake.

79. You know Invercargill, and therefore I suppose you are referring specially to Invercargill?—Not specially; I say all over the colony. There is no doubt I can speak with confidence about Invercargill, because I have been here for twenty-five years; but it must be within the knowledge of every man on the Commission, and yourself and Sergeant Macdonell, the danger of constables becoming too intimate with hotelkeepers, who use them as a screen to cover breaches of the law.

80. In Invercargill? Can you suggest there is any licensee who is knowingly permitted to evade the law?—I cannot say that at the present moment there is a single hotelkeeper who would do such a thing. I should like to think that they are above it; in fact, they are a superior class in Invercargill; but I am speaking of years gone by, when I was more closely connected with the police. I do not know of any hotelkeeper in town now.

81. Then, your objection to the long detention of men in Invercargill falls to the ground?—Not necessarily. I have not associated with the police or hotelkeepers to know what is going on. I should be sorry to point a finger at any man. No doubt instances might be found out and supplied for your future guidance, I am quite sure, if I make inquiries. I simply give it as my opinion, and my opinion is grounded on my twenty-five years' residence here.

82. Grounded on what?—Actions of the police.

83. Has your connection with the police given you reason to found that opinion?—Yes. I say that broadly. For eighteen years I was Clerk of the Court, and during those eighteen years I was a great deal behind the scenes.

84. Do I understand you to say you objected to any statement by a prisoner being given in as evidence by a police-officer?—I object to the police examining and encouraging them to make statements.

85. Do you know of any case where the police have done so?—I know it in the case of children.

86. In what case?—I know it happened in the case of children who were suspected of petty thieving. A constable has gone to the mother's house and brought the children to the station and questioned and cross-examined them for hours, and then sent them away. That happened in the case

of the Allison children. The mother complained to me that the police had come down and taken the children to the police-station, and kept them there for some hours, and then sent them home.

87. What was the charge against the children?—Some petty theft.

88. And were they subsequently charged with the theft?—I believe one was, but I am not prepared to say so. But it is the principle.

89. I do not quite understand your objection. Then, I understand you do not object to the police giving statements made by prisoners if properly made?—Yes; properly given, and not solicited. I do not think the police should claim the right to approach any one to question and get information.

90. Do you mean prisoners, or persons who may be suspected of any crime?—Both; and another objection I have is the practice of approaching probable witnesses or accused by a wilfully-false statement so as to get admissions from them. That is done.

91. *The Chairman.*] By police-officers?—Yes.

92. *Mr. Tunbridge.*] You mean when a man is a prisoner, or before he is a prisoner?—In this case I have in my mind's eye immediately before the apprehension, and after the apprehension.

93. Is it your opinion that the law ought to be altered, and that the police should not be allowed to give statements of that kind?—Should not be allowed to approach any one with a false statement in the hope of getting evidence.

94. Although that person may be suspected?—Well, you do not suspect a witness.

95. Are you speaking about probable witnesses or probable prisoners?—Both. I do not think it is right.

96. Perhaps you will allow me to read the opinion of Mr. Justice Hawkins on that particular point as follows: "When a crime has been committed, and you are engaged in endeavouring to discover the author of it, there is no objection to your making inquiries of or putting questions to any person from whom you think you can obtain useful information. It is your duty to discover the criminal if you can, and to do this you must make such inquiries, and if in the course of them you should chance to interrogate and to receive answers from a man who turns out to be the criminal himself, and who inculpates himself by those answers, they are nevertheless admissible in evidence and may be used against him." Then, you set your opinion against that of Mr. Justice Hawkins?—No. What I say is this: It is wrong for a constable to approach a probable prisoner and tell him a wilful lie. For instance, saying to Jones, "I have it from Smith that you did so-and-so," when the constable never saw Smith.

97. Do you know of an instance of the kind where prisoners have been approached in that way—where subterfuge has been attempted to get evidence from them?—Yes.

98. And you condemn that?—I do.

99. You do not question the right of voluntary statements made by prisoners, or persons not charged with an offence, being put in as evidence?—No, not if cautioned in the proper way.

100. Do you mean the statutory caution? Do you not know that only judicial authorities can make the statutory caution?—It is the duty of a constable, after apprehending any one, if a voluntary admission is being made, to caution that person that any admission may be used against him and taken down in writing.

101. I will read Mr. Justice Hawkins again: "On arresting a man the constable ought simply to read his warrant, or tell the accused the nature of the charge upon which he is arrested, leaving it to the person so arrested to say anything or nothing, as he pleases. . . . There is, however, no objection to a constable listening to any mere voluntary statement which a prisoner desires to make, and repeating such statement in evidence; nor is there any objection to his repeating in evidence any conversation he may have heard between the prisoner and any other person." There is nothing about administering the statutory caution there?—It has been my experience in constant practice, when occasion required, for Mr. Justice Williams, from that bench there, to find fault if a prisoner had not been properly warned and cautioned before making a statement to be used against him.

102. *Colonel Pitt.*] Mr. Justice Hawkins also says, "But he ought not, by anything he says or does, to invite or encourage an accused person to make any statement without first cautioning him that he is not bound to say anything tending to criminate himself, and that anything he says may be used against him"?—That is what I refer to.

103. *Mr. Tunbridge.*] I wish to ask you about voluntary statements, not statements the result of invitation or encouragement?—I do not object for a moment to voluntary statements.

104. In the other case you say a voluntary statement is not made by the prisoner?—I say nothing of the kind. I say a prisoner should not be encouraged.

105. Will you give an instance?—I cannot give an instance, but I say it is the constant practice of the police to get evidence from prisoners without the usual caution.

106. But you are not able to quote any instance?—No; there is no doubt that during the last twenty-five years hundreds of cases have happened; but to be asked suddenly, like this, to name a case, I cannot do it. But it is one of those things which only requires ventilation in a case of this kind to have it put right.

107. *Colonel Hume.*] You have been some time practising in Invercargill?—Yes, ten years, I think.

108. And before that you were?—I was Clerk of the Resident Magistrate's Court, and Registrar of the Supreme Court.

109. I think you said you have been twenty-five years in Invercargill?—I came here in 1870.

110. You have several times stated that it was the opinion of your brother lawyers here: am I to understand you are speaking for anybody besides yourself?—No. Solicitors from time to time, in conversation about these things, have expressed opinions that I am now giving.

111. But you are not here representing anybody else?—Not a soul.

112. On the occasion you saw Mr. Ward about the transfer of Sergeant Macdonell, will you tell the Commissioners exactly what happened—the whole conversation?—I went to Mr. Ward to put a statement before him in connection with a case in which Sergeant Macdonell had approached me, believing I could give evidence. The sergeant afterwards went into the box at Court and gave a totally different statement to what occurred between us, and I went to Mr. Ward to put myself right with him and to put my statement before him. That statement was taken down the following morning, after the interview I had in the sergeant's office. On the 18th June the sergeant sent for me, and I was with him for a couple of hours; and he gave a statement in the witness-box altogether different to the conversation we had. It was so serious that I went to Mr. Ward to tell him the true facts. It was on that occasion he told me of the sergeant's transfer to Oamaru, and referred to it as having been hung up but not cancelled, and he had no doubt he would go.

113. Was not your object in going to Mr. Ward to get the sergeant transferred?—Distinctly and positively No. I went to put myself right, the sergeant having made a wrong statement in the Court as to what had passed between us. It did me an injury in the eyes of Mr. Ward, in my opinion, and I went to Mr. Ward with a written statement.

114. And you did not ask Mr. Ward on that account to get him away?—I might have; but I do not believe I did. I went with the one object of putting my written statement before him to show that the sergeant had not stated facts in the box, and these misstatements had got into the papers.

115. Then, if you might have asked Mr. Ward to get him removed, were you not using political influence?—I do not believe that I did ask him.

116. But if you did?—I did not go there with that object, and I do not remember: any way he had been removed then. He was awaiting removal then.

117. But you knew that, previous to that, the order had been cancelled?—Yes. I am quite sure I did not ask him. I did not go with that object.

118. You are quite sure you did not say, in the whole of this conversation, that it would be a good thing to get rid of this man, or to shift him, or something like that?—I might have said something like that, that it would be a good thing for the sergeant and for the people of Invercargill.

119. Were you not trying to get political influence to remove that sergeant out of this?—No, I distinctly say I did not go to the Hon. J. G. Ward with the intention of removing him. I do not care two pence whether the sergeant leaves Invercargill or not; but I say he must not interfere with my clients, and people employing me, as he has done this past six years continually. Hundreds of pounds would not cover what I have lost through the action of one constable and another.

120. This has been going on for six years?—Yes.

121. I have been here several times during those six years, and you saw me?—Yes.

122. Did you ever give me any hint of this?—No, I never approached you; and if this Commission had not been sitting I would have remained silent.

123. You have had considerable experience of police matters and police control?—Yes.

124. Where?—In Invercargill, and in Wanganui, and at Home. I have been brought up amongst the police. My father held the position of Procurator Fiscal, which is similar to the Crown Prosecutor here.

125. In any of your experiences in any country, have you ever seen in any police-station you have been in a list of solicitors put up for the information of prisoners?—Never; but it does not follow that the suggestion is not a good one.

126. Well then, again, you speak of constables being too young, and you also say they ought to be married?—Of mature years.

127. Do you know what age they take recruits into the Metropolitan Police in London?—I have no idea; but I think young, because my recollection of the men in London is that they were very young men.

128. Do you know anything about the Royal Irish Constabulary?—No. The tendency all over the world is to employ young men in everything.

129. Well, then, at what age do you think they should be taken on?—I do not think any one should be taken into the Police Force under thirty years. If a man is sober and steady and of good report, so to speak, up to thirty years, he will do for the police. He is not likely to become fast unless placed in very unfortunate circumstances.

130. There used formerly to be an Inspector here, and everything went right in your opinion so long as he was here?—Yes, and I think an Inspector is what is wanted. There would be a big gulf between him and the men, and there would be no chance of familiarity interfering with him and his duty.

131. If you had an Inspector he would be a good deal away?—Not necessarily. Supposing the district was equal to that of Southland he need not be much away, with a good sergeant under him.

132. You say an Inspector is required because there is too much "Hail fellow well met" between the officer and his constables, and you told us you were speaking of Invercargill; and, of course, that narrows it down to Sergeant Macdonell being a "Hail fellow well met" with his subordinates here?—That is my impression. When I used to be going more about the police-station than I have lately the impression always in my mind was that he allowed the men to be too familiar with him; and when a man gets into the position of sergeant he ought to keep the men at a distance.

132A. Will you give us a case?—I have been present when I have heard a constable say to the sergeant, "Give me a match, old boy." It may have been his way of working the Force under him; but I have a great notion that the moment a man gets the stripe on his arm he ought to take a stand, and in barracks should not be familiar with his men. A constable ought not to be able to approach a sergeant in as familiar a way as I have heard men speaking to Sergeant Macdonell,

133. You spoke about the Allison case ; was there any subterfuge used in that case?—I simply mention the complaint the mother made to me, that a constable had taken the children away from her house to the police-station, kept them there some hours, and returned them.

134. Did you make inquiries as to what the police had to say about it?—I inquired of the children afterwards, and found they had just been questioned in the usual way. I do not say anything about the children ; it is the practice.

135. As regards that case, you based your opinion entirely on an *ex parte* statement?—I simply said that the mother complained, and that I saw the children.

136. On that occasion, I believe, these children were not charged with any offence?—I am not so sure about that. I believe one ultimately was brought up for the offence they were all taken away for.

137. Then, you will admit you did not go very carefully into the case?—It is some time ago now.

138. You talked about subterfuge ; have you ever been present when any subterfuge has been used?—Yes, the sergeant tried to get evidence out of me by telling me a deliberate lie.

139. Can you give us particulars?—Yes, in the Hall case—and that is the matter that took me before Hon. Mr. Ward. The sergeant was under the impression that I could give him evidence. I was in his office two hours and a half. I distinctly told him I could not give him the evidence he wanted, and that if I could I would not, because it was a privileged conversation between Mrs. Cameron, the woman at the Bluff, and myself. After a long conversation, when he found that he could not get the evidence out of me—I could not give it—he says, “ Well, I have an offer to make you, Mr. Henderson. I won’t speak the offer because I want to be able to say the words never crossed my lips, and I want you to be able to say I never spoke the words. I will write them.” He had just received a letter by the evening post, and he read the contents of the letter to me, or gave me the substance of it, and then he took the envelope and wrote on the back of the envelope, “ If you will give me evidence that will corroborate Mrs. Cameron you can get a Government billet.” It was that which took me to Mr. Ward, because he twisted our conversation round in the Court in a most extraordinary way. Of course, I felt vexed and annoyed that that should be the measure of any man—of myself—that I could be got at in that way, and the interview very shortly afterwards ceased ; but the sergeant repeated the offer before I went. I made a written statement of it the following morning, and put it before Mr. Hall, one of the parties interested.

140. *The Chairman.*] What year was this?—18th June, 1897. It was this conversation that took me to Mr. Ward’s office to find out whether this had simply been a subterfuge on the part of the sergeant to get me to admit something, and I found out there was no truth in it. He approached me as he approached Dr. Torrance at the Bluff.

141. *Colonel Hume.*] Any other person present besides the sergeant and you?—No ; he and I were alone in the office. It is possible the constables may have been listening, but I do not know. There was nobody in the office.

142. Have you got that envelope with the writing on it now?—In my indignation of the moment I picked it up and threw it into the fire. I wish I had kept it. He made the statement most deliberately, but I have learned there is nothing in it. It was simply an offer to induce me to give my evidence.

143. Can you quote another instance of subterfuge?—He approached Dr. Torrance in the same way.

144. Can you give us another case of subterfuge that you know of your own knowledge?—No. He approached Dr. Torrance in the same way as he approached me. That is all I know. He saw Dr. Torrance, and told him that Dr. Young had told them everything, and that he (Torrance) had better confess.

ARTHUR CHILLAS HENDERSON was re-examined on oath.

145. *The Chairman.*] What is the addition you wish to make to your evidence of this morning?—The 16th September, the date of that letter, was the day Mrs. Powell’s case was to come up before the Magistrate. I attended at the Court, and when the case was called Mr. Macalister appeared for her, much to my surprise. The case was adjourned for a week. Outside of the Court I saw Mrs. Powell, and I asked her the question, “ How is it that Mr. Macalister is appearing for you ? Is it not a fact, Mrs. Powell, that you engaged Mr. Macalister at the request of Sergeant Macdonell ? ” and she said, “ Yes.” And I said, “ Come down to my office and give me a letter to that effect.” She came down, and in her presence I wrote that letter now before the Commission while she sat there. It was read over to her, and she signed it accordingly. I said, “ This kind of thing has been going on for years, and I must stop it.” She was not at any subsequent date asked by me to sign a second letter. She has only signed three documents in my office—two securities to David Roche, and that letter. She was never asked to sign anything else. The conversation and remarks she refers to never took place, and were never made.

146. *The Chairman.*] You never requested her to sign a second document relating to this matter?—Never at any time. I considered the letter now before the Commission sufficient.

JOHN McDONOUGH was examined on oath.

147. *The Chairman.*] What are you?—A second-class constable.

148. Stationed where?—At North Invercargill.

149. *Mr. Henderson.*] Do you remember on the 5th August, 1892, going to the Bluff with Constable Burnett and joining Constable Brooks there, and returning to Invercargill with eight prisoners?—No, I do not remember.

150. Do you remember bringing eight sailors up from Invercargill for disobeying lawful commands?—I do not remember.

151. *Mr. Tunbridge.*] Have you throughout your polite experience ever suggested to prisoners the solicitor they should employ?—No.

152. Have you ever told a prisoner that Mr. Henderson has been out of town, when that prisoner has asked to see Mr. Henderson?—No.

153. Have you ever suggested that Mr. Wade should be employed?—No.

[The evidence of the constable was here adjourned to enable him to proceed to the Bluff to procure the watch-house book, in which the charge and particulars were entered in 1892; and on his return with the book his examination was continued.]

154. *Mr. Henderson.*] Do you produce the watch-house book from the Bluff?—Yes.

155. Do you find entered there a note of the case to which we referred this morning?—Yes.

156. There were eight prisoners, apparently?—Yes.

157. The charge is, “Sailors from the ship ‘Lienfield’; offence, disobeying lawful commands” ?—Yes.

158. Were you one of the constables who brought the prisoners to Invercargill?—Yes, I escorted them to Invercargill Gaol.

159. *The Chairman.*] On what date?—5th August, 1892.

160. *Mr. Henderson.*] Was it you the prisoners asked to get a solicitor for them?—No.

161. *Sergeant Macdonell.*] Did they ask any one to get a solicitor?—Not in my presence on the train coming up.

162. And, you say they went straight from the railway-station to the gaol?—We took them from the lockup at the Bluff straight to the Invercargill Gaol, without going near the Invercargill Police-station at all.

163. Do you remember if they were sentenced at that time?—They were remanded.

164. Did you take them anywhere after that?—No.

165. Were they remanded to the Bluff?—I cannot exactly say whether it was to the Bluff or Invercargill.

166. Does the watch-house book say?—It says that they were remanded to Invercargill, and the case was dismissed on the 6th August, 1892.

PETER McDERMOTT was examined on oath.

167. *The Chairman.*] What are you?—A labourer.

168. *Mr. Henderson.*] Do you remember the 24th May, 1892; I believe you were the defendant in an assault case?—Yes.

169. What passed between you and the police in the matter of a solicitor to appear for you?—I asked one of the constables to go for Mr. Henderson.

170. *The Chairman.*] Where were you at the time?—In the cells. He said “Oh, if I were you I would not get him.” That is all.

171. *Mr. Henderson.*] Did they recommend any one else?—No one in particular. I mentioned it to Mr. Henderson the day of the case. That is years ago.

172. *The Chairman.*] He did not recommend any one else?—No.

173. *Mr. Henderson.*] Was the statement of the police that you should not get me repeated two or three times, or only once?—I cannot exactly remember now. It is a long time ago. Of course, I mentioned it the day of the case.

174. *The Chairman.*] Do you remember the name of the constable with whom you had that conversation?—I think it was Constable Burnett.

175. Did you engage Mr. Henderson, notwithstanding this remark?—I asked the constable if he would go for Mr. Henderson.

176. And then he advised you not to have Mr. Henderson?—Yes.

177. What happened after that?—Shortly after that I asked him again, and after that Mr. Henderson came in.

178. *Mr. Tunbridge.*] Did the constable explain why you should not go to Mr. Henderson?—No.

179. *Colonel Pitt.*] Did you understand in any way from the constable’s statement to you that it was a case in which you did not want a lawyer at all?—No; I wanted a lawyer.

180. It was not the constables’ expressed opinion?—No; they knew I wanted a lawyer, and knew it was necessary.

181. *Sergeant Macdonell.*] What was the charge against you?—Assault.

182. What was the result of the case?—I got a month’s imprisonment.

183. Was that without the option of a fine?—Yes.

184. Are you quite sure that the constable said to you not to have Mr. Henderson?—Yes.

185. Quite sure?—Yes, quite sure, because I mentioned it to Mr. Henderson the day of the case. If I had not mentioned it I would not be here to-day.

186. Did you ask him why?—No.

187. Do not you think it would be a natural thing to do?—I believe it was; but, of course, at the time I was confused a bit, and did not bother my head about it.

188. Did he give any reason why you should not?—I cannot exactly swear whether he did or not.

189. Did he say any one told him to tell you so, or indicate anything of that sort?—No, he never mentioned anybody’s name.

190. What time of day was this?—In the morning, between 10 and 11 o’clock.

191. Where did you see him?—At the cell.

192. Any one present when he said this?—No.

193. Are you quite sure it was Constable Burnett?—Yes.

194. Did you say anything to him about it?—Never a word. In fact, I never took any more notice of it, except to mention it to Mr. Henderson the day of the case.

195. *The Chairman.*] Have you on any other occasion had any suggestion made to you by any constable as to whether you should employ a particular man or not?—No, only on that occasion.
 196. Have you ever been in the cells on other occasions?—Yes, once.
 197. Your experience is not very extensive?—No.

RICHARD MATTHEWS was examined on oath.

198. *Mr. Tunbridge.*] You are a solicitor, in practice, I believe, in Invercargill?—I am.
 199. How long have you been in practice?—A number of years; but I was away for a few years. I returned about fifteen months ago.
 200. Have you at any time since you returned had any case put into your hands through the action of the police?—No.
 201. Have you had any clients come to you through any recommendation by the police?—No.
 202. *Mr. Henderson.*] Is it possible that you may have had a client sent to you by the police, or recommended by the police, and you were not aware of the fact?—It is possible, but very improbable. I do not think it would be likely, because in a case like that a client would say to me, "Well, I was recommended," or "The police sent me." No such remark has been made to me, nor expressed nor implied.
 203. Have you at any time been informed that there was any one in the cells, and that you might see him in case he wanted a solicitor?—No. Sometimes, in the course of business, I have called at the police office, and I would say, "Is there anything on this morning," or something like that.
 204. *The Chairman.*] Who would you make inquiry of?—Any one who might be there, just the same as I call at the Magistrate's Court and ask the Clerk.
 205. One of the police-officers?—Yes, and ask if there was anything on.
 206. And what then?—He might say, "There is something on," and nothing further.
 207. *Mr. Henderson.*] Did that not happen about a few weeks ago in that case of housebreaking in the East Road; did not you find out from the police that morning that there was a lad in for housebreaking?—No.
 208. I am speaking of the Houghton case. Was it not from the police that you learned there was a lad in the lockup?—I do not think it was, because it was a case that was talked about.
 209. *The Chairman.*] You say you called at the police-station and asked the constable if there was anything on. What did you expect; or did you get any reply?—He would sometimes say there was nothing on.
 210. And sometimes?—"There is a case," or something to that effect.
 211. Then, would the conversation end that way?—Yes. If there was nothing on I might go away, or go round by the Court.
 212. When you asked the constable if there was anything on, and he said there was something on, what then: did he tell you what was on?—Sometimes he might tell me of the case.
 213. In such a case, have you followed it up by saying, "Can I see the prisoner"?—Oh, yes, sometimes.
 214. And in consequence of that were you allowed to see the prisoner?—Yes. Sometimes other persons have met me in the street and said So-and-so has been arrested, and say, "You might go and see him, as he may not have a solicitor and want one." And I would go and find out about the case.
 215. I take it from you that you occasionally call at the police-station and ask if there is anything on; and if there has been anything on you have interviewed the prisoner with a view to professional employment?—Sometimes, and sometimes not. But the police have never recommended any one to me.
 216. *Mr. Henderson.*] That you know of?—I say all things are possible; but practically that would be impossible.
 217. *The Chairman.*] Do you know whether it is the usual thing for professional men to visit people in the cells if they are not sent for?—Of course some persons whom fortune has favoured and have a big practice do not do so; but many lawyers in a small place like this will go and see. Perhaps a person has been arrested the previous evening and is to be brought up the next morning, and he will go and see the person in the lockup, just to hear what he has to say.

MARY POWELL was examined on oath.

218. *The Chairman.*] What are you?—Wife of Thomas Powell.
 219. Where are you living?—West Plains.
 220. *Mr. Henderson.*] You remember the case, Mrs. Powell, you had with Mr. Moffatt?—Yes.
 221. Do you remember having an interview with Mr. Moffatt in his office, when he threatened to summons you?—Yes.
 222. After the interview with Mr. Moffatt, did you see Sergeant Macdonell?—Yes, I went to him.
 223. You are not referring to Mr. Moffatt's solicitor?—No, to his father.
 224. Then, was there anything said about summoning you when you saw Sergeant Macdonell?—No.
 225. Do you remember coming to my office after that?—I think so.
 226. As a matter of fact, that interview with Mr. Moffatt was followed by a summons?—Yes.
 227. When you got the summons did you come and see me?—Yes.
 228. You handed me the summons?—Yes, you looked at it; but I did not engage you.
 229. You did not ask me to appear for you?—No.
 230. You state that now?—Yes.
 231. You remember what you said to me after I looked over the particulars of demand, and talked of the case generally; do you remember asking the summons back from me, saying you

had promised to let Sergeant Macdonell know if you were summoned?—You gave it back to me. I do not remember asking for it.

232. *The Chairman.*] What did you go to Mr. Henderson about?—I had some business with Mr. Henderson, through Mr. Roche, on other matters than this.

233. *Mr. Henderson.*] What other matter did you mention that day you brought the summons from Mr. Moffatt?—I do not remember.

234. Now, did you not distinctly place that summons in my hand and ask me to appear for you?—I did nothing of the kind.

235. Did you not ask me to give you the summons, as you had promised Sergeant Macdonell to let him know if you were summoned; and did you not get the summons to show him?—I do not know.

236. *Mr. Poynton.*] What were you going to say when you were interrupted?—I had some other business with Sergeant Macdonell.

237. *The Chairman.*] You say you received the summons back from Mr. Henderson?—Yes. I told him that Mr. Moffatt had summoned me; and he asked me to let him have a look at it, and he did so, and handed it back to me.

238. You made some remark about Sergeant Macdonell?—Mr. Henderson wanted to have some further conversation, but I told him I had some more business with Sergeant Macdonell.

239. *Mr. Henderson.*] Did you not state “I promised to let Sergeant Macdonell know when I was summoned, as he said he would hold an inquest on my fire if I was summoned,” and you took the summons to him to satisfy him you were summoned?—No.

240. You did not come back to me that day?—No.

241. Did you go up to see the sergeant?—I did; but I did not see him.

242. Who did you see?—I think it was Constable Burrows.

243. Did you show Constable Burrows the summons?—I think I did.

244. When did you next see Sergeant Macdonell?—The next day.

245. Did you show him the summons?—I did not, because I had not it on me.

246. The case came on for hearing on the 16th December, and was adjourned. Do you remember who appeared for you on that day?—Mr. Macalister was to appear for me, but the case was adjourned.

247. Do you remember seeing me outside the Court immediately after the case was adjourned?—Yes; you followed me out of the Court.

248. You remember what I said to you?—You asked me to go down to your office.

249. Yes; but we had some conversation before we went to the office, and did I not ask you, “How is it, Mrs. Powell, that Mr. Macalister is appearing for you?”—I do not remember.

250. You never replied to that; and did I not follow it up with this remark, “Is it not a fact that Sergeant Macdonell has induced you to throw me over and employ Macalister?”—I do not remember.

251. Then, you remember the next step; I asked you to go down to the office?—Yes.

252. Is that your signature?—Yes.

253. You remember me writing this in the office?—You had it written and read it over to me.

254. Did I not write this letter in your presence?—No.

255. How could it be possible for me to write this before I knew the facts referred to?—You had that written before I went into the office.

256. I will read the document: “Invercargill, 16th September, 1897.—Mr. A. C. Henderson, Solicitor.—SIR,—After I saw you on the 11th about my case with Mr. Moffatt, as I told you at the time, I went up to see Sergeant Macdonell, and, after talking the matter over, he advised me to go to Macalister.—Yours truly, MARY POWELL.” I ask you again, did I not write that letter in your presence; and did I not ask you down to my office to give me such a letter?—You asked me to go down to the office, and had that letter ready written, and I did not know what was the nature of the contents when I signed it. I thought it was my own private business.

257. What private business?—About some cattle.

258. *The Chairman.*] You swear, now, you did not know what you were signing when you signed the letter?—I did not know the nature of it when he brought it up, all ready to be signed. Mr. Henderson put the question to me, If I saw Sergeant Macdonell after I went up; and I said No.

259. *Mr. Henderson.*] Let us get back to the conversation we had outside the Courthouse: Did I not ask you the question distinctly—now be straight—“Were you not advised by Sergeant Macdonell to throw me over and employ Macalister?” and was not your reply to me “Yes”; and, following that up, did I not say, “In that case will you come down to my office and give me a letter to that effect?”—No. You had that letter ready for me to sign. And another thing, you asked the question if Sergeant Macdonell had sent me to Macalister, and I said “No.”

260. *Mr. Poynton.*] Where was that?—In the office.

261. *The Chairman.*] You do not know what you signed; and that the statement in that document with regard to Macdonell is false?—I was not aware of the nature of the paper at all when I signed it. A few days after I signed that, Mr. Henderson wanted me to sign a second document about Sergeant Macdonell, and said he wanted to get him shifted, but I would not.

262. Cannot you read?—I can sign my name.

263. Why, did not you know what you were signing?—I had some business with Mr. Henderson through Mr. Roche, and I thought it was about that.

264. *Mr. Henderson.*] What was the second paper you said I wanted you to sign?—I think it was something about Sergeant Macdonell; and you said it was to get him shifted. You said you did not care if I would not sign, because you had the first letter which I signed.

265. *The Chairman.*] He partly explained the first the day he asked you to sign it?—Yes.

266. Will you explain that more fully: a few days afterwards he asked you to sign another, and you refused?—Yes.

267. Why?—Because I knew I had been wrong in signing the first.

268. Why wrong.—Because there was no truth in my saying that Sergeant Macdonell sent me to Mr. Macalister.

269. *Mr. Henderson.*] Then, why did you sign it, Mrs. Powell?—You took rather a cowardly way about it.

270. Did I not ask you distinctly outside the Court, “Is it not a fact that you have gone to Macalister through Sergeant Macdonell?”—I do not remember.

271. You stated just now you had some business with me in connection with Mr. Roche?—Yes.

272. How many days after the signing of this letter on the 16th September was it that you saw me about Mr. Roche’s affairs?—Well, I cannot say. I do not know whether it was the day after I gave you the £3, or not. I cannot swear.

273. That was in connection with the interpleader case?—I do not think so.

274. Then, you do know what you signed on the 16th September, according to your remark to the Chairman?—Yes, when you told me about it.

275. Then, why did you say in the first instance it had never been read to you?—I did not know the nature of it when I signed it. If I said so to the Chairman I made a mistake. I did not know the nature of that paper till after I signed it.

276. *Colonel Pitt.*] You said it was partly explained at the time?—I must have made a mistake then.

277. *Mr. Henderson.*] If you did not know what you were signing on that day, what did you think you were signing?—I do not want Mr. Moffatt interfering with my business at all.

278. What did you think you were signing?—I thought it was my own business.

279. What business of your own did you think you were signing?—You tried to save my cattle from Mr. Moffatt.

280. What did you think you were signing?—I thought it was some paper about the cattle.

281. *The Chairman.*] What about?—I had signed some papers, and I thought it was something in regard to them.

282. What sort of something?—About the cattle Mr. Roche had the mortgage over.

283. You thought this had some reference to a mortgage which Mr. Roche had over your cattle?—Yes.

284. *Mr. Henderson.*] Do you swear you thought you were signing a mortgage?—No.

285. Was Roche’s name mentioned at all?—I do not remember.

286. Then, what was said or done when that was signed?—Well, you were opposing Sergeant Macdonell. That was your object in taking me down to your office.

287. What was said when that letter was signed?—Well, I cannot remember all that passed, for you took me unawares.

288. Then, what did I ask you to sign?—You just pulled the paper from amongst some other papers and asked me to sign it.

289. For what purpose?—You pretended to be a friend of mine, but you proved false.

290. How did I prove false?—You told me you would save the cattle, and you ruined me—you and Moffatt.

291. What had that to do with the paper you signed? I want some more information as to why you signed it, and all about it?—Well, as I said before, I thought it was something in regard to the cattle; for you had been getting me to sign papers from time to time every time I came in about them.

292. You swear you thought you were signing about the cattle?—Something to that effect.

293. Was anything said to you outside the Courthouse, when I asked you to come down to my office, about cattle?—Not at the time, but you told me going along the street you would do your best to save my cattle.

294. When was the document about the cattle signed?—I cannot remember the date.

295. If I refresh your memory, will you be able to recognise your own signature again; is that your signature?—Yes.

296. Now, this document, which is an instrument by way of security over your cattle, was signed on the 26th August, long prior to the letter. What is the date of the letter?—The 16th September.

297. Now, how can you say that that letter was something about the cattle, when the security you gave Mr. Roche for the cattle was dated the 26th August, long prior?—You spoke to me about the dates. Did not you get me to sign two or three papers?

298. Can you explain to the Commission, now that you are reminded that you signed the security for the cattle a month previous to that letter, how that letter referred to the cattle?—That is what I thought. If I had not thought that I would not have put a pen to it.

299. What grounds have you for thinking that; it was partly explained to you when you signed it?—Not till after I signed it. I object to answering any question Mr. Moffatt puts to Mr. Henderson.

300. *The Chairman.*] If nothing was said about the cattle, what did you go to Mr. Henderson’s office for?—He asked me to go down.

301. You do not know what about?—No.

302. *Mr. Henderson.*] Why did you go?—You made me go. You never let me go out of your sight.

303. Did I ask you, outside the Courthouse, “Is it not a fact that you left me through Sergeant Macdonell recommending you to go to Macalister?”—No, it is not the truth.

304. Did I not follow that up and ask you to give me a letter to that effect, and you turned and went with me pleasantly and willingly?—No. I wanted to do some other business, and I could not do it for you getting me to sign that paper.
305. Now, half a dozen times since you signed that letter, have you not been to me and requested that I would not mention it to Sergeant Macdonell, in case he might do something?—I told you that that was not the truth in that paper.
306. Were you not threatened by Sergeant Macdonell?—In what way?
307. Were you not threatened with a prosecution by Sergeant Macdonell or any of the police—Not that I am aware of. Will you explain?
308. Were you not threatened with a prosecution on the part of the police about the fire?—No.
309. Was it not in consideration of the fear you had of any action on the part of the police that you did not want to come to trouble with Sergeant Macdonell over that letter?—No, I had no fear about the fire. If I had I would not have gone to Sergeant Macdonell.
310. Have you had no fear since?—No.
311. Has no one spoken to you at all about it; none of the police, within the last three months, spoken to you about the fire?—In what way?
312. Have they referred to the fire in any way?—No.
313. Did you not ask me not to make use of that letter, because you did not want to quarrel with Sergeant Macdonell?—No; I never used the words.
314. Nor words to that effect?—Sergeant Macdonell never interfered with me.
315. *The Chairman.*] Did you ever say to Mr. Henderson that you did not wish him to use this letter in case you got into trouble with Sergeant Macdonell?—No.
316. *Colonel Pitt.*] You say that when this letter was signed it was partly explained to you?—It was partly explained to me after I had signed it.
317. Now, it is not a very long document, and when it was partly explained to you did you understand then what it was?—Yes; I knew the nature of it then.
318. If what you had signed was not true, why did not you ask for the document back again?—He would not give it back.
319. Did you ask for it?—Yes.
320. That day?—Yes. I said, "There is no truth in that at all," but he said, "I do not care; I want to have Sergeant Macdonell shifted."
321. You are quite positive that took place that day?—Yes.
322. *The Chairman.*] You are speaking carefully, of course, and it is true?—Yes.
323. *Colonel Pitt.*] Did you tell that to anybody else afterwards?—I told my husband about it.
324. When?—Some time after.
325. How long?—I think after I had seen Mr. Henderson, up at Winton.
326. How many days after?—I cannot say; it would be a good bit.
327. Why did you not tell your husband when you got home?—I told some of the family, I think.
328. Do you know if you did mention it to any of your family when you got home?—I am almost sure I mentioned it to one of my sons.
329. *Sergeant Macdonell.*] Have I spoken to you about this matter from the time of the inquest on your fire up to the present time?—No.
330. *The Chairman.*] There was an inquest held on your fire?—Yes.
331. And you say the sergeant has not spoken to you on any matter from that time up till to-day?—I spoke to him to-day.
332. What time to-day?—About 1.30 p.m., with reference to sending me back home.
333. Then, you say, since the time of the inquest up till 1 o'clock to-day, you have never spoken to him?—No.
334. *Sergeant Macdonell.*] Do you remember whether or not the inquest took place before this case of Mr. Moffatt against you?—It was before the Court case.
335. And you say from that time until 1 o'clock to-day I have not spoken to you?—No.
336. Did Mr. Henderson tell you at any time I had a great "down" on you?—Yes; he said you were no friend of mine.
337. When did he tell you that?—Well, I think it was the day he wanted me to sign the second paper.
338. Did you mention that fact some time ago to anybody?—I was speaking to Constable Emerson, and I asked how it came that Sergeant Macdonell had such a "down" on me. I was going to come in to the sergeant about it, but put it off.
339. *The Chairman.*] When did you ask Constable Emerson about the sergeant having a "down" on you? lately, or at the time of the inquest?—I think about three weeks ago or thereabouts.
340. *Sergeant Macdonell.*] And whether I heard that or not, did I in any way communicate with you on the subject till to-day?—No.
341. Did any of the other police communicate with you on this subject until they went to you to-day?—No.
342. How long after you signed the first document was it that Mr. Henderson wished you to sign the second one?—I am not positive.
343. As near as you can remember?—About a week or eight days, but I am not sure.
344. What was in that document, do you know?—I noticed there was more writing in it than the first one.
345. Can you say what was in the document; did he read it over to you?—No.

346. Can you remember what he said to you about it?—Well, it was about you; and he wanted you shifted, and that you were no friend of mine.

347. Is that all you remember of what was in the document?—That is all. I knew there was no foundation for it, and I took no notice of it. I was sorry for signing the first, and if I had known its contents I would not have done so.

348. When you refused to sign it what did he say?—“It is all the same; you signed the last one,” or something to that effect.

349. Did he give you advice as to actions of yours on any of these occasions?—No.

350. Did you pay him any money?—I do not remember. I used to be into his office pretty often.

351. At any time about then did you pay him any money?—I am not sure whether it was the day I gave him £3.

352. *The Chairman.*] You say you had a conversation with the sergeant at 1 o'clock to-day?—Yes.

353. What about?—It was about sending me back home again.

354. *Sergeant Macdonell.*] Did I ask any other man to come in at 1 o'clock to be present when I spoke to you: do you remember me calling any one in when I spoke to you?—I did not take particular notice, but there was a gentleman present.

355. Had you any particular reason for coming in to-day to say something that was not the truth?—I came in to tell the truth.

356. You came of your own accord?—No, I was summoned.

357. *Mr. Henderson.*] You say you signed a second document, or that I asked you to sign a second document?—Yes.

358. Was it after your case was heard and disposed of?—Well, I am not positive; I do not remember.

359. Would it be a week, or a fortnight, or three weeks after you signed that letter?—I am not positive.

360. As a matter of fact, the second document you were asked by me to sign, and did sign, was it not another instrument similar to this one, which had been declined by the Magistrate as bad? You remember signing this, and you remember the Magistrate giving judgment against you, and you lost your cattle?—Yes.

361. Did you sign another security to Mr. Roche after the case was over and lost, similar to this?—Did you not fetch a paper up for me to sign?

362. Quite so, and did you not sign a second security to Mr. Roche after the case was over and lost?—About the crop, yes.

363. Is not that the only paper, besides the paper before the Commission and the instrument that was found to be bad—three documents—you ever signed or were ever asked to sign by me?—No, I did not sign one you asked me to sign.

364. You swear there was another you did not sign?—Yes.

WILLIAM WALKER was examined on oath.

365. *The Chairman.*] What are you?—A first-class constable, stationed at Riverton.

366. When did you join?—13th February, 1878. I was previously fourteen years and nine months in the Royal Irish Constabulary. I joined that service on the 11th December, 1862.

367. Will you tell us what you complain of?—The complaint I have got to make is that I have been passed over in the matter of promotion, and three men within the last six months, juniors to me in the service and in rank by years, have been promoted to the rank of third-class sergeants. I believe that both religious and political influence has been brought to bear to bring about these promotions. Also, a complaint I have got to make is that all the stations in Southland and Otago which have any extra money attached to them are in possession of constables of the Roman Catholic religion; and all the sergeants, excepting two or three in Southland and Otago, are Roman Catholics, although the Protestants are vastly in the majority in the Police Force in New Zealand by something over one hundred. I have also to complain that out of our rate of pay we have got to supply our own uniforms, and have got to pay for everything except the silver badge and number in front of our shakos. Also, that in country and suburban stations we have got to supply fuel and light for the use of the public at our own expense.

368. How do you explain for the use of the public?—Suppose a person comes to me after dark on police duty, I have got to take him into my office and supply him with light. If I take a prisoner into the lockup on a dark and wet night I have to provide him with warmth of some sort to prevent him dying. We have also to cook for the prisoners, and have to supply the fuel. Take my present station: I am allowed a shilling per meal for feeding prisoners. At the large centres, where the single men are in barracks, there is an allowance made for fuel and light, whereas we have to pay for it. When I use that word “we” I am not the mouthpiece of any individual but myself. Up to about nine years ago we were allowed a small allowance for fuel and light. That was taken away from us with the promise that it was only temporary, but it has not been restored since.

369. How was that promise made?—In a memorandum that came with the order. It stated that the stopping of this allowance was to be only temporary. I am certain that I am correct in stating that. That is all the complaint I have got to make. I want to make a remark before I go any further, and that is this: that during my time in the Police Force in New Zealand I have not had a quarrel with a Roman Catholic in the service.

370. What are you?—I am a Protestant.

371. What particular branch of the Protestant Church?—Church of England. In fact, my best and truest friends in the Police Force are Roman Catholics. I know this: that the late

Inspector went to a gentleman of the Roman Catholic Church and promised him that if his men wanted stations they could get them.

372. Who was the Inspector?—The late Inspector Moore. I was informed that he did so. There is another matter in connection with myself that I wish to mention. About nine or ten years ago I was charged by a woman named Mary or Margaret Ryder with attempting to commit rape upon her in her house in the North-east Valley, Dunedin. For three days and two nights that was inquired into by the late Inspector Weldon, and there were lawyers engaged on both sides, for the woman Ryder and myself.

373. Did it go to Court?—It did not.

374. How did she make the charge? Was it a formal charge?—A formal charge, before Inspector Weldon.

375. She did not lay an information against you?—She did not. She simply went up to Inspector Weldon and charged me with an attempt to commit rape upon her.

376. What was the result?—I had been suspended, of course, at once; and after the inquiry Inspector Weldon used these words, "Constable Walker will now return to duty; he is exonerated." That was the end of it as I thought then, and I returned to duty that night. In about eighteen months afterwards my good-conduct medal was due. Seeing it was delayed for two months after the time I expected it, I made an application for it. I was informed that there was a reprimand on my conduct-sheet as a result of the charge preferred against me by Mrs. Ryder. When I got that answer, that it was not due, I then applied for a rehearing of the case. Colonel Hume was in charge of the department then, and the answer I got was that, seeing both the Inspector and the Commissioner, who were in charge of the police at that time, were dead, it would be injudicious, or something to that effect, to open up the inquiry again.

377. How long after the event was it that you applied for this rehearing?—Immediately.

378. How long was that after the charge which was disposed of?—About eighteen months or two years. It is only within the last two or three days that I found I could bring this up before the Commission, or I would have had the whole particulars ready for you.

379. You state nine or ten years ago; can you give it with precision?—It would be about nine or ten years ago.

380. *Mr. Poynton.*] Do you desire the Commissioners to examine the papers?—Yes. I can call Constable Jeffreys, at present stationed in Invercargill, as he took the depositions. At the inquiry I was never called upon to defend myself, and still this black mark is placed against me, the first one in the service.

381. *The Chairman.*] Where was the inquiry held?—In the North Dunedin Police-station.

382. Were you in charge of the station?—I was in charge of the North-east Valley District, where this woman resided.

383. Is there anything further you wish to add?—Nothing further.

384. *Mr. Tunbridge.*] You say you have reason to believe you have been passed over, or, rather, that you have not been promoted, owing to religious and political grounds?—I have reasons for thinking so.

385. What are the reasons?—Seeing that all the promotions in the Police Force recently, with the exception of one or two, are Roman Catholics. Three men in this district have been promoted to the rank of sergeant, and are junior to me in the service, and a long time junior to me in the rank.

386. Who are they?—Constable King, Sergeant Dwyer, and another sergeant in Dunedin. These three men are junior to me.

387. You say four recently promoted in this district?—Yes, and three of them junior to me.

388. Were they the four constables promoted on the 1st January last—namely, Constables King, Warring, MacKenzie, and Bowman?—Yes, and Dwyer.

389. *The Chairman.*] What are the names of the men you complain of?—Dwyer, King, and Bowman.

390. *Mr. Tunbridge.*] Do you say they were promoted on the 1st January?—Yes; but it seems I am wrong as to the date of Dwyer's promotion.

391. You also complain they are nearly all Roman Catholics; what did you say?—I said I had a very strong opinion that it was in consequence of their religious belief they managed to get this promotion.

392. Do you know that two of the four promoted in January last—namely, MacKenzie and Warring, are Protestants?—Yes, but they are senior to me a long way. But I complain about the principle. It is a grievance of long standing, this religious feeling in the Force.

393. But it is a fact that two of the four promoted in January last were Protestants?—Yes.

394. What proof have you that selections were made in these promotions through political or religious influence?—I have no proof whatsoever.

395. It is merely a feeling?—Yes.

396. You complain you have been passed over in promotions?—Yes.

397. You unfortunately do not enjoy very good health?—I am in fairly good health.

398. Is it not a fact that you were transferred from the North-east Valley to Riverton in consequence of not having very good health?—Yes, the doctor recommended riding; and I was transferred here to get a horse.

399. You have a horse now?—Yes.

400. Do you always ride it?—No; I sometimes drive it and sometimes ride it.

401. And you more often drive than ride?—Yes.

402. Why?—Because it suits my health better.

403. You were transferred in consequence of suffering from indigestion, and you wish the Commissioners to understand that driving is better than riding?—Yes. But surely delicate health ought not to be a bar to a man's promotion. If it is, it is a punishment.

404. *Colonel Pitt.*] What reason have you for saying that the feeling is that these men were promoted because they were Roman Catholics, and that there is a strong feeling in that respect in the Force?—I did not say there was any feeling against these particular men; neither have I any feeling myself against these men. Unfortunately, this thing has been in existence for years. The same subject I bring up now was brought up seven or eight years ago in Parliament, and the member who brought it before the House had his house burned down, and he gave it as his reason for his house being burnt down that he had advocated the claims of the Protestants.

405. What ground have you for saying that the feeling exists in the Force that preference is given to Roman Catholics?—I have this ground, and I say, myself, that the promotions have gone in that direction for years, and suburban stations particularly have gone to men of the Roman Catholic religion. For instance, there are eight or nine stations round Dunedin, and there was only a Protestant in one for years.

406. Does that refer to all over the colony?—I cannot tell you anything about New Zealand except Otago and Southland. I have never been further north than Oamaru.

407. *The Chairman.*] What emoluments are you getting at Riverton?—I get free quarters, and 1s. a day long-service pay—9s. altogether.

408. What sort of quarters?—Comfortable quarters, and a good house if it was weatherproof.

409. What offices do you hold, in addition to those of constable?—I am paid as bailiff by mileage, and I am also paid as Inspector of Slaughterhouses for the upper riding of Wallace County.

410. How much as Inspector of Slaughterhouses?—I think it amounted to about £1 3s. or £1 4s. per quarter, a very small amount. I am paid so much per sheep and head of cattle, and it will run, possibly, about £1 5s. per quarter.

411. What was the total amount of the emoluments you received for all the offices you held last year?—£17s. 9s.

412. What does the amount of fuel and light for your whole house cost you?—I cannot tell you. In fact, I do not interest myself in the matter at all. My wife looks after that.

413. Does 1s. per meal pay you?—Certainly.

414. It pays for the firing to cook the meal?—Oh, no. It pays for the food. Another thing, we have to provide light for the office.

415. Have you a light in the office every night?—Almost, in the winter especially.

416. And fire always in the winter?—Yes.

417. Are you occupied in the office in the evening?—Yes.

418. For what purpose?—Writing.

419. How long?—Sometimes half an hour and sometimes a couple of hours.

420. What amount do you consider would remunerate you for the cost of fire and light in the office and cooking the prisoners' food?—I say if I got £10 a year I think it would pay for the fuel and light, and the cost of cooking for the prisoners. I think £10 would be a reasonable amount. I am quite satisfied there are stations worse off than I am, and more prisoners to look after than I have. I would be satisfied myself with £10 for that purpose.

421. Have you anything specially to say to us about uniform, more than you have said in your letter? What does it cost you a year for uniform?—About £3 10s. or £4, taking the whole uniform, hat and all.

422. Boots?—Oh, no; only jumper, trousers, and the hat.

423. How much for boots?—About £2 or £2 10s.

424. And greatcoat and waterproof?—I did not include them. My last waterproof cost me £3 10s., and the greatcoat cost, I think, £2 5s.

425. What about your riding-breeches?—Two pairs will last three years, and they cost £1 1s. each.

426. You do not include them in your £4?—No, that simply referred to what I have to renew every year.

427. Are the other things renewed every year?—No, a waterproof coat will with care last four or five years, barring accidents.

428. Is saddlery found?—Yes.

429. With regard to a pension scheme: In your opinion would the men prefer a pension, towards which they would contribute out of their pay, or a retiring-allowance of so much money in a lump when they leave the service?—So far as I can gather, the men would prefer a pension in preference to a retiring-allowance.

430. At the cost of a deduction from their pay?—Yes, I think a feeling like that was put forward in Dunedin; but there was considerable feeling on the part of the young hands against contributing towards the fund.

431. What is your opinion now?—I think the majority of the men at the present day would prefer a pension, and I am satisfied they would agree to contribute something towards that pension, of course as little as possible; and I would then, as my report suggests, compel all extra money earned by the police to be paid into the consolidated fund of that pension. I mean, all moneys earned by us as Clerks of Magistrates' Courts and Wardens' Courts, and so on, and that would amount to a good sum in the year.

432. Do you suggest that the whole of the present emoluments attached to these offices should be eliminated, and the men confined to the pay?—Yes, and allow us actual travelling expenses for serving summonses and so forth, the same as I get my expenses paid when out on police duty, namely, instead of allowing me mileage, allow me simply feed for myself and horse. It would take away a lot of jealousy.

433. Is it not a fact that in many cases this mileage is paid and charged for without travelling at all? Do you not sometimes serve summonses when you meet a man without having to take it to

him?—Certainly. I would get the mileage if I served him in the streets of Riverton instead of going out five miles or so into the country. But then, again, I might have to go several times and not find the man.

434. With regard to retirement, at what age do you suggest the men should retire, or after what period of service?—After twenty-five years' service.

435. At what age?—Well, I would not admit them under twenty-three, especially in the New Zealand Police Force, because there are disadvantages in this Force for young men that are not in any other Force in the world, and I would compel them to retire after twenty-five years' service; that would be at forty-eight years of age.

436. Do I understand you to say you would make it compulsory for them to retire at fifty?—Yes; because you can use them afterwards as useful members of the community. That would help to bring forward promotions a good deal quicker than it is at the present time.

437. You refer to military settlements, and you suggest that men retiring from the Force should form a rifle corps. Suppose four men retired from Invercargill, where would the corps be formed?—In Dunedin. I suggest the four large centres of population for them.

438. Now you suggest, further, you would do away with all grades in the service of constables and sergeants?—Yes; have one class of each.

439. What advantage do you see in that?—It seems cumbrous to have so many grades in the one rank, to my view, and it would meet the same purpose by increasing the pay at certain periods. It is rather strange to have three grades of policemen for the one rank; whereas if you pay them for the length of service, you lay the groundwork for securing them in the service where they would be of great use.

440. How would you divide that period of twenty-five years' service for an increase of pay?—At three years, and seven years, and twelve years. By the time a constable obtains twelve years' service, he should, in my opinion, be fit to be promoted to sergeant.

441. Are you suggesting, without limiting the number, that all men in the Force after twelve years' service should be made sergeants?—Oh, no, that would never work out.

442. What do you suggest should be the ground of promotion from constable to sergeant?—Seniority and conduct. Of course, if his education did not qualify him for it, let him give it up, which he would necessarily have to do.

443. With regard to the rate of pay, have you any suggestion to make?—I have not.

444. *Colonel Pitt.*] Do you think that the pay is sufficient?—It is not. I know I have had a very hard struggle to rear my family, and there are others in the same fix as myself; and if I were out of the service to-morrow, I would not be able to pay my train fare from this to Riverton.

445. What do you think the lowest pay should be?—The lowest should be 7s. 6d. If you give them uniform, I say 7s. would be sufficient; but if you do not give them uniform the least you can give an honest man, and one who will make the police profession a thing to be proud of, is 7s. 6d. to start from.

446. *The Chairman.*] With regard to promotion, you say length of service and conduct should count?—Yes.

447. Do you think that that power of selection should be exercised by the local officers or by the Commissioner?—By the Commissioner on the recommendation of the Inspector, and the Commissioner to have the sole control of the Force. No other influence whatsoever.

448. You express the opinion in your letter that it is not right nor beneficial to the service to transfer men from country stations merely on the ground that they have been there a very considerable time?—I do.

449. You think time should not be taken into account?—No. At the very lowest estimate it will take a man a couple of years to get round to every one in his district, and, so long as a man does the work required of him in the service, I say leave him there, whether constable or sergeant.

450. You are of the opinion, already expressed to us, that men from the farming classes form the best men for the constabulary?—That is my experience in the Royal Irish Constabulary.

451. *Colonel Pitt.*] What do you think should be the standard height of a man?—5 ft. 9 in. should be the minimum.

452. Do I understand you, that you still contend that the three men you mention, who were promoted to the rank of third-class sergeants, were junior to you at the time they were promoted?—Yes, in rank and service. I am a first-class constable for nineteen years, and that is before some of them were in the service. Sergeants Dwyer, King, and Bowman are all junior to me both in rank and service. The other two sergeants promoted within the last three months are both senior to me.

453. *The Chairman.*] You say Dwyer, King, and Bowman were appointed when?—I found out to-day that Dwyer was appointed twelve months ago.

454. Do you know if there is anything against you beyond that reprimand?—I am quite sure there is not.

455. Have you any entries on your merit-sheet?—Yes, I have merits for smuggling convictions, arrest of a housebreaker on description, and also one for a conviction for illicit distillation. I think there are several altogether.

456. *Colonel Pitt.*] Are you quite sure that reprimand is on your sheet?—Yes.

457. *Mr. Tunbridge.*] You say you get 1s. a meal for the prisoners?—Yes.

458. For each meal?—Yes.

459. What do they get for their breakfast?—Bread and butter and tea.

460. And for that you get 1s. Do not you consider that 1s. very well pays you for the boiling of the tea?—It does so, under the circumstances, but if I had to make it specially it would not.

461. You mean to say that 1s. does not pay you for the bread and butter and the tea you supply prisoners with, including the cost of the fuel for boiling the tea?—I do not think so.

462. The majority of the meals you supply are breakfasts, are they not?—Yes.
463. You rarely have to supply dinners?—Very rarely.
464. Therefore the 1s. you speak of almost invariably applies to breakfast?—Yes.
465. In each case at breakfast they get bread and butter and tea?—Yes; and whatever is on my own table they get, but that, of course, is my own look-out.
466. Now, about the fees you collect in your capacity as Inspector of Factories, £2 16s.: you say that was money you had expended, and which was refunded to you by the department?—Yes.
467. In what form had you expended that?—Dinner for myself, and feed for the horse each day I was out.
468. On an average, what would your dinner cost you?—1s. 6d.
469. And feed for the horse?—About the same.
470. That means you had been engaged about nineteen days as Inspector of Factories?—As Inspector of Factories, inspecting sheep-stations.
471. It means you have been engaged during the year about nineteen days in your capacity of Inspector of Factories?—Yes, inspecting shearing-sheds.
472. But are there no expenses incidental to inspecting other factories in your district?—No.
473. Then, according to that, your duties as Inspector of Factories take up a great deal of your time?—Well, they take up nineteen days; and, as to taking up time, the time would be taken up in walking up and down the streets of Riverton. I have no outlying shops except a few blacksmith's shops, and there is no necessity for actual inspection of those places further than collecting the fees. I make it my business that they must come and pay me the fees in my office unless I chance to be going by; so there is not much of my time as a policeman lost outside the town of Riverton, bar these nineteen days charged for here.
474. You use the police horse for that?—Yes.
475. And generally use the police horse in your work as bailiff?—Yes; if he is able to go, he goes.
476. You complain of having to find light and fuel?—Yes.
477. Do you not consider that the fact of having a house rent-free should be taken into consideration?—Of course it is taken into consideration as part of the emoluments of the service in these places; but I think it is a hardship upon me if a man comes to me at night and stays in my office for an hour that I must supply light for the public use.
478. How often is that likely to occur?—Possibly every night in the winter.
479. How often in the country at night would it occur?—I do not think I have been called out of bed more than once or twice for the last two years. Before that it was pretty often.
480. So you think you should get an allowance for light for having been called out of bed once or twice in two years?—I am using light before I go to bed. At the end of the year or at the end of the quarter I have to make up a number of returns for the different offices I occupy, and I must sit there in my office to do that work. I have sat there until 11 and 12 o'clock at night with the light burning at my own expense.
481. None of the departments pay you anything for that?—Not a penny.
482. You said just now you thought promotions to the rank of sergeant should be made by the Commissioner on the recommendation of the Inspector?—Yes. I say distinctly that there should be no outside influence allowed to promote any man.
483. Do you think that would give satisfaction?—I am certain of it.
484. Then, if these four officers who were promoted from constables to sergeants on the 1st January last were promoted exactly in the manner that you advocate, you have nothing to complain of?—No; only I would like to know the reason why I am passed over.
485. *The Chairman.*] What outside influence do you refer to?—Political influence.
486. What reason have you for thinking that political influence has anything to do with it?—I cannot give you anything certain. It is only an impression we have in the service, that unless you have got political friends you cannot get on.
487. Would you not have heard if there was anything of that sort—if it was a practical thing and a really existing power—how much a man exercised it, or from whom he got his influence?—If I did so I would not like to tell what I heard from any man as to what he could do. You hear a great many things that there may not be much in.
488. Do they do these things?—They go and see a member, or a Minister.
489. Can you trace any case where a man has said to you, "I will go and see a member or a Minister," and has done it?—I do not think so. I cannot recollect any one particular case; but it is the impression in the Police Force that unless you have some influence you cannot get on. I could give you a case where people tried to get me shifted from where I am through political influence, but I do not want to mention that because I "bested" them, and that is over.
490. *Colonel Pitt.*] You say your opinion is that the promotions should be on the recommendation of the Inspector, confirmed by the Commissioner; do I understand you to mean by that it should be altogether independent of the Minister?—I do, most unquestionably. I would hold the Commissioner responsible for all appointments, transfers, promotions, and dismissals, and he must necessarily report to the Ministerial head of the department once a year.
491. *Mr. Poynton.*] Do you think it adds to the efficiency of a policeman to travel round his district as much as possible?—Certainly; the more a country policeman mixes with the country population, the better for the policeman and the population.
492. Do not you think that going round as Inspector of Factories, although not part of your police duties, adds to your knowledge of the people, and their habits, and what goes on in the district, and thereby indirectly increases your efficiency as a policeman?—Of course it does.
493. *Colonel Hume.*] This morning I understood you to say that, from what you have seen, the general opinion of the Force was that there was very little show for any one except members of one particular religious sect in the Force?—Yes.

494. Will you carry your memory back for the last seven years: you study your *Police Gazette*, I suppose, and know all the promotions that have been made?—I only know of Otago and Southland.

495. You read the *Police Gazette*?—Yes.

496. All promotions are put in that?—Yes.

497. Now, are you prepared to say that the most efficient men in Southland have not been promoted?—I will do nothing of the kind; because the three men promoted over me are as good men as you have got in Southland.

498. Do you think in Otago and Southland there are double the number of Roman Catholics in charge of good stations than Protestants?—No.

499. What do you call a good many; you said “nearly all”?—There might be a proportion of five Roman Catholics to three Protestants.

500. Would you be surprised to hear that the real numbers are twenty-two Protestants to twenty-eight Roman Catholics?—I thought there were more. The point I want to emphasize is this, that where the pickings are, so far as I know, they are in the hands of Roman Catholics with the exception of two.

501. The question is, Have you studied this matter? Do you know?—I have not studied it very much, but I have taken a little trouble since this Commission started to post myself up.

502. I understood you to say just now that a person with a certain amount of political influence had tried to oust you from Riverton, but had failed?—Yes.

503. Does not that tend to show that political influence does not rule the Force, or else how was it they did not get you out of Riverton?—My Inspector stuck to me.

504. Does not that prove what I say?—Yes.

505. Then, political influence in your case completely failed?—Yes, but still I want to show you it is at work.

506. Any way, in your particular case political influence utterly failed?—Yes, and I have to thank Inspector Pardy for it.

507. *Sergeant Macdonell.*] About the question of “pickings”: Which are the four best stations for “pickings,” as you call it, in Southland?—From what I can learn from the men themselves, Otautau is best, Lumsden next, Wyndham next, and Winton next.

508. Now these, you consider, are the four best stations in Southland?—Yes.

509. Can you tell us the religion of the constables stationed at those places?—Otautau, Roman Catholic; Wyndham, Roman Catholic; Lumsden, Protestant; and Winton, Protestant. They are equally divided.

510. One other question—and it is not out of any disrespect, for I respect you: Are you an Orangeman?—I am, on the principle of being once an Orangeman always an Orangeman. I was made an Orangeman thirty-six years ago, but I have not put my foot inside an Orange Lodge but once for the last twenty-seven years, and that night the lodge was broken up.

GODFREY CORNELIUS JEFFREY was examined on oath.

511. *The Chairman.*] What rank do you hold?—First-class constable, stationed at Invercargill.

512. *Constable Walker.*] Were you stationed at Dunedin eight or nine years ago?—Yes.

513. Do you remember an investigation in the North Dunedin Police-station into a charge preferred against me by a woman named Ryder?—I do.

514. What was the charge preferred against me?—Attempted rape.

515. How long did the inquiry last?—It lasted three afternoons, beginning at 2 o'clock every afternoon; and the last day it lasted up till about 10.30 in the evening.

516. Can you recollect what the late Inspector Weldon said at the finish of it, as near as you can?—He said, “Constable Walker, you can go back to your station; there is nothing in this case at all.”

517. Was I suspended from the police during that time?—Not that I know of.

518. You took down the whole of the evidence in writing?—I did.

519. Can you recollect whether I was called upon for a defence or not, or to offer any evidence in defence of the charge preferred against me?—I do not think you were; I do not remember it. It is a good many years ago.

520. How long after the inquiry did you hear I was reprimanded for it?—Only a few days ago.

521. *Colonel Pitt.*] Who did you hear from?—Constable Walker.

522. *The Chairman.*] You heard from him not that he had been reprimanded, but that the reprimand had been entered upon his sheet?—Yes.

WEDNESDAY, 30TH MARCH, 1898.

ARTHUR CHILLAS HENDERSON, further examined on oath.

Witness: I desire to say this, at this stage: the letter signed by Mrs. Powell, addressed to me, and placed before the Commission, was brought before the Law Society here within a day or two of the date of it. I have reason to believe—I cannot swear to it—that the fact that the matter was brought before the Law Society came to Sergeant Macdonell’s knowledge. The next thing I heard was that Mr. Macalister had declined to appear for the woman, and he did not appear for her. She came to me and said that Mr. Macalister had thrown her over, and asked me if I would appear. I did appear for her.

1. *The Chairman.*] In what case?—In that same case. I did appear subsequently, Mr. Macalister having in the meantime, to use her own words, thrown her over.

2. Did you bring it yourself before the Law Society?—I was present at the meeting, brought it before the Law Society, and complained. The Law Society were having another meeting with regard to Mr. Wade. As I say, I have reason to believe it got to the sergeant's ears, and he must have communicated with Mr. Macalister. That is my belief. He did not appear for the woman. She came to me and asked me if I would.

3. Have you reason for that belief?—The only reason is that I had Mrs. Powell's writing—definite proof of what I believed to be guilt on the part of the sergeant, and I believe he knew I brought it before the whole profession.

4. Have you any reason for that?—I have no reason beyond my suspicion that he had knowledge of the fact that I brought it before the Law Society, and that he immediately communicated with Mr. Macalister.

5. That is, however, only suspicion?—Quite so.

6. That is mere suspicion on your part?—It is purely suspicion. I wished to mention this before Mr. Macalister went into the box.

JOHN MACALISTER examined on oath.

1. *Mr. Tunbridge.*] You are a solicitor practising in Invercargill?—Yes.

2. How long have you been practising here?—For the last twelve years.

3. Have you to your knowledge received any cases during the past few years through the recommendation of a police-officer?—No.

4. Do you think had cases come to you through the recommendation of the police-officers you would have known it?—Yes, I think I would have known it.

5. *Mr. Henderson.*] You are a solicitor under the Factories Act—are you not appointed to that position?—Yes.

6. How did you get that position?—Really, I could not say. I have been employed to do the work and I have done it. I do not know how I got it. I never asked for it from any one.

7. Have you got that position through the recommendation of Sergeant Macdonell?—No.

8. Not to your knowledge?—No, I am sure. I do not think the sergeant's influence is so much as all that.

9. You have the position, and the position must have been got by some means; it is not by your own asking?—It is not by my own asking.

10. By some unknown power you have been put into the position of solicitor under the Factories Act, and you know not how or why?—I cannot say. I suppose Government thought I was the best man to be appointed.

11. *The Chairman.*] Is it an appointment by the Government?—I do not know.

12. Who employs you?—I have been engaged by the Inspector, Mr. McEwan.

13. *Mr. Henderson.*] Does he act in conjunction with the police?—I cannot say.

14. *The Chairman.*] Is he a member of the Police Force?—No.

15. *Mr. Henderson.*] Is it not possible that many cases during the last few years have come into your hands through the recommendation of the police without your knowing it?—I never knew of any.

16. It is possible you may have been recommended without the police saying so to you?—I do not know of any policeman that has recommended me.

17. Is it not possible that any solicitor may be recommended by the police without that solicitor knowing it?—Well, I cannot recall a case. It is possible, of course, but I cannot recall any instance where the police have recommended any one.

18. I am asking whether, in your opinion, it is possible a policeman might recommend Mr. Macalister without Mr. Macalister knowing it?—I cannot say. I could not express an opinion on that. It is possible; all things are possible. It is possible; of course it is possible.

19. Have you ever had a police case where the prisoner gave you any explanation how he sent for you, beyond the fact that you were a solicitor?—No, I cannot remember any—simply that he wanted me to appear for him.

20. In all police cases, so far as you remember, the prisoners have simply sent for you, and given no reasons why they sent for you?—They have given me reasons afterwards—after they have been sent to the Supreme Court and acquitted; they have said they were quite right in selecting me.

21. Now, take the police cases and the Police Court,—and you have a great number of them,—and you say the same with regard to your Police Court cases: that your clients afterwards explained to you the reason why they employed you?—No.

22. Then, in those cases—and I dare say there have been a good many of them during the past ten years—clients have not given any reason for employing you?—Beyond saying they sent for me and placed the case in my hands.

23. Those cases may have been recommended by the police?—Well, they may have been recommended by anybody. I found this out to be the case: Certain people whom I appeared for recommended others. I found that to be the case; and prisoners in the gaol, I suppose, make recommendations to one another.

24. With regard to Mrs. Powell's case, did you hear of my bringing that before the Law Society?—No; and I would like to say that the sergeant never mentioned that to me; he never mentioned the case to me at all.

25. When Mrs. Powell came to you, did she say that she had been recommended by Sergeant Macdonell, or any police-officer, to come to you?—No.

26. Did she say that she had seen me about the case?—No, never mentioned your name; otherwise I would have made it a point to see, before I took up the case, that there was no relationship of solicitor and client existing between you and her.

27. Can you explain why you threw her over, so to speak, after appearing at the first hearing of the case *Moffatt v. Powell*, when it was adjourned?—I remember *Moffatt* was suing her, and she had a set-off. *Moffatt* was suing her for rent and other items, and she had a counter-claim. *Mr. Moffatt's* claim we admitted. I remember she admitted to me the rent was due, and I advised her, of course, that she had no defence, that all she could do was to put in a counter-claim. The counter-claim was filed. *Mrs. Powell* told me afterwards she could not get evidence—her sons, who were out in the country at the time—to come in and support the claim. I said, “Very well, the case may as well go by default, and you can sue again on the counter-claim.” It was not material, at any rate, to defend *Moffatt's* case, because *Moffatt's* claim was one to which there could be no defence, and she was not prepared with her evidence on the counter-claim. Practically that was the reason why I did not appear.

28. *The Chairman.*] You say that *Sergeant Macdonell* never spoke to you in reference to the case?—Never spoke to me in reference to the case.

29. *Mr. Henderson.*] Or any other constable?—Or any other constable. I did not think it necessary to attend. It was a matter of judgment going against her, and she could sue again on the counter-claim at a future time.

30. *Sergeant Macdonell.*] Did I at any time mention this matter to you up to the present moment?—No.

31. Did you know that this letter got by *Mr. Henderson*, and signed by *Mrs. Powell*, making some accusation against me, was before the Law Society?—I never knew of that. In fact, I may say I was at *Gore* yesterday attending a meeting of creditors, and never saw the newspaper till this morning, and that was the first time I saw or heard anything about it. I would like to make an explanation, seeing insinuations have been made about my getting business through the police. I would like to say this: I get criminal cases from the Lake district. I have defended criminal cases in the Supreme Court from a district over which the police could have no influence. Even at *Gore*, within the last fourteen days a woman was committed for trial for perjury; and, although there are eight solicitors there, I was retained to defend her in the Supreme Court, and I have been retained in other similar cases that have gone to the Supreme Court.

32. *The Chairman.*] You say you have a reputation in criminal work in the Court?—Yes, and in districts over which the police here could have no possible control—in the Lake district, and all round there.

33. You say you have not had any business, so far as you know, put into your hands by members of the Police Force?—No, I have not.

34. Are you in the habit of visiting the police-station with a view to ascertaining what cases may be in the lockup?—No, I am not.

35. I may say it was mentioned yesterday by a practitioner that it was the habit to drop in and ask if there was anything on?—I never do that. In fact, I have refused cases. The police have telephoned to me under instructions from the prisoners who have been brought into the cells. I have inquired who they were, and what the case was about, and I have repeatedly refused to appear.

36. *Mr. Henderson.*] Have you on any occasion gone to the police-camp without having been sent for?—No.

37. Never in your life?—No, never in my life.

38. I could not mention the case, but I have met you there myself when we have both been on the same job, have I not?—That may be so. I do not know. I do not think I ever did. I do not remember ever doing that.

ARTHUR CHILLAS HENDERSON, further examined on oath.

39. *Sergeant Macdonell.*] When did you come to the conclusion that the police were acting against you in any way?—It must have been about 1891 or 1892—the day on which you complained to me of my conduct in addressing a jury in this Court: that was the first. I cannot give you the date, but you know the case to which I refer. You complained to me in this passage here.

40. What was the case?—The case of *Regina v. Byrne*. In my address to the jury I complained of your conduct in approaching the prisoner, and the Judge upheld my view, but said he believed, while you had made a mistake, you were honest in what you did; and, after the case was over, I was walking from the library to the robing-room to take my wig and gown off, when you stopped me with these words: you said, “I know how you spoke of me to the jury like that.” And you raised your hand, like that. There were several witnesses there at the time, and you added, “I’ll have it in for you; I’ll follow you.” I said, “*Sergeant Macdonell*, if you interfere with me within the precincts of the Court while I have my wig and gown on I will report you to the Judge.” You continued, but I did not wait for you. I came straight into the Court, and I said to *Mr. Macdonald*, the Crown Prosecutor, “I have been grossly insulted by *Sergeant Macdonell*. I want to bring the matter before the Judge.” He replied, “Never mind, it will blow over; it will be all right.” Unfortunately for me, I was induced by him to let the thing drop. From that time to this I am honestly convinced in my mind you have followed me, as you said you would—that you have prevented people employing me, and that, if you have not done it yourself, your constables under you have done it, they knowing you were not on friendly terms with me. I am honest in my belief you have done all you could to injure me from that day to this. I would be very glad if you could say on your oath you have not. Circumstances appear against you.

41. You say on your oath I used the language you state, and put up my fist to you?—On my oath I have stated, almost *verbatim*, what passed between you and me in that passage there. Of course, it is a number of years ago, but I can assure you I have never forgotten it. We have often referred to it since. Three years ago we referred to it in my office, when we “buried the hatchet.” I suppose you remember that.

42. Would you mind telling us how you came to get that case into your hands, *Regina v. Byrne*?—It is a long time ago. My present recollection is it was through a man named Brown, who was living with her. She was a prostitute.

43. Are you sure Brown was in the colony at that time?—No; I would not swear. That is my recollection.

44. Did you get that case through any solicitors you were mixed up with for some time back?—No, certainly not.

45. Were these not the facts you complained of to the Judge: That this woman jumped into the water from the jetty with her child. She was rescued, and the child was drowned; and she was brought up to the station, and, on learning the facts, I got a cab and took her down to the jetty to show where the child was. Was that the fact you complained of?—Practically the fact was this: She was rescued from drowning, driven to the camp, her clothes dried, and then immediately driven back to the jetty by you, to show where she threw her child in, or jumped in herself, and I complained that you had done so in a precipitate, hurried way, and that the woman had not been cautioned in the usual way. The Judge believed you had done it honestly, but said you had made a slight mistake; and in addressing the jury I complained of your action.

46. It was on account of taking the woman down to show where she threw her child in?—Yes, while she was in a weak state, mentally and physically. The woman's life hung in the balance, and great care should have been taken of her; and I say now you had no grounds whatever for complaint of my language to the jury or the Court, but you considered you had.

47. And the Judge said something similar to what you have stated?—He said I was justified in what I said—that you had made a mistake, but he would like to believe you were honest in what you did, although you had made a mistake.

48. Do you remember the reason the Judge gave, why he thought I should not have acted as I did?—I cannot, but you may refresh my memory. If you give the reason, and I remember it, I will say so.

49. Was it not on the grounds that this woman was in custody on a very serious charge, and she should not be asked anything?—No, I really cannot remember anything of that.

50. And do you remember my explaining to the Judge that she was not in custody on that charge at the time she was taken down there?—I do not. You may have pointed it out to the Judge that she had not then been charged.

51. Do you remember my stating to the Judge she was then simply charged with attempting to commit suicide?—I do not remember the fact. I think it is probable you said so, but I do not remember it. It is very likely you said so. It is a great many years ago.

52. Was there any unpleasantness whatever between you and the police before then?—I cannot bring to my recollection any unpleasantness before then. You certainly never interfered with my practice before then—never.

53. Or any other member of the Police Force?—No; I do not remember. You may be able to refresh my memory, but at the present moment I remember nothing prior to that—no disagreement, nothing to interfere with the ordinary friendship that should exist between the profession and the police. I cannot think of anything at the moment.

54. I suppose you have thought this matter over a good deal this while back?—I have not, indeed. I never meant to bring this up. You have brought up a thousand per cent. more than I have. The gentlemen who are with you have brought to light a great deal that I had no intention of mentioning. All I wished to bring before the Commission was the fact that the police had interfered with people that wished to employ me.

55. But that was since this *Annie Byrne's* case that you refer to?—There is no doubt we were on the best of terms previously to that, and it was you who took up the quarrel, believing I had injured you in saying what I did, believing it was my honest duty in defence of my client.

56. Would you be surprised now to find that the two cases you tried to prove here yesterday—the eight sailors from the Bluff, and *McDermott's*—both took place the year before the *Annie Byrne's* case?—Well, it is a long time ago, and it is just possible I have made a mistake in the year. I have given the matter no thought for years, but in thinking of the quarrel with the police, I have always considered this *Annie Byrne's* case the origin of the sergeant's displeasure with me. I have not thought of it for years; in fact, I have not thought of anything in connection with this case until I came into this Court.

57. What is your reason for saying you were so very amicable with the police before then?—We were always friendly. Now that you cause me to doubt my memory with regard to dates, I could not swear to the first date on which you and I had a difference.

58. You say that we referred to this case in your office some considerable time ago?—You came into my office, sergeant.

59. Do you remember what for?—It was something about giving evidence. You wanted Jones, my clerk, to give evidence, and we got into a general conversation about bad blood that existed between you and my office, and I wound up by saying to you, "Let bygones be bygones. Let us bury the hatchet and shake hands over it." And you left me under the impression you were going to bury the hatchet.

60. Did not I tell you there was no hatchet to bury, that I had no ill-feeling against you?—You may have used those words, but the fact remains that there was a very serious difference between us. However, we shook hands, and I understood the hatchet was buried.

61. Did you try to borrow any money from me on that occasion?—No; I never asked you for a shilling in my life.

62. You did not ask me to lend you £5 that day, and you would give me interest on it?—Certainly not. It is impossible at this distant time to say what conversation passed, but for me to ask Sergeant Macdonnell intentionally, seriously, for money—never in my life.

63. Is it not a fact that you asked me for the loan of a five-pound-note, and you would give me any interest on it?—Certainly not.

64. On that very occasion you refer to?—I do not say it is not true, because I do not remember the circumstance: but it seems so absurd, so unlikely, that it must be untrue.

65. What do you mean—do you mean it is unlikely you would borrow any money?—I mean to say this: I have no recollection of the fact, and, under the circumstances in which you and I were placed, you would be the last man under the sun that I would have gone to. It is quite impossible I could have asked you for a shilling had I desired it.

66. Do you remember that at first I declined to shake hands with you, but you pressed me?—I did press you, because I was anxious to make friends with you. It is over three years ago—some-where about that, because my clerk has been back in Sydney nearly three years. You came straight up to the camp here, and told the men you had buried the hatchet.

67. You say I came up to the camp, and did what?—Within a quarter of an hour from the time you left my office a constable came into my office and told me.

68. Was it a constable?—It was one of the Force. He put his head into my door smiling, and said, "Well, you and the sergeant have buried the hatchet. He just came up and told us, and he made the remark, 'I'll let Henderson see whether I have buried it or not.'" Of course, that shook me at once. I came to the conclusion you were not genuine in shaking hands.

69. And when you told me that afterwards, did I not tell you it was not true?—I believe that is so.

70. I must ask you the name of that man?—Must I give the name, Mr. Chairman?

71. *The Chairman.*] Oh, yes, I think so?—Well, it was Detective Herbert, I believe. I do not swear it; but I do believe it was Detective Herbert.

72. *Sergeant Macdonell.*] If that was a deliberate untruth, would you say he was a straightforward man?—I would believe Herbert on his oath as soon as any man in the police in Invercargill.

73. Supposing that what he told you, if he did tell you, was utterly untrue, would you say he was a straightforward man?—That is not a fair way to put it. I have always found Detective Herbert a sterling, honest, straightforward, and manly man—a man who would not tell a lie, on his oath or off it.

74. Supposing a man told a lie, would you consider him a straightforward man?—I would not consider any man who told a lie a straightforward man, especially a man on his oath.

75. Do you remember some time ago—some considerable time after that—being in my office, and referring again to the fact that you thought the police were doing you out of cases?—Yes; I have had several conversations with you, I believe, sergeant.

76. Some time before last May, or about that time?—I could not give you the dates, but I am quite sure I have been in your office, and spoken to you about that matter since your visit to my office—since "burying the hatchet" business.

77. Do you remember crying in my office?—Never.

78. Do you remember my explaining to you how you lost your police cases?—No; you never explained to me.

79. Do you remember me telling you that your character was a cause of it?—Never.

80. Do you remember me referring in particular to the bungle you made of the Annie Byrne's case; that was the talk of the whole country?—You might have. I cannot charge my memory with it, but you might have.

81. Do you remember your telling me that you knew that the late quack, Dr. Ashby's woman, told you when they employed you at Otatau, he was a fool to employ such a duffer?—No; I never did.

82. Do you remember me telling you it was well known you embezzled Government moneys while Clerk of the Court here in Invercargill?—When?

83. On this particular occasion when you were crying in my office?—You never mentioned that in your life until we had the open rupture in the Magistrate's Court.

84. But this is since that, is it not?—It is a wilfully false statement. I was eighteen years in that office, and the records of the office and the certificates of the auditor to the very last hour I was in the office, are on record to show that the accounts and everything are correct. You have done that twice, and you do it in order to wilfully injure me, knowing it will probably go into the papers; but there is no foundation for it. If anything of that kind had happened, the Government would have seen to it. I hope the Commissioners will be good enough to satisfy themselves by seeing the records and finding out whether there is any truth in it. It is said to throw mud at me. He might as well ask me if I had committed murder.

85. Did you receive letters charging you with that, and explaining how you escaped being in gaol?—Never.

86. You say you never did receive a letter?—Never. I believe while I was in the service I received an anonymous letter.

87. No, but since you left the service?—No.

88. Did you receive a letter from ex-Constable Buchanan saying that your services in connection with oil and salt and so forth saved you from gaol?—No such letter ever came to me.

89. Did not some of your friends pay money in to the Government to save you at some time?—That is untrue. It never was done.

90. Do you know that an order was given to prosecute you and was countermanded?—That is untrue.

91. Do you remember what brought about that scene in the lower Court which you have referred to?—I cannot remember.

92. Will you give us your version of it?—I cannot remember. If you put your questions I will answer them as far as I can.

93. You referred to something that was said by me about you in the Court below on one occasion?—I do not remember the case.

94. Some remarks I made about you in the Court below?—You were indiscreet enough to make the same remarks in open Court that you have made to-day.

95. What led to that?—It was a dispute you had with the counsel in the case, Mr. Hall, and I followed up his remarks with some other remark, and you opened out to me. Inspector Parry was there. There was quite a scene in Court. Is that the case you refer to? I really do not know what you are driving at.

96. I refer to the scene in the Court below, when I made some remarks about you and made you clear out of the Court very quick?—You never made remarks that made me clear out of the Court. You have often been impertinent enough.

97. Do you remember what the remarks were?—I do not; but they were very insulting—referring to my honesty when I was Clerk of the Court, which was a pure fabrication.

98. Was there anything else said, about your paying £2 a month at that time of your clients' money to keep you out of gaol?

99. *The Chairman* (to witness).] I rule you need not answer that question.

Witness: I decline to answer the question.

100. *Sergeant Macdonell*.] You referred to some matter yesterday in giving your evidence that took place between you and I in reference to the Hall case, in my office last year?—Yes. I have a report here, taken on the following morning, of the whole interview. This is my statement taken down by Mr. Hall from dictation the following morning.

101. How did you come to my office on that occasion?—You sent for me on the evening of Friday, the 18th June.

102. I sent for you?—You sent for me. Constable McIlveney came to me.

103. Did I hand you a letter from your client, Mrs. Cameron, or Mrs. Gorman, rather, on coming into my office?—Yes.

104. That letter requested you to give me all the information you could on the matter?—You said you had a very important matter to put before me—that you had received a letter from a client of mine to give certain information.

105. You say I referred to a billet for you first?—You referred to the billet. You were the only one who did speak of it. I will go through the whole conversation if you like.

106. You say I was the only one who referred to the billet, not you?—As I said yesterday, when you found you could get nothing out of me you said, "I have an offer to make you."

107. Were you seeking a Government billet at that time?—I had been prior to that date.

108. Yes or no?—No; I was not. Certainly not—for over twelve months previously.

109. Were you twelve months previously?—For three or four years after I left the service I did all I could to get back to my position—five years, probably—but for twelve months previous to being in your office that night on the 18th June I am quite sure I had never done anything to seek a Government billet. I might, but I do not think so. However, I will take one now, if you could get it, Sergeant, if it is worth having.

110. Do you deny saying to me you had gone to Mr. Ward three or four times; that he had promised you, and his promises were not worth anything?—I do. Those were not the words I used; I will give you the words I used. You wrote down, "If you can give me evidence that will corroborate Mrs. Cameron you can get a Government billet." I could have gone through the floor. I tell you I never felt so insulted in my life. Then I said, "What are you to get for the job?" And you smiled such a smile as Sergeant Macdonell alone can smile.

111. *The Chairman*.] Will you repeat that answer?—He wrote on a piece of paper, "If you can give me evidence that will corroborate Mrs. Cameron, you can get a Government billet." After two or three remarks I asked the sergeant who his authority was for making such an offer. He did not name the Hon. J. G. Ward, but he referred to him in such language that I knew he meant the Hon. J. G. Ward. He did not name him, but he used an expression that left no doubt in my mind that the Hon. J. G. Ward was his authority. My reply was that I had been asking the Hon. J. G. Ward for an appointment for years, and he had not been able to get me one; and I might have added, "Even if I were to ask him for the next five or six years he could not get me one." I might have said that, but I am not clear on that point. Or I said, "It is very little use you saying you have his authority to offer me a billet now." I was very angry: I felt vexed to think that was the measure the sergeant had of me. I then said to him, "Sergeant, you have sent to my house in a friendly way to ask me to come to see you here. Is it not a fact that within the last week you have been speaking of me and another solicitor in town—I mean Mr. Hannan—in contemptible language, and yet you ask me here in this apparent friendly spirit? How can I trust you?" He said, "I never referred to you in contemptible language, or Hannan either." I said, "I have it from one of the Force." He said, "I know the man you refer to. The man has got delusions. I will soon have him out of Invercargill. I will soon punish him." And he had him out of Invercargill in a week. That was Detective Herbert.

112. Did you tell me on that occasion you had to consider your bread and butter, and that the two Halls were the most dangerous men you ever saw in your life?—I did not say the two Halls were the most dangerous men I ever saw in my life.

113. Do you remember on that occasion telling me a great deal about William Hall?—No.

114. And about Annie Byrne; that was referred to?—No.

115. And about this man Brown; that was referred to?—No.

116. Did you tell any other man that?—I do not think so. About what?

117. A great deal about William Hall, Annie Byrne, and this man Brown?—That subject never came up in conversation between you and me.

118. On that occasion?—On any occasion that I remember.

119. Do you remember telling others about the same thing?—I do not.

120. Can you see any one here now you told the same thing to?—I do not know. If there is any one in the Court, name him, and I will tell you whether it is so or not.

121. Were you not the first that gave the information that led to the prosecution of the Halls yourself?—No, certainly not.

122. Did you ever give such information?—Certainly not.

123. Did you ever write any documents to take divorce proceedings in the case before ever this case was heard of by the police?—Never in my life.

124. *Colonel Hume.*] You said yesterday that constables were kept too long in Invercargill, and in many cases they would have been removed, but political influence stopped it and got the order cancelled. Would you state some cases, please?—Of long service in Invercargill?

125. Yes?—I think the books of the police-office would show you that better. Constable Greene, who was moved some time ago, was here a great number of years; also Constable Burrows.

126. I understood you to be referring to the police now here?—No, not to the police now here. The police now here are all new arrivals within a few months. With one or two exceptions they are all new men.

127. *The Chairman.*] With regard to political influence, can you put your finger on any case?—I mentioned Constable Burrows. I do not know what influence he brought to bear, but it was sufficient to get his removal cancelled. There are one or two other cases I know. Of course I mentioned Sergeant Macdonell. I know there are one or two constables who got instructions to be moved, and they have been retained here, but I do not know the cause.

128. *Colonel Hume.*] You told us yesterday you made rather a study of this?—I did not say I made a study of this.

129. You said you spoke from considerable experience of the Invercargill police?—Quite so. I have been here since the year 1869, and I have been connected with them the whole time. I cannot bring any particular case; but I know of more than one, more than two constables who have been instructed to move and who have been allowed to remain—why, I do not know. Then, a deputation waited on the Hon. Mr. Seddon a few months ago to get Sergeant Macdonell moved. I was not one of the deputation. There was also a previous deputation waited on the Hon. Mr. Ward to get his removal.

130. Do you consider when a constable's wife is in a state of health that she cannot possibly be moved, and the removal is cancelled, that is political influence?—It might be political influence that brought about the cancellation, but that would be a reasonable cancellation; although in many instances constables have been moved and have left their families behind. Civil servants all over the colony have to do that. I had to do that when I was sent from Wanganui. Then, there is the second sergeant in Invercargill at the present time, who had to come here and leave his family behind. His wife was so ill that she had to be left behind. There was no cancellation there.

131. You would consider that was political influence if a constable's wife was too ill to go?—No, I would not; but political influence may be brought to bear to have the cancellation made. That is a reasonable cause, when a man has sickness in his family.

132. Do you say you still know much about the police in Invercargill now?—There are only three of them I am acquainted with now—Sergeant Macdonell, Constable Howard, Constable Williams, and, yes, there is Constable McIlveney. These are the oldest, I think, in the Force here.

133. Has Constable Macdonough been here long?—Yes; and Emerson. I was under the impression there were more new men than that. I know these men have been here a long time.

134. And McChesney?—Yes; but he is a new arrival. He was here some time ago, but he was removed, and came back again recently.

135. How do you reconcile that with your statement that most of them had only been here a few months?—That was my impression at the time. I desire to correct that. I was just going by the impression I had formed in going along the streets.

136. Do you know anything of the religions of the different constables here now?—I do. I say that is one of the reasons why Sergeant Macdonell should be moved to another community. He is a Scotch Roman Catholic, and this is a Scotch Presbyterian district.

137. Will you tell us how many Roman Catholics and how many Presbyterians there are in the Force here?—No.

138. Why?—Because it is not within my knowledge.

138a. Because you have not studied the question?—I have studied it as far as Sergeant Macdonell is concerned, and I say that is one of the reasons why he should be sent to Christchurch, or some place where he would be immediately under the command of an Inspector.

139. *Mr. Taylor.*] You were reported yesterday as saying you had been to the citizens about the removal of Sergeant Macdonell—that you had talked the matter of Sergeant Macdonell's removal with citizens?—Friends of my own in Invercargill.

140. Who are they?—I could not at the present moment give you the names of any special gentlemen to whom I have spoken or suggested the removal of Sergeant Macdonell.

141. Do you know Mr. Roche?—Yes.

142. Have you talked it over with him?—Yes.

143. What is his business?—He is a grocer.

144. And a wine and spirit merchant?—Yes.

145. Do you know Mr. Roope, the brewer?—Yes.

146. Talked it over with him?—Yes; I asked him if he was one of the deputation that waited on Mr. Ward.

147. Was he one of the deputation?—Yes.
148. You know Mr. Roche was one of the deputation?—Yes.
149. Who else went on that deputation to Mr. Ward?—I do not know. I did not know of the deputation till afterwards.
150. As a matter of fact, what publicans went?—I do not know of any publicans that went.
151. Have you ever talked it over with any publicans?—Never in my life.
152. Did you see Mr. Ward about the removal yourself?—I never had but one interview with Mr. Ward, and that was the occasion to which I referred yesterday, when I took this statement to him to put myself right.
153. Did you consult any person in Invercargill as to whether it would be wise for you to accept the offer that you believed to have been made by Mr. Ward, through Sergeant Macdonell, of a Government billet?—Never in my life. I spoke to my friends with indignation about it. I felt vexed at the time that I should have been so insulted—that Sergeant Macdonell should have that measure of me—that I could be bought.
154. Did you see Mr. Ward about it?—I did not.
155. What did you arrange with Mr. Roope?—I arranged nothing.
156. What opinion did you express to them—that it was advisable to shift Sergeant Macdonell?—I have expressed that opinion openly many times, because there has been so much discontent here, and he has made so many enemies. His over-zeal has clouded his judgment many a time. He is not fit to act on his own responsibility.
157. Did you discuss with the sergeant the subject of Herbert's removal?—Never.
158. Did you discuss the question whether Herbert ought to be removed from Invercargill with either the sergeant or anybody else?—I may have. It has been my conviction—I do not know whether I have openly said it—that he ought not to have been removed.
159. You had a very high opinion of Herbert?—I have now.
160. You were very friendly with him?—I knew him well.
161. And because you had a high opinion of him you think he ought to have stopped here?—Not because I had a high opinion of him, but because I thought he was the best man we ever had as a detective in Invercargill.
162. And because you have a poor opinion of Sergeant Macdonell he ought to be shifted?—I have not a poor opinion of Sergeant Macdonell; but, as I have said, his over-zeal clouds his judgment.
163. Did you discuss the question of Herbert's removal with the sergeant?—I might. I have been very open in all my dealings with this matter.
164. Do you know Herbert well?—Yes, well enough to give an opinion of the man's character.
165. He was a man of good character?—He was a man of sterling character, and he would not stoop to do dirty dishonest business in a case.

JAMES TORRANCE, examined on oath.

166. *The Chairman.*] You are a medical practitioner, residing where?—The Bluff.
167. *Mr. Henderson.*] Dr. Torrance, do you remember the occasion on which Sergeant Macdonell, Detective O'Connor, and a constable approached you at the Bluff regarding the Hall-Matthews case?—Yes.
168. You remember the occasion on which they spoke to you first?—Yes, the sergeant and Detective O'Connor.
169. Will you tell the Commission how he approached you, the language he used, what he said, if any threats were used, and if he gave you a statement as having been made by Dr. Young?—Well, I suppose I am obliged to answer the question. I have no particular desire to.
170. In what manner were you approached?—Well, I was a little annoyed at the time on account of the way in which I was approached. The sergeant charged me with an offence. He said they had got a very strong case, and they had heard from Dr. Young that I was a guilty party.
171. Would you give the exact words that he said Dr. Young had used?—Well, he said Dr. Young had told him I had procured abortion in a certain case.
172. Anything else? Did he say Dr. Young had said anything else?—No.
173. Have you a pretty clear recollection of what passed?—I remember distinctly what happened at the time.
174. Are you quite sure that is all the sergeant said Dr. Young had told him?—Yes, as far as I can remember. That was the only thing I found fault with, that they asserted Dr. Young had made that statement. I found when I consulted Dr. Young that he flatly denied it.
175. Did the sergeant say that Dr. Young had described the manner in which you had procured abortion?—No.
176. What was the sergeant's manner in approaching you?—Well, they urged me to take a certain course, which they considered best for my own interests—that was, to make a detailed statement of facts.
177. Did they say anything about letting any one off, or running any particular individual in, in connection with the matter—did they lead you to believe they wanted to get any particular one, or whether it was all the parties?—They led me to infer it was not me they wanted—that they wanted somebody else. I had a long discussion with them both afterwards about it. They denied they had led me to infer that.
178. Did they say whom they wanted to get—did they name any particular one they wished to sheet home the guilt to?—Yes. I inferred from what they said they wanted a certain person; not me.
179. Did they assure you there would be no prosecution against you?—Yes, they did—if I adopted the course they suggested.

180. That then there would be no prosecution against you?—Well, that the police would not take any steps against me.

181. *The Chairman.*] Did you have any communication with Dr. Young in reference to this interview?—Afterwards. I took the first opportunity of seeing him, certainly.

182. You subsequently had an interview with Dr. Young on the matter of this interview?—Yes.

183. *Sergeant Macdonell.*] Is your memory very clear as to what took place on that occasion?—Yes, fairly clear, I think.

184. Were you not very excited that night?—I was afterwards—after you left. I was very much concerned, certainly.

185. Chief-detective O'Connor and I saw you on the evening of Sunday, 20th June last?—It was on a Sunday afternoon. I forget the date.

186. In your room?—Yes.

187. I shall ask you if this was not the first thing that was said when we went upstairs to your room: I said to you, "We have come to see you on very awkward business, very serious business, which affects yourself very much." Was that the first thing said by me, or by anybody, on entering your room?—I think those were the first words, as far as I remember, or words to that effect.

188. And did I then mention Mrs. Matthews's abortion case some considerable time ago?—Yes.

189. Did I mention to you that I was very sorry for you on account of knowing your father?—You did, at various times.

190. Did I add, "But we have to do our duty"?—It is quite possible.

191. Was this not what I said in reference to Dr. Young, "We have seen Dr. Young, and he has told us everything"?—I do not remember; I know you distinctly said that Dr. Young had stated I had procured abortion.

192. You are quite clear on that?—Quite clear on that.

193. But do you remember these words, "We have seen Dr. Young, and he told us everything"?—I do not remember that.

194. I suppose you remember that both the detective and I were asking questions, or making remarks?—Yes.

195. Did you remain silent for a considerable time after we went in—was it some time before you answered anything?—Yes. You put a certain course before me, and threatened me with immediate arrest if I failed to accede to your wishes. I was to give a detailed statement of facts, or be arrested immediately, and taken up by the next train, which left in ten minutes.

196. *The Chairman.*] That was what was held out to you?—Yes.

197. *Sergeant Macdonell.*] Are you sure of that?—Absolutely certain; yes.

198. The first thing said, as to you making any admission or anything, was it not said by Detective O'Connor in these words: "Perhaps the doctor would like to make a statement, and be called as a witness"?—That was a long time afterwards. We were three or four hours in the room—from a quarter to 5 till after 8 o'clock.

199. Was that not the first suggestion, and did it not come from Detective O'Connor, in these words, addressing me: "Perhaps the doctor would like to give evidence and be called as a witness only"?—He may have said that towards the end.

200. But at the start?—No; never. The course I have stated was put before me; which course I could adopt, or be arrested immediately.

201. You say so positively?—Yes.

202. You say that Detective O'Connor did not say, when you were some considerable time silent, that "Perhaps the doctor would like to make a statement, and be called as a witness only"?—He may have said so.

203. Was that the first suggestion of your giving evidence?—No. It was urged upon me at the beginning that the best thing I could do was to make a detailed statement of facts.

204. Do you remember my stating that it was possible you might be called as a witness, but that anything we did would be subject to the approval of our superiors?—I do not remember. It is quite possible that statement may have been made.

205. Was Dr. Young's name mentioned before you made any statement?—Yes.

206. Do you remember, when I said I had seen Dr. Young and he had told us all about it, you asked, "Have you seen Dr. Young?" after I had said so?—I do not remember that.

207. I said, "Yes," and do you remember then saying, "Well, perhaps I had better make a full statement"?—Oh, no; it was nothing like that at all.

208. Do you remember saying, "But if I do make a statement, could I not be prosecuted"?—Yes, after you had urged again and again that you guaranteed the police would take no action against me. I said I did not believe it. I said, "Is it possible that such could be the case?" or words to that effect.

209. And when you decided to make a statement, did you say you would make a true statement of what you knew?—Yes.

210. And did you make a true statement of what you knew?—Yes.

211. Who wrote it down?—Detective O'Connor.

212. And when it was written, was it read over to you?—Yes.

213. Did you read it yourself along with Detective O'Connor aloud?—I do not remember. I read it.

214. And you say that was a true statement?—As far as I could remember the facts?—A long time had elapsed.

215. And after you signed it we left?—Yes.

216. Were you watching for us for some time after that?—Yes.

217. And you saw us in the main street at the Bluff later on that night?—Yes.

218. And did you ask us into your rooms again that night?—Yes.

219. Were you in great distress then?—Yes.

220. Did you threaten to commit suicide that night?—No.

221. Did you urge us very strongly to allow you to alter the statement?—I wished to amend the statement.

222. *The Chairman.*] Were you allowed to?—Not in the way I wished.

223. *Sergeant Macdonell.*] Were you told by me that you could make any additional statement you liked, but that I would not allow that statement to be interfered with?—Yes, I think so.

224. Did you start to write another statement?—Well, not another statement.

225. Another statement yourself?—No. I started to write this amendment.

226. *The Chairman.*] In the form of a separate statement?—No, I think it was just to be added to it.

227. *Sergeant Macdonell.*] Did you write out another statement?—Well, I was writing one out.

228. Did you decline to sign the second statement?—Well, I never completed it, because you would not accept it.

229. Is it not a fact that I told you you could write out any additional statement you liked and I would attach it to the other, but I would not allow the first statement to be interfered with?—You would not accept the amendment I was making.

230. Did I not tell you you could write out any statement you thought proper in addition to this, but I would not allow you to interfere with the statement you had written?—You may have said that, but you would not accept the amendment I did make.

231. You say I would not accept it; did you sign it?—No, it was not completed.

232. Did I ask you to sign it?—No, it was never completed.

233. And if Detective O'Connor and I both say you refused to sign it and complete it, and it was left on the table, would you contradict us?—That would be quite true.

234. And we urged you to finish that second statement and sign it?—No, that would not be true; because I did not complete it, as you refused to accept that statement.

235. Did not you wish to write the last page of your first statement over again?—That is what I wished to do in the first place—to amend it in that way.

236. And do you remember why I objected?—You objected to the additions I wished to make.

237. Do you remember my saying to you, “I will not allow you to alter it, because I know the alteration is not true; it is simply to excuse yourself”?—Yes, I remember you saying something about it.

238. Here is the last paragraph of the statement: “I make this statement of my own free-will, and there was no compulsion or pressure brought to bear on me.” Is that true?—Well, it was signed very reluctantly. You persuaded me it was the best thing to do.

239. *The Chairman.*] Did you write those words yourself?—No. I never wrote any statement. I was questioned and made answers.

240. The statement was written down by somebody else?—I was questioned, and my answers were put down. That is my signature.

241. *Sergeant Macdonell.*] I believe you felt a good deal aggrieved at the police over this matter?—Yes. If you remember, we had a long discussion in the office about it subsequently.

242. And we discussed it while on the way to Dunedin?—Yes.

243. You did feel aggrieved at the police, and do so still?—I do not know that I feel very much aggrieved now. I did then.

244. And perhaps a little now?—I dare say I do; quite naturally.

JAMES YOUNG, examined on oath.

245. *The Chairman.*] You are a medical practitioner, and reside at Invercargill?—Yes.

246. *Mr. Henderson.*] Will you state to this Commission all you have told Sergeant Macdonell regarding Dr. Torrance, in connection with the Hall-Matthews case?—As far as I remember, the only material facts I told Sergeant Macdonell were that I had gone to the Bluff, and, ascertaining that I had not been brought there at Dr. Torrance's request, I went to see him. I had been called to the Bluff, as I understood, to consult with Dr. Torrance over some case. On my arrival at the Bluff I learnt for the first time that I was not expected to consult with Dr. Torrance, and there was evidently some ill-feeling between Dr. Torrance and the person who had called me; so I went to see him to inquire as to why this unusual call had been made on me, or what was the quarrel between him and the person. It is not my practice to go down to the Bluff, or where another doctor is practising, unless with his connivance or consent—*i.e.*, unless he consults with me, or in case he will not go himself. I went for an explanation. Dr. Torrance then told me the woman in whose house the patient was believed he had done something wrong to the person staying with her, Mrs. Matthews, and was circulating such a report throughout the township. I told the police, further, that Dr. Torrance requested me to go and pacify this woman—that it was doing a great deal of harm the statements she was making—doing him (Dr. Torrance) great injury. That is all I remember telling them about Dr. Torrance specially on that day. The further account of that case is, I suppose, of no matter. I do not remember having informed the police of anything further about Dr. Torrance on that day.

247. *The Chairman.*] Did you make any other statement to the police in reference to Dr. Torrance's action in connection with this woman?—I knew nothing of Dr. Torrance's action in connection with this woman except that he had been called to attend her. At the time when I saw him he did not tell me—in fact, I never suspected—he had been acting illicitly. I never suspected it of Dr. Torrance until the police case came up a year or two afterwards. As a matter of memory the facts are correct, but I cannot remember the exact details of the conversation.

248. *Mr. Henderson.*] Did you state anything to Sergeant Macdonell that would incriminate Dr. Torrance?—I could not. I had no information to incriminate Dr. Torrance at my interview with Sergeant Macdonell. I had no evidence that would incriminate Dr. Torrance or any one else. In point of fact, I was especially careful to acquire no information that day. My idea was that I was involuntarily in an unpleasant case, and to get out of it without acquiring any information.

249. Did Dr. Torrance make any admissions to you?—Dr. Torrance made no admissions to me whatever. The first time I had any suspicions of Dr. Torrance's activity in that case was when the police showed me his signed statement. That was the first suspicion I had that Dr. Torrance had been the cause of that abortion. I was very particular to state that on all occasions to people to whom I spoke confidentially on the matter in the interim. Before I saw Dr. Torrance's written statement I thought he had been duped into attending that case, and that the abortion had been produced elsewhere. That was my private impression.

250. *The Chairman.*] You had not the slightest suspicion against Dr. Torrance until you saw the written statement?—Until I saw the written statement.

251. *Mr. Henderson.*] Did you tell Sergeant Macdonell at any time the doctor had admitted committing this abortion?—Never. I could not have done so. It was entirely at variance with the information I had from Dr. Torrance. Dr. Torrance had led me to believe he was wrongfully accused. He spoke like an injured man.

252. *The Chairman.*] Did you tell anybody else that, in your opinion, prior to seeing this statement, Dr. Torrance had committed abortion?—No. Until I saw the statement I had no impression of the kind about Dr. Torrance.

253. *Sergeant Macdonell.*] Do you think your memory is very clear as to what took place the first time you saw Dr. Torrance at the Bluff?—Of course, it was recalled two years afterwards without thinking about it in the interim, and it was a matter in which I took very little interest, but I am absolutely clear as to what my impression was.

254. Do not you think you are making a mistake altogether in saying that Dr. Torrance told you this woman was circulating this about the Bluff—seeing that the case was in progress at the very moment, how could she go about the Bluff reporting it at the time?—That is no business of mine how she would do it. I presume she would do it by the ordinary process of circulating reports. Dr. Torrance complained to me this woman was injuring his character by this allegation she was making against him.

255. Did you sign a statement to Detective O'Connor?—I think I did.

256. And do you think that is in that statement—that is, what Dr. Torrance told you when you went down there?—I do not know what was in that statement. There is nothing false in that statement according to my belief at the time. I do not pretend to remember everything, but I remember essential points on which I formed working impressions.

257. Was it not at some other interview he spoke about the rumour being circulated?—It was at his own place, when I went to find out the reason for my being called to the Bluff.

258. The first time?—Yes, the first time. It was a very hurried interview. It was not of more than two or three minutes.

259. Before you saw the written statement did you not see the police?—Yes, I had seen you and the detective before.

260. Did not you know pretty well all that was in the statement before you saw the statement at all?—No I did not. I did not get any details from Dr. Torrance.

261. But from the police, before that?—Oh yes, you told me a lot of things; but of course I do not take all for gospel that the police tell me. I do not mean to say the police lie to me, but the police may be misinformed.

262. *The Chairman.*] How long was it after your interview with Dr. Torrance, and after your interview with the police, that you saw the statement?—My interview with Dr. Torrance was when the event was taking place—a year and a half or two years before I saw the police. Then the police called on me and reopened this question, which I had forgotten all about. They had a talk, and I gave them the information which I have detailed to-day. At a subsequent interview with the police, they showed me this written statement of Dr. Torrance. I had two interviews with the detective. This was long after the event, about which this inquiry is taking place, occurred.

263. When was the first interview you had with the police?—I do not know the date, because I took no notice of it, but it was a month or two before the inquiry came on at the Police Court.

264. Can you say how long it was before you saw the written statement?—I could only make a sort of guess—eight or ten days after I first saw the police. The police showed me no document at the first interview, and I had no previous knowledge that such a case was coming up.

265. *Sergeant Macdonell.*] Can you give any idea as to when we first interviewed you on the matter?—As I said before, I cannot give dates now.

266. Do you remember the night of the week?—The first time I ever heard of the case was one night when you and Detective O'Connor came to my house.

267. Do you remember the night of the week?—I cannot remember that even.

268. It was at night-time?—Yes, in the evening. I took no note of it.

WILLIAM BERNARD McILVENEY, examined on oath.

269. *Sergeant Macdonell.*] You are a plain-clothes constable—in fact, acting detective—at present stationed at Invercargill?—Yes.

270. You have been acting as watchhouse-keeper for a considerable time at the Invercargill Station?—Yes.

271. How long is it since you came to Invercargill?—I arrived in Invercargill on the 15th December, 1893.

272. And you have been stationed here ever since?—I have.

273. While acting as watchhouse-keeper, or in any other capacity here, did you yourself, or did you know of any other member of the Force interfering with prisoners calling for any solicitor they thought proper?—I did not.

274. *The Chairman.*] What period were you watchhouse-keeper?—From about February, 1894, until July of last year.

275. *Sergeant Macdonell.*] Did you ever hear instructions given in reference to this matter—that prisoners were to have any solicitor they thought proper?—Yes. I was told shortly after arrival here that prisoners should see any solicitor they asked for.

276. And during the time you have been here do you know of anything to the contrary having been done?—No, not that I am aware of.

277. It was stated by Mr. Henderson yesterday that there has been a good deal of familiarity between myself and the constables. Did you ever see anything of that?—No, I did not—never witnessed any undue familiarity between yourself and any constable.

278. Did you ever hear any member of the Police Force—any constable—address me in this way, while going to light his pipe: “Come, old man, give us a match”?—No, never. I never heard anything of the sort. I am quite certain if such a term as “old man” had been applied to you, you would very quickly have brought the man to book.

279. Did you ever see me permit any such familiarity with any man about the station?—No.

280. *Mr. Henderson.*] Has the sergeant been on friendly terms with the Force here during your time?—With a few exceptions.

281. Has it not been quite a common thing for the daily topics, as they appeared in the daily papers, to be discussed between the men and the sergeant—public matters of interest?—I have been present when the sergeant was discussing the administration of the licensing laws with the men.

282. But I mean outside of your police duties, or outside of matters affecting the police or the department, have you on any occasion been present when the sergeant discussed these matters with the men?—No, I cannot say that I have.

283. You say there was a number of men with whom the sergeant was not on good terms?—I said, with few exceptions he was on good terms with the men.

284. Were there many of them?—Well, I believe there were three in my time.

285. Do you remember the sergeant being very ill some time ago?—I do.

286. He was supposed to be dying?—He was very bad, I believe.

287. Do you remember the name of the priest who attended him at his supposed death-bed?—I do.

288. Do you remember a communication made by the priest to the men in the Force, to be communicated to me, that Sergeant Macdonell wished to be forgiven all the wrongs he had done them and me?—This is the first occasion I ever heard of it. I never heard of it before.

289. Do you remember a constable coming to my office?—I never heard of it before.

290. What was the name of the clergyman?—The late Father Vereker.

WILLIAM WARRING, examined on oath.

291. *The Chairman.*] What rank do you hold in the Force?—Third-class sergeant.

292. Are you stationed now at Invercargill?—Yes.

293. *Sergeant Macdonell.*] When did you come here?—On the 14th January of this year.

294. You have been doing duty as watchhouse-keeper a good deal since then—yourself and Constable Jeffrey?—Yes.

295. Did you see or hear of any prisoner being interfered with as to what solicitor he should get during the time you have been here?—No.

296. Or in any other way?—No; never.

297. Do you know what the instructions are as to prisoners asking for a solicitor?—I think it was the day after I came here you told me in the office that the best plan, as a rule, was to go over the list of solicitors and let them select one for themselves.

298. You mean, to mention the list of names?—Yes; just mention the list of names.

299. Since you came here did you see any undue familiarity between myself and any of the constables?—No; never.

300. Or anything approaching it?—No.

301. *The Chairman.*] Practically, how does this work? You are told to go over the names of the solicitors. How do you do it; what names do you mention?—Well, if a prisoner, for instance, were to ask me what lawyer it would be best for him to have, I just name Mr. Henderson, for instance, Mr. Hall, Mr. Macalister, and those that I know, and just say, “You can select the one you prefer.”

302. What proportion does those names you have mentioned bear to the whole list of practitioners here?—I might not know all of them yet. I know Mr. Wade, Mr. Macalister, Mr. Henderson, Mr. Hannan, and Mr. Harvey.

303. And those names you have mentioned to your prisoners?—Those that I mention now, with Mr. Moffatt and Mr. Hall. Of course, I go over the names of all those.

GODFREY CORNELIUS JEFFERY, examined on oath.

304. *Sergeant Macdonell.*] You are a first-class constable stationed at Invercargill?—Yes.

305. When did you come to Invercargill?—On the 29th July of last year.

306. And since then you have been most of the time acting as watchhouse-keeper?—Yes.

307. You succeeded Constable McIlveney?—I did.

308. During the time you have been so acting, did you ever see or hear of any prisoner being prevented from getting any solicitor he thought proper?—No, I never did.

309. And did you at any time see any undue familiarity between myself and any of the constables?—No.

310. *Mr. Henderson.*] Since your arrival here can you say whether any solicitor or solicitors have come to the camp to ask if there were any prisoners in the lockup, and to see them?—Yes.

311. Have any solicitors asked you if you had any prisoners that morning, with a view to getting a client?—Yes.

312. Have you taken the solicitors to the prisoners?—Yes.

313. Has it resulted, in any one or more occasions, in the solicitor getting a client?—A few times; but when he has got a case there was not much money attached to it.

314. Quite so; but you have, at the request of solicitors, introduced them to prisoners, which has resulted in a solicitor getting a case on one or two occasions?—Yes.

315. *Sergeant Macdonell.*] Mr. Henderson refers to “solicitors”?—Well, I say “solicitor”; I will not say the plural.

316. *The Chairman.*] Is it only one member of the Bar who has done that?—Yes.

317. Who is that solicitor?—Mr. Matthews.

Sergeant Macdonell handed in the following statement from Constable Greene:—

Police-station, Oamaru, 22nd March, 1898.

REPORT of First-class Constable Michael Greene, No. 178, relative to the attached application from Sergeant Macdonell, and minutes thereon.

I RESPECTFULLY report that during the seven years I was stationed at Invercargill, where I acted as watch-house keeper, &c., nearly all that time, that neither the sergeant or any member of the police to my knowledge prevented any prisoner employing Mr. Henderson or any other solicitors. I did not know of any solicitor's business being interfered with by the police.

To Sergeant O'Grady, Oamaru.

MICHAEL GREENE, First-class Constable, No. 178.

EWEN MACDONELL, examined on oath.

318. *Mr. Poynton.*] You are a first-class sergeant, stationed at Invercargill?—Yes.

319. *The Chairman.*] How long have you been stationed here?—I came here at the end of 1889.

320. Was that your first coming here?—The first time I was stationed here.

321. As sergeant?—As sergeant.

322. From where?—From Dunedin, or, rather, South Dunedin.

323. Have you been here continuously ever since?—I was the following year transferred to Queenstown. I do not know for what reason, except some publicans told me that they got it done. I was transferred to Queenstown about the beginning of 1891. It was towards the middle of January to the best of my belief.

324. When were you brought back to Invercargill?—At the end of April of the same year. I remained here ever since. From the time I came here till the present time I never in any way interfered with Mr. Henderson's practice. I never at any time interfered with any prisoner sending for any solicitor he thought proper; and on a few occasions when a prisoner did not know any solicitor I went over a number of names. I made that a custom, to mention a number of names to them, and let them select which of them they thought proper. That happens very rarely. They usually have a favourite solicitor of their own. I gave them perhaps half a dozen or so, and sometimes mentioned Mr. Henderson's name amongst the number. Mr. Henderson has no ground whatever for saying that I interfered with his practice in Invercargill. He was in my office—I think it is within this last twelve months—and he told me what he stated here to-day—that a member of the Force went and told him that, after shaking hands with him, and, as he says, “burying the hatchet,” I had said that Mr. Henderson would see if I had buried the hatchet. I assured him it was not true, and I say now it is not true. I may have said that Mr. Henderson shook hands with me; but the idea of burying the hatchet never occurred to me. I had no hatchet to bury. I had no ill-will against Mr. Henderson, although I certainly thought him a very foolish man on many occasions. That was his own business. I then told him what really interfered with his Police Court business. I said, his own character in the first place. I told him it was well known he embezzled the moneys of the Court while in the Court at Invercargill.

325. You said this to him?—Yes; while Clerk of the Court, Registrar of Births, Deaths, and Marriages, and Examiner in Invercargill. I said it was also well known he stuck to the Buchanan money, and that the Crown Solicitor was instructed to take proceedings against him not long before then, and that he was paying that money up by instalments. He said, “Oh, yes, you chucked that up at me in the Court some time ago.” I also stated it was well known that when Registrar of Marriages he was charging more than the lawful fees.

326. You said all this at your interview with him in your office?—Yes; at that interview. This is when he cried for fifteen minutes in my office.

327. Was that the occasion on which Mr. Henderson told you he had been informed by a member of the Force you had said in the presence of the men: although you had shaken hands, he would see whether you had buried the hatchet or not?—Yes, on that occasion.

328. *Colonel Pitt.*] Did this conversation take place in your office or Mr. Henderson's office?—In my office.

329. Was any one present?—No. He did not deny anything. He started crying, and continued so for ten or fifteen minutes, and he could not leave the office for some time on account of that. I told him that I heard—in fact, that I knew—he was using what influence he could to get me shifted out of Invercargill, and he admitted he was doing something in that direction. I made use of this expression: “Those the gods wish to destroy they first make mad”—that a man of his character should start anything of the sort. I have no doubt he thinks so himself now. Now, we will come to the interview in my office.

330. You cannot fix the date of this interview?—No, I cannot,

331. It was at your office, and on the occasion on which he came to you and complained that you had said he would see if you had buried the hatchet?—Yes; and he also complained of my injuring his business. I now come to the interview in my office on the occasion he referred to in connection with the Hall case. I handed him a letter from Mrs. Gorman, or Mrs. Cameron. He read the letter. This was requesting him to give me all the information he could, she being his client. I requested him to do so—to tell me all he knew. He said he had his bread and butter to consider—that if he had a Government billet the same as I had he would soon give evidence. He said, “I have got a large family, and I have worked up a nice little business, and I must take care of it.” I asked how it would interfere with his business? He said that it would; that the Halls were the most dangerous men he ever saw in his life, and that he was afraid of them. He then told me a lot about Mr. William Hall, and Annie Byrne that was in gaol at the time for murder, and about the man Brown. I said to him, to induce him to make a statement, “Now, supposing you had a billet, what evidence could you give?” He said, “Ah, you are trying to get at me now.” He said, “If I only got a Government billet I would soon give evidence.” I then said, “If you do not wish to speak it out, write it down like this,” and I wrote it with a pencil large on a large envelope.

332. *The Chairman.*] What did you write?—“Write it down like this, if you wish to be able to say to people you did not tell me.” He said, “No, I will see you another time”; and he put the envelope in the fire. He was standing near the fire and I was on the opposite side of the desk.

333. *Colonel Pitt.*] Where do you say this took place?—In my office. I think it was on the night of the 18th June, 1897. He left, saying he would see me again. The next morning I told the result of our interview to Detective O'Connor at the Bluff, and told Mrs. Gorman the same—that he did not carry out her instructions in the letter. I now come to the interview with Dr. Young. That was on Saturday, the 19th June, the following night. Detective O'Connor and I came up from the Bluff to interview him. We did not take it down in writing, but we got a statement from Dr. Young as to what took place. I have not got the statement. It was afterwards taken down in writing and signed by him. I may state we arranged specially for that night, and to see him pretty late, so that he could not conveniently communicate with Dr. Torrance before the next day. All I wish to say in reference to this is: we had an interview with him before seeing Dr. Torrance, on the Saturday night. We saw Dr. Torrance on the Sunday afternoon at the Bluff. My reason for stating this is that it was stated yesterday that we had not seen Dr. Young when we represented to Dr. Torrance that we had.

334. *The Chairman.*] The question is whether, at the time you had your interview with Dr. Torrance, you told him that Dr. Young had said something that Dr. Young never had said?—I did not. Dr. Young made a statement, which was not taken down at the time. I wish to state exactly what took place between us and Dr. Torrance. We met him outside his own rooms, in the main street at the Bluff, and requested him to see us in his rooms, and he took us upstairs. I said to him—this is the first thing that was said—“We have come to see you, doctor—.”

335. When did you make those notes you are referring to?—That night. I said, “We have come to see you, doctor, on a very awkward business, very serious business, which affects yourself very much”: I added, “Mrs. Matthews' abortion case, some considerable time ago.” The doctor made no reply. I said, “We are very sorry for you, knowing your father, but we must do our duty.” He made no reply whatever. After a very long pause, Detective O'Connor said, addressing me, “Perhaps the doctor would like to give evidence. If that was so, he might be called as a witness only.”

336. I understand you are reading the whole of that note?—Yes. I said, “We might be able to do so; but, of course, anything we do is subject to our superior's approval, whatever course we take.” I said I would be glad to save him if possible. I pointed out the whole affair was very awkward. Still, the doctor never said a word. I then said, “We have seen Dr. Young and he has told us everything,” or, that we knew all about it. This was the first time Dr. Torrance spoke. He said, “Have you seen Dr. Young?” That was the first remark he made during our interview up to then. He said, in the way of interrogation, “You have seen Dr. Young?” I said “Yes.” He then said, “I suppose I had better make a full statement; but could I not be prosecuted as soon as I made it?” Both the detective and I said it was an unheard of thing the Crown prosecuting any one it accepted as a witness. I might state that this is not all in the note. I said it was an unheard of thing; and I know we stated what I said in reference to the Crown. I wish to deny the statement made by Mr. Henderson, as to his giving evidence to corroborate Mrs. Cameron's evidence.

337. *Mr. Poynton.*] At the interview with Mr. Henderson nothing was said about giving evidence to corroborate Mrs. Cameron's statement?—No, not a word. I would like to say that the other parts of Mr. Henderson's evidence in reference to the offer of a billet or anything of that sort is, I may say, the most untruthful evidence I ever heard. I totally deny it. Such a thing never entered my head.

338. I understand you deny you wrote those words that Mr. Henderson said you did write?—Yes, emphatically.

339. And the words you have stated were the only words you wrote?—Yes. He made another statement, in reference to the time I was very ill. I do not think it is worth while referring to it. There is not a shadow of truth in it.

340. You did not express a desire that he would forgive you for your injuries towards him?—No; never thought of such a thing. In reference to Mrs. Powell's case, I never saw the summons that he mentioned; never knew anything about it; never heard of the matter until I heard of it before this Commission.

341. Never saw or heard about the case?—No.

342. Did you make any suggestion to her as to the solicitor she should employ?—Not at all; nor did I know of the existence of that letter until it was produced before the Commission. I never

heard of it before the Law Society, or knew of it in any shape or form. In reference to the eight sailors, I knew nothing about that matter. They were taken straight to the gaol, and not here at all; and, in reference to McDermott, I knew nothing of this complaint of his until a few days ago he came to me and told me Mr. Henderson was urging him to say something.

343. *Mr. Poynton.*] Was Burnett here at the time?—Yes.

344. *The Chairman.*] Did you make any suggestion to Constable Burnett as to who McDermott had better employ?—I did not. Mr. Henderson's statement as to the familiarity that existed between constables and myself is certainly untrue. No constable ever asked me for a match, or anything else, in the manner that he says. If any of them had attempted to be too familiar I would soon check them. I am not harsh or rude to the men, but I keep them in their own places. In reference to taking statements from prisoners or suspected parties, I cannot say what took place in any case unless the case is mentioned. I always try to keep within the law, as far as I know; but I would like to say this: when a crime is committed, it is our duty to find it out. We interview any one suspected unless they are very strongly suspected. If we did not do so, we could detect very little crime; and I hold that, as long as we are not prepared to arrest, or make a charge against any one, we are quite entitled to put any question whatever to them, and I always do so if necessary, and that without any caution whatever.

345. That is, prior to making any charge against them?—Prior to making any charge against them; and even when we do charge them, I say it is not the duty—in fact, it is improper on the part of any policeman to give them what old-fashioned policemen call the usual caution—no caution to be given at all. I say it is only necessary to give them a caution after they are charged, if we are going to ask them any questions—tell them it may be used in evidence against them.

346. It is not necessary to caution them when you make known the charge to them, but only when you are about to ask questions after the charge is made known to them?—Yes, I will admit that on some occasions—very few—I offer inducement to accused people to give evidence—to become witnesses. I will state a case if the Commission desires it. It went to the Supreme Court. The witness did give evidence, and was accepted as a witness, and I withdrew the charge against him.

347. Do you say you would be justified in making a false statement with the view of extracting an admission, either from a suspected person or from a witness?—I avoid that as much as possible, but I know such is done. It will never do to go straight to a person and say, "Did you do so-and-so." That will never detect crime. Desperate diseases sometimes require desperate remedies. I admit that on many occasions I spoke in such a way as, without telling an untruth, to mislead the party, perhaps leading them to think that I knew more than I really did, which was often successful in getting the information I wanted. The same as in this doctor's case, saying Dr. Young told me all about it. Well, he did; but I did not say how much he told me. I will give instances, if you wish, in which such was done. I do not know that I have anything further to say, except that I believe a conspiracy has been going on against me in Invercargill—that Mr. Henderson is, unfortunately, made a butt for other people, being put forward in this way, as he was before now. I was served with a writ for causing a prisoner to be searched when I was not present, before putting him in the lockup. They had to drop that. So was Inspector Pardy.

348. How long have you been a first-class sergeant?—About twelve months, I think.

349. What is the pay attached to your office?—10s. 6d. a day.

350. Are these the whole of the emoluments of your office?—Yes, with free quarters.

351. *Colonel Hume.*] And fuel and light?—No. Well, I may say I do get light. There is gas in the building; but I do not get fuel, and, to tell the truth, I am not sure that I am entitled to the gas; but it is there, and I use it. I did not say anything about it before. I hope it will be considered so.

352. *Colonel Pitt.*] What did you mean by this statement to Mr. Henderson?—I said, "Write it down like this, if you wish to tell people you did not tell me." That was, if he wished to deny telling me that, I would have it in writing—just an inducement to get a statement from him.

353. Do you mean to say that you think it would be proper for Mr. Henderson to get into the box and swear he did not tell you this?—I would leave that to himself. I know what his conscience is.

354. *The Chairman.*] Some questions have been asked Mr. Ward with regard to the Hall case that I did not quite understand the answer to. Was he in any way connected with the proceedings in that matter?—He was not, as far as I know. No one was communicated with by me, except Inspector Pardy, for a considerable time while we were waiting for the return of Dr. Torrance, and then we were waiting to find out where Mrs. Matthews was, which we could not do for a considerable time. If your Worships will be pleased to hear it, I may say I got warning, shortly after the Hall case, that every attempt would be made to entrap me.

355. *Mr. Henderson.*] Have you at any time communicated with Mr. Taylor with regard to the probability of an inquiry?—Into what?

356. Have you had any communication by post or telegram with Mr. Taylor?—Never at any time.

357. Had you anything to do with your return from Queenstown to Invercargill?—No.

358. Did you ask anybody to interest themselves to get you back to Invercargill when you went to Queenstown?—I know people were interesting themselves. I heard that a petition was got up unknown to me in Invercargill.

359. Did you ask any one to assist in the matter?—No, I did not.

360. Did you ask Mr. Kelly, the member?—No; but I know who went to Mr. Kelly. I know who did go; and Mr. Kelly came to me. I never mentioned the subject to him until he came to me.

361. You asked no friend, or any one at all, to use influence to get you back to Invercargill?—No. I know who spoke to Mr. Kelly.

362. But did you ask any one to speak to Mr. Kelly?—I did not.
363. Did you ask any one to get up a petition?—No, never. I never heard of it till years after I came back here. I do not know now that it existed.
364. Did you take any steps at the time to bring about your return to Invercargill, by speaking to any one or doing anything?—Not that I am aware of.
365. Surely you remember?—I was not pleased at being sent away. I was sent into the country, and a third-class sergeant was put in my place.
366. Did you ask any one to use influence in securing your return?—I do not think so—not that I am aware of.
367. To whom did you speak about it?—Scores and scores of people spoke to me.
368. Can you give us the names of a few—just half-a-dozen?—The first one that spoke to me told me he had been to Mr. Kelly without my knowledge; and Mr. Kelly saw me afterwards and spoke to me. After that I know nothing about what brought me back here or how I came back.
369. You state solemnly you never used any influence whatever to get back to Invercargill?—No, not more than perhaps talking to people and people talking to me.
370. Whom did you ask?—I asked nobody. Of course, when people happened to be talking to me we talked the subject over. I am not aware of anybody I asked. A number of people talked to me about it; and a number of people thought I was very badly treated, at the request, it was supposed, of publicans; at least, they boasted about that again and again. The publicans certainly boasted they got me away in about twelve months after my arrival here.
371. Did the teetotallers boast they got you back?—No; I do not think so. Some prohibition people boasted of having got me back.
372. How long a time elapsed from the time you got instructions to go to Queenstown until you left Invercargill—a day, or a week, or a month?—I suppose it would be a fortnight or three weeks.
373. Then, all the conversations you had about being retained here would be during that three weeks?—Oh, no; it was before and after. Some Invercargill people in Queenstown came to me, and some said they would do their utmost to get me back.
374. Was this all voluntary, without you asking it?—It was.
375. You never asked a soul?—No, not that I am aware of.
376. How did you come to let the public know you wanted to be back?—I did not say I wanted back, but I certainly said I felt annoyed at being removed—that I should be knocked about by a pack of law-breakers, or, I might say, at their instigation.
377. Who are the law-breakers?—Well, I can tell you a lot. I am going by-and-by to refer to my enemies in Invercargill—brothel-keepers, unscrupulous lawyers, bad policemen, and the criminal classes generally—people of criminal tendencies; they are always against the police, and immoral people also. I may tell you they have been seen running from the brothels at my approach—jumping fences to get out of the way, and that sort of thing. They are all a howling mob against me. I may tell you who my friends are—all the law-abiding citizens of every description, of every denomination.
378. You got instructions, I believe, to go to Oamaru?—Yes, I got a telegram to go to Oamaru.
379. What influence did you use to hold that transfer up?—Did any one tell you I used influence?
380. I am asking you if you used any influence?—I used no influence.
381. Did you speak to a certain temperance gentleman in Invercargill?—Probably temperance people spoke to me.
382. And you spoke to them?—No doubt I answered them, but I am not aware that I spoke to them first.
383. Did you first tell them of the telegram you had received?—No, I do not think so. It was in the papers.
384. How could they come to you if you did not inform them?—They did not come to me at all. They met me while going about in the execution of my duty.
385. But do you mean to say you did not set to work and send long telegrams away to different parts of the colony at once?—Not a single one.
386. Or letters?—Or letters; not a single one.
387. Had you not a number of interviews in Mr. Macalister's office?—No.
388. Had you not an interview with Mr. Baxter?—I may have been talking to him. Mr. Baxter came to my office at one time.
389. Did Mr. Baxter not make himself very busy over it?—I am not aware of it. He may have.
390. Did you not know of it?—I did not. There are a number of people—the best people in Invercargill, I can assure you—who would be very sorry to see me removed, and very pleased that the good intentions of my friends were frustrated, and they give the Government credit for it.
391. What is the last communication you have had from Wellington about this transfer to Oamaru?—I had no communication from Wellington on the subject.
392. Have you had any communication from Wellington to remain for the present away from Oamaru?—I did not get any communications from Wellington on the subject. I got my telegram from Inspector Pardy, at Dunedin.
393. *The Chairman.*] Why did you not go?—How do I know.
394. Was it countermanded?—It was. I got another telegram from Inspector Pardy saying I was not to go.
395. *Mr. Henderson.*] Then, you did get a telegram from Mr. Pardy that you were not to proceed there for the present?—That is so.

396. Can you give us, as nearly as possible, the wording of the telegram?—Well, I may have it; I am not sure. It may have been noted, and sent back. To the best of my belief it was that I was not to proceed on transfer until I received further orders.
397. You have had no further communication to say that it is cancelled—simply one telegram, not to proceed for the present?—That is all.
398. Can you give to the Commission particulars of the Resident Magistrate's Court money that I embezzled?—No, I cannot; but I mean to call witnesses.
399. What you have stated is what you have heard from others—you have not examined the books?—No.
400. Then, what were your grounds for making the remark at all?—My information that such was the case.
401. Who was the party who gave you the information?—A number of parties.
402. There is a report in town—has been for a long time—that you have mutilated the reports in your office with regard to the Lora Gorge murder case, is that true?—It is not.
403. Is there any record in the sergeant's private diary of the Lora Gorge murder case, or is the record complete?—Yes; plenty of records.
404. And complete records?—Yes; complete records.
405. Has your diary of that date been kept up from day to day?—I cannot remember that. I cannot remember exactly. Sometimes they may run some days.
406. Is it not a fact that there are no entries in that diary for the year of the Lora Gorge murder, or from then?—Oh, no, that is not so.
407. Are you prepared to produce the diary?—Yes.
408. *The Chairman.*] Why are all those entries you have read to us entered in that book and not on the official diary?—I could not put evidence in my official diary. All I put in the official diary are the official duties. I would like to say I gave evidence of this twice before; it is nothing new.
409. *Mr. Tunbridge.*] Can you say the exact date you left Invercargill to proceed to Queenstown?—Yes, on the 19th January, 1891.
410. Did you receive notice to proceed some time prior to that?—Either two or three weeks before that.
411. Will you say what date it was you returned?—On the 28th April of the same year.
412. Now, with reference to Mr. Henderson's statement that the ill-feeling between yourself and Mr. Henderson commenced over the Byrne case, you have looked up the date of that case?—I have.
413. Can you give the date?—It was in February, 1893, the Supreme Court sitting.
414. Prior to that your relations with Mr. Henderson were fairly friendly?—Oh, yes; just the same as with the other solicitors, as far as I was concerned. The woman attempted suicide on the 11th January, 1893, and she was tried for murder at the Supreme Court in February.
415. The cases referred to by Mr. Henderson of McDermott, and the eight sailors, did they occur in 1892?—That is so.
416. *Colonel Hume.*] Do you recollect Constable Burrows, who was here, being ordered away?—Yes, I do.
417. And he did not go?—No, he did not. I am not sure whether he was ordered away or whether Inspector Hickson gave him the option to go. I am not sure which it was, but I know something of the kind took place.
418. You did not know why he did not go?—I was not sure, but I remember since yesterday that there was something in connection with his wife being ill.
419. He was taking charge of a country station?—No, he was going to get a free house, but it was at Lawrence, along with a senior man.
420. He was going for mounted duty?—Mounted duty, but he was going to get a free house, which he would not have in Invercargill.
421. The Force in Invercargill and suburbs consists of about twelve men?—That is so, at the present time.
422. Could you tell us what the religions of the men are—Roman Catholics and Protestants?—There are five Roman Catholics and seven Protestants. I would like to say I am very sorry this question of religion has cropped up. I find good men of every religion, and some of them without any religion at all. It makes no difference to them as policemen whether they have any or not. A good man is a good man, wherever he is or wherever he comes from.
423. *Mr. Taylor.*] When did you join the Force?—I joined the Force towards the end of November, 1875.
424. Where were you stationed first?—In Dunedin.
425. When did you leave there—about?—I was three months or so in Dunedin, and I was sent to Green Island.
426. And after that?—I was promoted, and taken back to Dunedin.
427. And where were you sent to from Dunedin?—At the time of the reduction, in 1880, I was reduced with a number of others to acting-sergeant from third-class sergeant, and sent to Caversham.
428. When did you reach the rank of third-class sergeant?—In May, 1879.
429. After Caversham, where did you go to—to South Dunedin?—Well, that was practically Caversham. I had charge of Caversham and South Dunedin up to the time I came to Invercargill.
430. What year was that?—At the end of 1889.
431. From Invercargill to Queenstown, in 1891?—Yes.
432. And have you been in Invercargill since your return from Queenstown in 1891?—Yes.

433. What was the stamp of policeman you found here when you took charge? Was your Force thoroughly efficient?—Oh, they were fairly efficient.

434. How many men had you under you then?—Two less than I have now.

435. Ten all told?—Yes, I think so. There was an Inspector here then.

436. Who was Inspector?—Inspector Moore when I came here, and he left shortly after for Dunedin, and Inspector Hickson replaced him.

437. Was Sergeant-major Ramsay ever here when you were in charge?—No; I succeeded him.

438. Was he here under Inspector Moore?—He was.

439. He was not here while you were here?—No, I succeeded him.

440. Did you have any trouble with any of the men with regard to visiting at the houses of prostitutes?—Am I bound to answer that?

441. *The Chairman.*] Yes?—Well, I had reason to believe that some of them did visit houses of ill-fame.

442. *Mr. Taylor.*] As a matter of fact, did not women come to the barracks to wait for them?—Oh, I do not think so.

443. Have you never seen them loitering there?—I have seen women, but I cannot say prostitutes. I cannot remember any just now, at any rate; but if it was going on it was thoroughly stopped, I know; for I made a very strong point of that, cautioning them that they would be severely dealt with, and that I would screen none of them. I did my utmost to stop such a thing taking place.

444. Had you reason to believe such a thing had been going on?—I had.

445. That some of them were loose in their habits?—Yes.

446. As a matter of fact, did it not come to your knowledge that some of the men regularly frequented brothels in the town?—I heard so before I came. I cautioned them very strongly after I came here. I spoke very decidedly on the matter indeed, and I think, if it was going on before, it was stopped.

447. Have you ever had a man under you that boasted of his political influence?—He did not boast to me, but I heard one man did so.

448. What was his name?—Constable Aitcheson.

449. *The Chairman.*] How long ago was that?—It is two or three years since he left.

450. How did you hear it?—I heard it amongst the men.

451. *Mr. Taylor.*] Have you Aitcheson's papers there?—Yes; I have got his defaulter's sheet.

452. Where does he come from—what is his native place?—I understand it is Waikouaiti.

453. Do you know what constituency that is in?—I heard, but I do not know. I am not very well acquainted with the locality. I think it is the Waihemo, but I do not know.

454. Did you have numerous complaints about this man's conduct from the citizens?—I had some complaints, and I had some complaints against him myself.

455. Was an inquiry in connection with his conduct asked for?—There was an inquiry held.

456. Were there any requests, that his conduct should be inquired into, forwarded to headquarters?—He was reported a few times, and Inspector Pardy held some inquiries, I know.

457. In Dunedin?—Here. I think he held two, and I think a third was held before the Magistrate.

458. Did you know anything of the complaints made by the Rev. Woollass and Mr. Baxter?—Yes, I did.

459. As a matter of fact, did they not have to make two or three complaints before they succeeded in getting an inquiry?—They were communicating with some people in Wellington, I understand. I reported certain matters to my superior in Dunedin.

460. What did you recommend?—I do not know that I recommended anything. I am not sure; but I reported his misconduct, I know.

461. What time?—Two or three times.

462. What character of misconduct?—Well, there was something in reference to a woman. She made accusations against him for getting her to cause her own abortion.

463. Was that the case he was dismissed for?—Yes.

464. Did you recommend any particular course should be taken with the man?—I was very anxious to get him away from here.

465. Did you recommend his removal?—I am sure I did. I am sure I urged the Inspector to try and get him removed.

466. Did they accede to your request?—No, he was not removed until the matter that I spoke of got into the papers, and then some action was taken.

467. *The Chairman.*] Which case was that?—The case in connection with the girl —, who was convicted of causing her own miscarriage.

468. *Mr. Taylor.*] Had you occasion to find fault with him for refusing to subject himself to discipline whilst he was under you?—Oh, yes; he was a very troublesome man.

469. Have you known of political influence being used by policemen to secure promotion or transfer, or to prevent transfer?—I have heard the matter talked of, but further than that I cannot say.

470. From your experience, has it not been very freely talked of in the Force amongst the men?—Oh, it has been talked of.

471. With regard to your removal to Queenstown: whom do you say was responsible for your removal from here?—I cannot say for certain, but the publicans boasted of it to myself.

472. Why?—Inspector Hickson was supposed to be a very temperate man, and I was supposed to be the same, and they considered us a pair of faddists. I am sorry to say a man in a high position in this town said to a policeman here, "They are teetotallers, faddists," and this was in the presence of a number of people.

473. *The Chairman.*] Are you a teetotaler?—I am almost. I am an abstainer. I do not belong to anything, but I very rarely taste drink.

474. *Mr. Taylor.*] Have you any knowledge as to similar boasts having been made in regard to previous removals of yourself?—Yes. Some money-lenders, at the request of an hotelkeeper—whether true or not I cannot say—but I have been informed they got me removed from South Dunedin to Invercargill at the instance of a man who lost his license since for harbouring prostitutes. I had to interfere with this man for selling drink to drunken men, and he took it badly, as they usually do, and I was given to understand that he got these money-lenders to get me removed—some of the cent.-per-cent. gentlemen. At any rate, I was told so.

475. Have you reason to think that such was the case?—I believe it was so. Still, it is only my belief.

476. Do you think your removal that was ordered in March last year was due to outside influence, or was it promoted by the department itself?—Oh, I think most undoubtedly it was outside influence, for I heard it was going on—deputations and so forth. It was represented I interfered with the late election, which was utterly untrue. I never from the first time we got the franchise up till the present time told a living soul who I voted for myself.

477. Have you heard reasons given for it?—I heard a few people—some in the Force and some out of it—were working together; and on the 1st October, 1896, that word came to Invercargill—the welcome news in certain quarters—that I was to go away, and I have good reasons to believe that was true.

478. Did you hear who the word came to?—I did.

479. Who was it?—Mr. Roope, the brewer.

480. *The Chairman.*] How did you hear it?—I would be very unwilling to say that. I mentioned it to one of the parties interested. He gave a sort of a denial, but not a very definite one.

481. But do you know to whom the first intimation of your removal came?—He did not tell me so personally.

482. But rumour told you it was Mr. Roope?—Yes, very strong rumour, in fact, more than rumour. The party to whom Mr. Roope told it, I understand, rung up the police-station to go and hear the good news.

483. Did a certain individual come down and tell you the good news?—No, but some one to whom he told it rung up the police-station.

484. *Mr. Taylor.*] Did you hear whether it was one of your own officers who was telephoned to?—I would prefer not to say anything more about it.

485. As a matter of fact, was it not Detective Herbert who was said to have been telephoned to?—Yes.

486. Did you have much trouble with Detective Herbert while he was here?—I could not say I had very much trouble with him, but we did not get on very well—that is, speaking officially.

487. He was not very subject to discipline?—Well, not very. I am making no complaint against him.

488. *The Chairman.*] What rank did he hold in the service?—Fourth-class detective. I think while he was here he was made third-class detective.

489. *Mr. Taylor.*] He had access to your desk while you were ill?—A number of them might have, if it was not locked.

490. You heard Mr. Henderson say some of the men inspected a certain book while you were away?—Yes. I know nothing about that.

491. What is your experience in connection with licensing cases? Have you been very much obstructed in the execution of your duty by the publicans?—Well, it is a very hard thing to get convictions against them.

492. As a class, have you found they are more addicted to perjury than any other class—that is to say, witnesses in licensing cases are more addicted to perjury than ordinary individuals or witnesses?—Very much more addicted to it.

493. *The Chairman.*] Are they more addicted to perjury than in ordinary cases?—I find that is so, in dealing with liquor cases, especially in sly-grog selling. I consider the penalties are too severe on convictions under the Licensing Act, and I think that tends to make it much harder to get convictions. I have always said so in my annual reports to the Licensing Committee—that the severer the penalties the harder it is to get convictions.

494. Do I understand you to say that witnesses concerned in liquor cases generally are more addicted to perjury than ordinary witnesses?—That is my experience. I found some exceptions.

495. *Mr. Taylor.*] Did you recommend the removal of Detective Herbert?—I did; to the Inspector.

496. Had you any complaints about his conduct while he was here, from the citizens?—I cannot say I had what you would call complaints. I heard remarks, but not in the way of complaints that I would report.

497. Is he a married man?—I understood he was a married man; but I heard his wife was dead.

498. Where is Detective Herbert now?—He was at the Thames the last I heard of him.

499. Are the men you have under you all efficient men?—I have very good men here indeed. They are not all the same, but on the whole they are good men.

500. All thoroughly fit for street duty?—Well, I will not say all.

501. As a matter of fact, have you any men here who are incapable of arresting an obstreperous man?—Yes, there is one.

502. Does he do street duty?—He does a little.

503. What does he do when he is not doing street duty?—He is doing night duty at the present time.

504. On the street?—He was not on the street last night, but he was the night before. He was last night looking after a lunatic woman that attempted to cut her throat.

505. How do you account for the retention of men of that stamp in the Force?—Possibly nobody likes to do anything against him, and neither would I.

506. If there was a superannuation fund, would he be dispensed with, do you think?—Oh, undoubtedly. I would be willing to do anything I could for the poor fellow.

507. You think a superannuation scheme, if it were established, would enable the efficiency of the Force to be very much improved?—I do, beyond any doubt whatever.

508. *The Chairman.*] Do you consider you are acting within your duty in not reporting physical incapacity because you may have some feeling of sympathy with the man?—I know my superior officer knows the man's condition as well as I do. We discussed the matter again and again, and I think it is to his credit that he is merciful.

509. *Mr. Taylor.*] What has been your experience with regard to recruits from the Permanent Artillery—have they been, as far as their moral character is concerned, up to the average of other recruits?—I would certainly say they were not—not as a whole.

510. If Colonel Hume and Inspector Pender say recruits from the Permanent Artillery form loose habits in the Artillery, to the detriment of their police service, you would agree with them?—Undoubtedly. I consider it was a very serious mistake to select them from the Artillery altogether, from the start.

511. You say, when you came here, you had occasion to warn some of the men that they must not frequent houses of ill-fame?—I spoke generally before them. I did not speak to any particular individual. I warned them if I caught any of them, or found out any such conduct, I would report it.

512. Are there any houses of ill-fame in Invercargill now?—Yes, there are two.

513. When were they prosecuted last?—A good while ago. They were prosecuted two or three times, and the last time they were prosecuted I stated in the Court that if at any time a complaint was made by the public or any one living around, I would take action against them immediately, and from that time, strange to say, no complaint was made by any one living around them.

514. Are they still of your own knowledge conducted as brothels?—They are; one in particular.

515. Is it not your duty, then, to conduct a prosecution?—I am not aware it is, till they are supposed to be a nuisance, or have complaints against them.

516. Are they not subject to prosecution under the Criminal Code if the place is kept for the purposes of prostitution, whether it is a nuisance or not?—I am not aware of that. Any offence under the Criminal Code is an indictable offence. There is something in that direction in the Indictable Offences Summary Jurisdiction Act, but I do not think it goes that far.

517. *The Chairman.*] Is it a place where a number of women are kept?—Sometimes two or three, sometimes one, but usually more than one. I prosecuted them two or three times, and the cases were dismissed; but that was before Mr. Poynton came here.

518. How long ago is that?—I suppose over three years, but we have had more prosecutions since.

519. *Mr. Taylor.*] Did you get convictions?—I got some convictions. I am not prepared to say how many. I may say we only want sufficient law to enable us to carry on, and we will try and put a stop to that sort of thing. Having them committed for trial is a very troublesome thing, and that was tried in the North to the best of my belief, and the case was thrown out. There must be some disturbance, or something of that sort; they must become a nuisance.

520. If there is no aggressive nuisance there to the annoyance of neighbours, you would have to proceed by way of the Criminal Code, and that is an indictable offence, a criminal offence?—That is my impression.

521. Do you think, then, the police have a right to suspend the operation of the law because they think it is too troublesome?—No, but some cases that took place in the North and were sent to the Supreme Court were dismissed. The accused were acquitted. I am almost sure that is so.

522. Does it follow, then, you would meet with the same fate here?—We go by the decisions of the Supreme Court a good deal.

523. Have you any gambling establishments in Invercargill?—Well, not a known gambling establishment.

524. Any tote-shops?—I do not think so. I have no reason to think so—not to my knowledge, at any rate. There has been one place that has been looked upon as a gambling place, but I could never get evidence.

525. *The Chairman.*] Apart from the tote-shops, do you know of any gambling establishments—places conducted for the purposes of gambling?—No, I do not. I do not think we have any here. This place is as clear of that sort of thing, perhaps, as any place in the colony.

526. Have you any knowledge yourself of any cases brought against members of your Force for the maintenance of illegitimate children, or illegitimate children they have failed to maintain?—I am aware that proceedings were taken against some members of the Force.

527. How many?—Two for children, and one for causing an abortion. They were all dismissed.

528. Within what time?—The last would be about two years ago.

529. What was that?—This abortion case—Aitcheson's case.

530. Was he convicted?—No. He was dismissed. There was no trial of himself. There was no criminal charge; but there was an inquiry into his conduct before the Magistrate, and he was dismissed on that inquiry.

531. The inquiry did not find him guilty of being in any way a party to the abortion business?—No, I do not think it did; it was on the complaint of being mixed up with it somehow.

532. The other two cases were for maintenance of children?—Yes; in fact, three others—Buchanan, and Martin, and Burnett, in my time, that I can remember.

533. Are you aware of any disgrace hanging over the Force in connection with this matter now?—No, I cannot say I am.

534. I do not mean whether you know that a member of the Force is the father of an illegitimate child, but whether the conduct of the father of an illegitimate child is of such a disgraceful character as to bring discredit on the Force—that is to say, by neglecting his offspring or misconducting himself in any other way in connection with it?—I do not.

535. Do you know of any such cases in Invercargill now?—No, I do not.

536. *Mr. Poynton.*] None of these men are now in the Force?—No.

537. You know of none of the police in Southland having illegitimate children?—No, nor that there is any stigma attached to them.

538. Do you think there are a sufficient number of men in Southland for the purpose of carrying out the laws?—I do. We have more in Southland now than there has been for many years before. I know in the early days they had a great number of policemen, but there are more now than there was sixteen or seventeen years ago, excepting an Inspector and clerk.

539. You think there is a sufficient number under your charge to carry out the laws?—I do.

540. *Colonel Hume.*] You say you heard the publicans boasted they got you removed from here to Queenstown?—I do. They did it to myself, and they said they would do it again.

541. They do not care much about you?—Well, some of them.

542. You look too well after publichouses?—Well, we are not too hard on them. I never go into them. I never associate with the owners. I never had a cup of tea with any living man in Invercargill.

543. But the publican interest in Invercargill is a very powerful one?—That is so.

544. Will you tell us what powerful influence got you back again in a few months to Invercargill?—I cannot say. There was a change of Government, and I think it is to the credit of the present Government that they thought there was an injustice done, and they rectified it. That is my belief. I cannot give evidence of it.

545. What was the change of Government?—The Ballance Government came in in the meantime.

546. Then, it is the Ballance Government that brought you back?—That is so. Mr. Seddon was in charge of the police at the time.

547. *Mr. Taylor.*] Was he in charge both times?—No; Captain Russell before then. It was during Captain Russell's time that I was sent here from Dunedin, and from here to Queenstown.

548. When did you get the order to go away?—In December, 1890.

549. *Mr. Tunbridge.*] With reference to the brothels, if you thought you had the remotest chance of getting a conviction, should you hesitate to take proceedings against these people?—Not the slightest hesitation. I am always anxious to do that—in fact, I would be very glad to see some law in force that would punish those found there without lawful excuse.

550. What you mean, by saying there were brothels here, was that there were houses morally brothels, perhaps, but not legally brothels?—I believe there is one legally a brothel, but it is conducted very quietly now, and if any of the neighbours would come forward and say it was a nuisance I would take action. I may say I got a return back from the district office instructing me to strike it off as a disorderly house, because we had no complaints for some time.

551. Do you wish it to go forth that there is a brothel here being carried on illegally, and yet you are not taking any steps to suppress it?—I am not doing so. I will take action if there is a complaint from the people living in the neighbourhood.

552. Does the law allow you to bring proceedings without proof that it is a disorderly house?—It is my opinion that we cannot.

553. Failing that evidence you are not able to prove it is a brothel—that is, a brothel that comes within the terms of the law?—That is so.

554. You are not wilfully closing your eyes to this brothel being in existence?—Oh no, far from it. I know they are very much in dread of me.

555. Have you tried to get the necessary evidence by observation or by inquiry?—I cannot say that I have. If I heard any complaints I would make inquiry, but without any complaints from the people round about I cannot act. As I said before, it was published in the newspapers that if any complaints were made by residents at any time the police were ready to take action.

556. *Mr. Taylor.*] Supposing there were a hundred such houses as you refer to, you would take no action if there were no complaints from the public?—I am satisfied if there were so many there would be complaints. Here they are not allowed on the streets. If we see anything improper on the street we caution them at once, and they are off.

557. I would like an answer to the question?—I believe I would try and see what the Bench would do with them. As I told you before, we got some dismissed before, though I thought they were very strong cases; but that was before Mr. Poynton's time.

558. How are appointments made to country stations—do you make any recommendations as to the fitness of the men?—I am occasionally called on by the Inspector to report as to who are fit to take charge of stations, and I do that from time to time, and I state every man that I think is capable of taking charge of a station.

559. Do the men you recommend invariably get appointments?—It is very seldom there is a change in the country stations here.

560. Do you make recommendations once in the year?—Hardly once a year.

561. Have any of the recommendations you have made been accepted?—I do not recommend any in particular. I may recommend half a dozen.

562. Do some of them always get appointments?—I do that when there are no appointments for them.

563. Do you find all the men in country stations capable as far as clerical work is concerned?
—We look upon the country station men as the best in the Force.

564. *The Chairman.*] You are speaking of the men in your district?—Yes. I think I can speak of Otago too. I know a great many of the men throughout Otago. The most capable men are the men usually with country stations.

565. *Mr. Taylor.*] How many country stations are there in your district?—Eight, I think.

566. How many Roman Catholics and how many Protestants have you in charge of stations?
—I cannot tell you now. I cannot tell you from memory.

567. *Mr. Tunbridge.*] You were asked if the constables whose names were put forward as being suitable for stations were accepted—were sometimes placed in charge of stations?—Yes.

568. Was Constable Burrows one of those names?—He was.

569. Or the constable at the Bluff, just appointed to a station, was he not one?—No; I did not report on him at all.

570. Is he in your opinion fit to take charge of a station?—Undoubtedly he is.

571. And he has got a station?—He has got a station.

572. Within a short time two constables from your district have been appointed to stations?—Yes.

573. With reference to what appears to be a preponderance of Roman Catholics in charge of stations, I believe many years ago the Force was very much more Roman Catholic than at the present time?—I believe it was.

574. Therefore, there is a greater percentage of the older men Roman Catholics than Protestants, and, of course, the older men are the men in charge of stations?—That is so.

575. Necessarily, of course, the Protestants are young men, and consequently not in charge of stations?—I believe that is so.

576. *The Chairman.*] And that large proportion arose probably through the importation of large numbers of men from the Irish Constabulary?—I believe that is so.

JOSEPH GEORGE WARD, M.H.R., examined on oath.

577. *The Chairman.*] You are a member of the House of Representatives, and recently in the position of Colonial Treasurer?—Yes.

578. *Mr. Taylor.*] Mr. A. C. Henderson stated yesterday, in giving evidence here, that you had been spoken to by him about the removal of Sergeant Macdonell from Invercargill. Can you say what the conversation was?—Yes, I can give a portion of it. My recollection of it is that Mr. Henderson called upon me to explain a statement that he was reported to have made in connection with a trial that had recently been proceeding in Invercargill. I have not looked up the report of the words to which he referred, but it was something to the effect that Sergeant Macdonell had stated in his evidence that Mr. Henderson had informed him that my promises were not worth a snap of the finger, in connection with some reported public appointment that he (Mr. Henderson) said had been talked of between Sergeant Macdonell and Mr. Henderson. Mr. Henderson stated to me that he thought that since then I had walked past him when coming out of the Club Hotel on one occasion without recognition, and he was of opinion I felt sore with him about this statement. My answer to him was I felt no soreness whatever on the matter, and that, as a matter of fact, I had not read the evidence. I had noticed this portion telegraphed to one of the northern papers; but I had not, at the time of Mr. Henderson's interview, read the evidence, and I have not read it all since. He got into conversation about some of the circumstances in connection with the Hall case, and mentioned that the parties who were chiefly concerned were of opinion that Sergeant Macdonell had been kept or retained here purposely, and that I had been instrumental in getting up the case: in fact, Mr. Henderson stated some of the chief parties concerned were of that opinion. My answer to him was that it was not true, that I had not interfered in any way, that I had not any knowledge of the circumstances of the trial that led to the incident referred to; that I did not know the parties referred to, excepting the two Mr. Halls and Dr. Torrance, and that I had neither spoken to or been spoken to by any witnesses or by any people on behalf of the witnesses in connection with the case referred to. Mr. Henderson went on to state that Sergeant Macdonell had injured his business here, and that the sergeant was in the habit of recommending solicitors past him in connection with the trial of prisoners before the Court. He got on to the question of the reported intention to remove Sergeant Macdonell, and my recollection of it is he asked whether that was to be carried out. My reply to him from memory was that I did not know how the matter stood: that it was reported that a transfer was to take place between Sergeant Macdonell and a sergeant further North, that I understood the transfer of the sergeant who was to be removed from North had been stopped, and that meant the stoppage of Sergeant Macdonell, but beyond that I knew nothing.

579. *Mr. Taylor.*] Did Mr. Henderson seem to have a very strong feeling against the sergeant?
—Oh, yes. He had, distinctly so. From his conversation with me he led me to understand that the sergeant was hostile to him in his business, and he was certainly very hostile to the sergeant. I would like to take the opportunity of stating that Mr. Henderson on that occasion, so far as my promises were concerned, said the statement that Sergeant Macdonell was reported to have made was entirely incorrect, and he had reason to know I had fulfilled my promises, inasmuch as I had previously done him a kindness in connection with an appointment of a member of his family to the public service, which I had done a few years before.

580. Do you remember a deputation waiting on you in reference to the removal of Sergeant Macdonell?—Yes, I recollect a deputation waiting on me some time ago, I think in the year 1896. I forget when.

581. Who formed the deputation? Do you remember the names of the whole of them? Was Mr. Roope there?—I think he was. My recollection of it is there were some half-dozen resi-

dents of Invercargill informed me they desired to see me on a public matter, that they interviewed me, and they preferred a complaint. I cannot tell you who the men were from memory, but they preferred a complaint that Sergeant Macdonell was not carrying out his duties fairly in connection with the administration of the licensing laws, and they asked me that he might be removed on that account.

582. Was Mr. Roche one of the deputation?—I cannot tell you who they were.

583. You know the Invercargill people pretty well?—I know them perfectly well. I dare say I could get the names of the whole of them. I have had hundreds of deputations, and I cannot remember the names of those forming any particular one.

584. Do you remember Mr. Roope?—I think Mr. Roope was one.

585. Were there any publicans present?—I cannot tell you.

586. Do you think you could obtain the names?—I have no doubt I can get them.

587. What was the nature of their complaint—that he was too zealous, or too lax in enforcing the law?—My recollection of it is that they said the sergeant was unfair in his methods; that they did not object to fair treatment, but they charged the sergeant with being unfair. My answer to that was, if they had a charge to make against the sergeant the right course for them was to put it in writing, and let an inquiry be held, and give the sergeant an opportunity of answering it. But I did not myself interfere as a result of that deputation at all.

588. Do you remember, about March, 1897, Sergeant Macdonell being ordered for removal from Invercargill at the time O'Grady was to come here from Oamaru?—I recollect a reported intention to transfer Sergeant Macdonell. I do not know what month it was in.

589. Were you interviewed in connection with the matter?—No, not to my knowledge.

590. Did any one see you about O'Grady's removal?—No, nobody.

591. And you were not responsible for interfering with either of these removals?—No, neither of them. To the best of my knowledge and belief, I have never heard anything of O'Grady's removal beyond the fact that Mr. Henderson mentioned it to me—I did not know the name even—that the transfer was stopped, and that that meant the stoppage of the transfer of Sergeant Macdonell.

592. Have you on other occasions been interviewed in regard to the removal of police-officers?—Never in that way. As a public man, in different parts of the colony, on a good many occasions I have been seen by police-officers themselves, who expressed a desire to be removed to this place, that place, and the other place. That has not been uncommon in different parts of the colony; but I have never had a deputation wait upon me, or any request made to have a man removed in that way.

593. As a matter of fact, political influence has been largely used in connection with the Force, of your own knowledge—you must know that?—Well, it depends entirely on the view that is taken of what is called political influence. I will give you a case in point: Mr. Kelly, member for Invercargill, within the last day or two has given a written recommendation to a man to get into the Police Force. That is not uncommon. I have myself given written recommendations to men who have applied to me, and who were deserving of getting into the public service. I have done it without refusal to any one, if I thought he was respectable, in any part of the colony, and for the Police Force or any other department. I have never known an attempt to bring political influence to bear to improperly lift a man over the heads of others: at any rate, I have never attempted myself to do this.

594. Do you not think that in the Police Force the final authority should be the Commissioner, and any attempted influence outside the Commissioner is likely to interfere with the efficiency of the Force?—What I think ought to be done is, the executive head of the Police Department should from time to time make his recommendations; and that, unless there are very good reasons to the contrary, which sometimes may exist, the Ministerial head should give effect to his recommendations.

595. Have you since the date of that deputation, of which Mr. Roope was a member, had deputations of hotelkeepers waiting upon you in regard to the over-zeal of Sergeant Macdonell?—No, I have not. On the contrary, in justice to Sergeant Macdonell—as I have placed the statement of a deputation, as to his dealing with the law, unfairly before the Commission—I may say one of the principal hotelkeepers in Invercargill told me, about the same time the deputation waited on me, that he entirely disagreed with the request that had been made; that while Sergeant Macdonell was a strict officer, he believed him to be a fair and impartial officer. That came from one of the best and most respectable hotelkeepers in Invercargill. I do not wish to mention his name, because I do not think it is a fair thing to do.

596. Have not Invercargill hotelkeepers urged the removal of Sergeant Macdonell upon you?—No. I have heard very little of Sergeant Macdonell beyond what I told you—namely, that a deputation waited on me, and they stated they thought he was carrying out the law unfairly, and they asked that he be removed. My reply to them was, if they had charges to make against him, they should put them in writing, and give him an opportunity to reply to them, and that I did not interfere as the result of the deputation at all.

597. Have the ministers of any Church interviewed you in regard to police-officers at any time?—I may have had a request from ministers of religion for or on behalf of men, but I do not know of any interviews that have taken place concerning any police-officers.

598. Will you supply the names of that deputation?—Yes, if it is possible to do so, I will. I do not think they appeared in the newspapers, and the only way I can get them is by telegraphing to my secretary.

599. *Mr. Tunbridge.*] If Mr. Henderson says that, on the occasion when he visited you, you told him that Sergeant Macdonell's transfer was simply hung up, or suspended for the time being, he would be incorrect?—Well, I did not know that, so it was not possible for me to have said that.

I think he would be incorrect in stating that. My recollection of it is the transfer was discussed by Mr. Henderson, and the stoppage was assigned to the fact of the other man from the North not being transferred here.

600. You say you had no knowledge of the transfer beyond public rumour, and, therefore, it would be impossible for you to have told Mr. Henderson that the transfer was hung up, or suspended?—

601. *The Chairman.*] I will read you the words: "I was informed by him that the order was not cancelled, that it was simply suspended through influence that had been brought to bear"—As a matter of fact, I never made that statement.

602. Mr. Henderson would be incorrect in saying you had said so?—Yes, because I knew of no influence that was brought to bear. That is a mistake on the part of Mr. Henderson.

603. *Mr. Henderson.*] Can you tax your memory as far as this, Mr. Ward: Might it not have been that you stated your belief that the matter was simply suspended, and the order was not yet cancelled?—No. As a matter of fact, personally, I did not know anything of it. My recollection of it is: you stated you believed, or other gentlemen with whom you were associated believed, that the transfer had been stopped, and you asked whether it was going on or not; and my recollection of it is you further stated you understood that some other officer from the North—I did not recollect even the name until it was mentioned to-day—who was to take Sergeant Macdonell's place had been stopped coming here because of the stoppage of his transfer.

604. Are you aware that the Minister of Justice informed Mr. Kelly, the member for Invercargill, that it was suspended?—I am not aware of that. As a matter of fact, I have no knowledge of it. I had no communication with the Minister of Justice about Sergeant Macdonell. I would like to state that I think the gentleman who was at the head of the Police Department during the whole of the time I was connected with the Ministry, and while I was a member of the House, will bear me out when I say that I have never exerted any influence myself or through any one else with a view to pressing for the promotion or transfer of any officer in the Police Force, or having appointments made. As a matter of fact, I have never pressed for promotions or transfers in connection with officers of any department of the State. I have always felt it was an important and delicate duty I had to perform as far as public officers were concerned, and I have never allowed anybody to make use of me for the purpose of doing an injury to any one in the Civil Service.

THURSDAY, 31ST MARCH, 1898.

EWEN MACDONELL was examined on oath.

1. *The Chairman.*] You are a first-class sergeant, stationed at Invercargill?—Yes.
2. You submit to us letters containing suggestions, which you offer as a result of your experience in the Force?—Yes, at the request of the Commission, of my experience here and at Home.
3. One of the things suggested by you is in respect to ranks, that you would do away with commissioned officers?—Yes, that has been my opinion for a long time. A remnant of the old Irish Constabulary system that was partially established here in the early days.
4. Whom do you refer to as commissioned officers?—Inspectors; they are not appointed like ourselves to the Force, but by the Governor.
5. You suggest in the same paragraph that there should be Inspectors, and Sub-Inspectors; what is the difference between Inspectors as you suggest and the Inspectors as they now exist?—They would be appointed in exactly the same way as sergeants and constables.
6. They are all appointed by the Governor?—The Commissioner appoints constables, and sergeants, and sergeants-major.
7. He recommends them, but the Governor has the power of appointment, and that, of course, means the Minister?—There are no others in the Force commissioned, and there is no such thing known in the Home Police Force as commissioned officers, in my opinion. They are appointed as constables, and promoted to sergeants, then to Sub-Inspectors, and then Inspectors, and then Superintendents, if they are capable of filling these positions, without any of this parchment business that is carried on here.
8. Do I understand you to suggest that appointments of Inspectors should be by the Commissioner, and not by the Governor?—Well, certainly. I think that is the case when the Commissioner appoints all constables, and then promotes them to the rank of sergeant without any further appointment. It is only when they become Inspectors, although they might be twenty years in the Police Force, that they are commissioned.
9. *Colonel Pitt.*] Shortly, you would take away the commission—the "parchment," as you call it?—Yes; I think that is more a military system than a civil police system. It exists nowhere except in Ireland, to my knowledge.
10. *The Chairman.*] I understand your suggestion is that the superior officer should be appointed by the Commissioner in the same way as constables?—Yes; to make it more a civil police.
11. *Colonel Pitt.*] Are you in favour of the Commissioner of Police being the head of the Force, and free from Ministerial control?—I am in favour of getting the best man possible to be Commissioner of Police, and that he should have control of the Police Force.
12. Apart from the Minister?—Well, I should say so.
13. *The Chairman.*] That is, his powers should be independent of the Minister?—Yes; that is my opinion.

14. *Colonel Pitt.*] I gather from your suggestions that you are in favour of the appointment of Sub-Inspectors as well as Inspectors?—That is so. I consider that the grade between sergeant and Inspector is rather too much at present.

15. And you think there should be only first-class and second-class sergeants, and constables, and detectives?—That is so. I find that the junior detective has often as much duty to do as a first-class detective. Of course there must be a head.

16. But do you think there should be no distinction of class amongst detectives?—Yes, I do, because in a large town one detective must be in charge of the others, and I think it is a very great mistake to have two there of equal rank, because one considers "I am as good as you are." I found that out many years ago.

17. As to the number of districts in the colony, do you think there are sufficient at present?—Yes, I do. I am in favour of having Superintendents in the large centres.

18. At present there are so many districts, presided over by so many Inspectors: you think these districts are sufficient for the working of the police throughout the colony. Would you make the Inspectors' districts more than they are at present, or do you think there are sufficient?—My suggestion is that the districts ought to be large, and the sub-districts ought to be given to Sub-Inspectors. That is my idea. In fact, Invercargill is a sub-district at present, including the most of Southland.

19. *The Chairman.*] The present police districts should be divided into sub-districts?—They are to a certain extent. Every constable's station is called a sub-district, and Invercargill includes a number of sub-districts.

20. *Colonel Pitt.*] What do you think should be the minimum height for recruits for the Force?—I consider that no one should be taken on, for uniform duty at any rate, less than 5 ft. 9 in. I would not say so as regards detectives; if the men are suitable their height does not matter so much. It might be an advantage to have a small detective.

21. Is any instruction given to the men in this sub-district by yourself, or anybody?—Yes, from time to time.

22. How often?—There is no stated time; but perhaps daily if occasion arises, and anything occurs that would require to be explained to the new hands.

23. What I mean is: is regular instruction given to the whole of the men?—Not here.

24. *The Chairman.*] Is there not a circular directing such should be done?—I understand so, in the large centres.

25. *Mr. Poynton.*] You think the licensing laws require alteration?—I do.

26. In what direction?—That people found on licensed premises during prohibited hours should be liable to prosecution as well as the licensee.

27. Apart from the family of the licensee, and if they have lawful business there?—Certainly. In reference to the question of instruction, I should like to say a little more, if I am permitted. I very frequently go with young constables along their beat, and tell them their duty, and how they should act in certain cases, besides what I tell them in the station.

28. *The Chairman.*] Do you give them any regular instruction in their duties and powers?—No, not regularly, but just as occasion arises. But I would say this: I would back the constables under me for knowing their duty as well as any in New Zealand.

29. You think your men do know their duty?—I do. From what they see and hear in the place they get every chance of knowing their duty.

30. *Mr. Poynton.*] You think a training depot is necessary for constables when joining?—I think it is, provided it is properly looked after, and not left to themselves, as in the Artillery, from what I hear.

31. *The Chairman.*] In the matter of pay, do you think the present pay is satisfactory to the Force?—No, I do not think it is.

32. On the question of pensions, would you prefer to have a pension or a retiring-allowance?—I was always in favour of pensions, to which the men would contribute according to their pay and length of time in the service.

33. *Colonel Pitt.*] What is your opinion as to the emoluments from outside offices going to swell that pension fund?—I think it would be a very good thing. Although I am not inclined to interfere with the benefits derived by some members of the Force, still I know that some country constables are far better off than I am here.

34. *The Chairman.*] Would it not tend to the efficiency and contentment of the Force, and do away with this jealousy and dissatisfaction, if the emoluments of constables were all applied to a general fund for the benefit of the whole Force?—It would so.

35. *Colonel Pitt.*] Have you any experience in your sub-district of malingering on the part of constables?—Not of late. I had a little some time ago, but the men have since been got rid of.

36. Would you be in favour of the appointment of police surgeons?—I believe in large centres it would be very useful. I have reason to believe that some doctors will give certificates for anything that a man requires.

37. *The Chairman.*] The question is, do you consider there should be police surgeons appointed in each centre?—I do, if independent men are appointed. I may say I often found some men when they were drunk would maintain they were sick, and would get certificates to that effect. That is my belief from what I saw. It is the most common excuse.

38. *Colonel Pitt.*] How do you think the men's pay should be increased: according to length of service, or the class they are in?—According to length of service and efficiency. There is one thing I should never like to see, and that is acts of bravery, such as rescuing a person from drowning, &c., made a ground for promotion. I think it is improper to promote a man for that sort of thing. A very stupid man may do some brave deed of that sort, and if he deserves any reward I think he should get it in cash. You should not put a stupid man for a single act over the heads of hard-working and more intelligent men.

39. *Mr. Poynton.*] Do you think it causes discontent?—I am sure it does. I may say I always found, if a good competent man is promoted, any discontent on the part of others will soon disappear.

40. *Colonel Pitt.*] Do you think a man should be promoted for seniority alone, or that a man should be promoted for efficiency, notwithstanding seniority?—Unless they are efficient and of good character, I think that seniority should count nothing.

41. *Mr. Poynton.*] Do you think defaulters' sheets should be discharged by lapse of time and good conduct?—Well, I am very doubtful of that.

42. Do not you think men should have a chance to reform?—They get every chance to reform, and his superiors could take that into consideration without making him equal to men with nothing on their defaulters' sheets.

43. If there was a rule to that effect, and a man's bad mark was discharged after five years, do not you think it would be an inducement to him?—I do not think it would. I do not approve of a rule to that effect, because if a man behaves himself well and does his duty well the entry on his defaulter's sheet unless serious will not always count against him.

44. I am speaking of the discontent of a man having black marks against his character, though many years old, when he is promoted?—I do not see how that could be beneficial, but I do not think very trivial offences should be a bar to promotion, if they are good men otherwise.

45. But you say it causes discontent to men who have no marks?—I may say this: it is a very easy matter to get marks on defaulters' sheets; and I find that good and honest men get marks on their defaulters' sheets, when rogues, who get others to lie for them, go scot-free and keep a clean sheet.

46. Is that not a reason why after a certain number of years it should be cleaned?—It is my opinion that for trivial offences they should be leniently dealt with. Otherwise it is an inducement for a good man to act the same as dishonest men do to save their defaulters' sheets.

47. *The Chairman.*] While you say you would not wipe out these offences, you think they should not be taken into account after a certain number of years against a man's promotion?—That is, trivial offences.

48. Take an instance where a man has a clean sheet for thirteen years, and a record appears against him antecedent to that, do you suggest that it should remain there?—If it has been a bad case, yes; because I consider he has no one to blame but himself, unless it occurred in a way that he could not help it. Perhaps in making an arrest, or something like that; it is possible that the best man in the world may arrest a person wrongfully, and so get a mark on his defaulter's sheet. There are many ways in which he may get a mark on his defaulter's sheet, where very little blame should be given.

49. Do I understand you to say, then, that it is not the men who have clean sheets who are always the best?—That is so in some cases. I never saw a good policeman yet but made enemies and got into rows. I may say this: I found for many years in the Force some men who said, "Do nothing; keep out of trouble, it is the best policy"; and even some of my superiors said so. They would give no offence, and shut their eyes to what might get them into trouble.

50. *Mr. Tunbridge.*] Your principal objection to wiping out all references against a constable is that it would make all men equal after a certain time?—Yes, equal with those who have nothing at all against them.

51. Men who had been well-conducted during the whole of their service would be on an equal footing with the men who perhaps some years before had a number of reports against them?—That is so.

52. And that is your principal objection to having reports wiped off a man's sheet?—Yes. I do not think it would be treating them properly.

53. You never got men sent down to you here who had not been at least several months in the service?—I have had some men sent down to me who were never a month in the service.

54. How long ago?—I think McIlveny was one, and I think a number of constables.

55. That is years ago?—That is so.

56. Have you for years past had constables sent to you who had not been at least some years in the service?—Oh, yes. The last one I can think of is Moynihan, who was sent down here from the Artillery.

57. How long ago?—I think two years ago. He has been dismissed since.

58. That is the last sent direct to you here?—Yes.

59. I take it you think that a training depot would be of material service?—I think so.

60. Would you suggest what time you think the men should be in this depot?—I think young people should be there three months; and I say, more than that; except in the case of an exceptionally smart constable no constable is very competent under five years. I say a man cannot learn his duties in a few days.

61. You think the minimum time a man should be in the depot is three months?—I do.

62. You are in favour of a pension as against a retiring-allowance?—Yes.

63. Would you have any fixed age at which the men should retire?—I do not know that I would compel every one to retire at the same age.

64. From your experience, at what age do you find men become unfit for constables' work; at fifty?—No. I think constables, if their health is otherwise good, are competent up to sixty.

65. Do you know any constable at sixty who is equal to performing the rough-and-tumble work of the service?—I do not say that I do, but I did know some that did their work, and did it well. Constable Harnett, of Anderson's Bay, was one. He was a very good man for duty, races, &c., and one of the best men I had to keep back a crowd at the races and sports when at South Dunedin; one of the best I have seen for that sort of duty. He has died since.

66. That is one instance of a man at sixty years of age?—That is so. I might be able to give others.

67. What is your opinion about the uniform; do you think the men should provide their own, or ought it to be provided by the service?—I think they should be provided with uniform the same as other branches of the public service.

68. Do you think the men not provided with barracks by the police should be given a lodging-allowance?—Well, to a certain extent. When I joined in Otago married men got an allowance of that sort—a certain number of them.

69. I am speaking of the present: do you think they should all be treated alike?—Well, my objection to that is that I am afraid there would be a rush to get married; and we must have, to carry on the police duties properly, a certain number of men in the station here in cases of emergency, and you can only do that by providing them quarters on the premises. That is very important in my opinion.

70. You think, then, if all constables were granted a lodging-allowance there would be a greater tendency for the men to marry than at present?—I have no doubt there would.

71. At present, the men know when they join the Force that they cannot marry until they have been a year in the service?—Yes.

72. You have a decided opinion on the question of police surgeons?—Yes, if the proper men are appointed I think it would be a good thing.

73. You think it would put a check on the issuing of improper certificates?—Yes.

74. And, probably, on malingering?—That is so.

75. *The Chairman.*] With regard to pensions, you say that the men ought to contribute out of their pay?—Yes, I think so; a percentage of their pay, according to their length of service.

76. What would qualify a man for a pension according to your system?—A certain number of years.

77. Would you make resignation compulsory at a certain period either of service or of age?—Yes, I would.

78. At what age would you make it compulsory?—At sixty, and before that if they are not fitted. I do not think there would be great trouble in getting rid of old men if there was a pension.

79. Do you prefer a pension system to a retiring-allowance?—Certainly.

80. Is it your opinion that, out of the present pay paid to constables, they would be willing to contribute to a pension fund?—I found many, after they had been some time in the service, willing to do so, but recruits when recruits are opposed to it, but in a few years they are very anxious that such a thing should be established. The young policemen are always afraid that the older men will reap the most benefit.

81. That wears off after they have been in the Force for a time?—That is so.

82. *Colonel Hume.*] In order to enable the police to satisfactorily carry out the Gaming and Lotteries Act, do you think any amendments are necessary?—I do not think any are very urgent, unless power is given to the police to enter supposed gambling-shops on certain reasonable grounds without waiting for a warrant.

83. Had you not some trouble here with a case of a lottery?—I do not think so.

84. Was there a great many gentlemen here summoned for raffling pigs as works of art?—That is so, but there was no trouble. I got a conviction.

85. In the case I mean you did not get a conviction; any way, are you prepared to say what a work of art is?—No, I am not.

86. Then, do you not think there should be some amendment in the law in that way?—Possibly, to define what works of art are; but we certainly got a conviction in the case brought up here.

87. Though you got a conviction, if my memory serves me right, you did not get a conviction of the right people; you got a conviction of the people who superintended the drawing, but not of the people who got it up?—We summoned, without any exception, all whom we found taking part in it, because all are liable according to law.

88. That is, the committee, secretary, and every one else?—Yes. Ultimately the charge against a number of them was withdrawn, and only the secretary and the treasurer, I think—one or two—were proceeded against and fined.

89. *Mr. Taylor.*] Have you any walking-totes in Invercargill?—Not to my knowledge. These sharpers come at race-time, and we make pretty short work of them.

90. You did arrest them?—We arrested some of them, and they were convicted and fined £10.

91. Were they charged with vagrancy?—No, with working gambling-machines. They have small machines that they carry under their coats.

92. *The Chairman.*] These men were not walking-totes, and layers of totalisator odds?—I do not say that, but they were not fined for that.

93. *Mr. Taylor.*] You have not the walking-tote evil in Invercargill?—No.

94. Have you had any experience of it?—No, I have not. I have seen them on the racecourse, and we got them convicted at Winton and Otautau.

95. Which of your officers was responsible for the arrest of the men you refer to?—Detective Herbert was in one case, and Constable Joyce. In the other case Constable McIlveney was responsible.

96. You said you thought it would be a good thing to appoint police surgeons with a view to preventing the issue of improper certificates?—Yes.

97. Why; do you think that improper certificates are issued?—I do.

98. You say men are absent from duty from causes other than those set forth in the medical certificates?—Yes, usually in a case of drunkenness.

99. As a rule, do you not find married men steadier in the discharge of their duties than single men?—If I gave my Invercargill experience it would be the opposite. The majority of the

men who got into trouble through immorality in Invercargill were married men. That is a fact ; but, however, taking my experience all through, I would certainly say that married men are steadier and better constables on the whole.

100. Then, if the married men had their quarters near the station they would be available for urgent duty?—They would not, perhaps, be so handy. When away from our premises they are away about their own business continually ; whereas single men, as a rule, must not leave the station until they tell the man in charge where they wish to go, and get his permission. The permission is never refused unless there is some reason for it. That is one of the regulations, that they will not leave the station without some one being at hand.

GEORGE LAVINGTON ROOPE was examined on oath.

101. *Mr. Taylor.*] What is your business?—I am a brewer.

102. Did you form one of a deputation that waited on the Hon. Mr. Ward in regard to Sergeant Macdonell's removal?—Never, to the best of my recollection.

103. Ever take any action in regard to Sergeant Macdonell's removal?—No, no action.

104. Did you ever talk the matter over with Mr. Henderson?—I may have done so. I cannot say that, because I have had several conversations with Mr. Henderson some time ago, when both sides were rather warm ; but I do not remember to have talked the matter over as to taking any action.

105. Have you not talked over the question of Sergeant Macdonell's conduct in Invercargill?—I may have done that, but I cannot say I have.

106. If Mr. Henderson says you were one of a deputation that waited on the Hon. Mr. Ward, he is wrong?—To the best of my knowledge.

107. Have you ever spoken to Mr. Ward?—Continually.

108. Have you ever gone to his office?—Yes, several times.

109. Have you ever talked political matters over with him?—I may have chaffed him, and that sort of thing ; but I take no real active interest in politics at all. I have never done anything in that way ; but I am known to be a friend of Mr. Ward's, so far as that goes.

110. In any of these conversations has Sergeant Macdonell's name come up?—I cannot remember. In fact, I do not think, so far as that goes, that beyond the time I am speaking of, when the first election in regard to prohibition was on, I had any interest to take in Sergeant Macdonell. Any business I had with Mr. Ward was most probably of a private nature. We were interested in mining ; but I do not see how Sergeant Macdonell's name could come up very well.

111. What is your opinion of Sergeant Macdonell as a police-officer?—At the time of the first local option election, when there was a reduction of five houses, and both sides were very warm, I thought at that time he rather favoured for a time the Prohibitionists ; but since the last election—since the country has shown it does not want Prohibition—I have found the sergeant a most efficient officer. Being interested in so many hotels at the time of this first election, of course people used to come to me, and say that they thought the sergeant was not acting fairly, but since then I have not heard a single complaint.

112. Who used to state he was not acting fairly?—I cannot tell.

113. *The Chairman.*] Do you express that as your own opinion, that at that time he was not acting fairly?—I think so. I have no reason to offer, but that was my impression ; but since then I may say he has been a most efficient officer, and most fair, and I have not heard a single complaint against him.

114. *Mr. Taylor.*] How do you judge his efficiency since 1896?—I judge his efficiency by the fact that these men do not come and find fault with him.

115. Which men?—Hotelkeepers.

116. Hotelkeepers find no fault with him since 1896?—No ; and they say he is very fair. I am not in a position to say that he was really unfair for a time, but that is my impression.

117. Have there been no prosecutions of hotels you are interested in since 1896?—I am interested in no hotels at all.

118. I think you stated you were interested in a number of them?—Only as a brewer. I have no actual interest, but simply as a supplier of beer.

119. Have there been as many prosecutions of hotels since 1896 as before?—I cannot tell.

120. Have things been quieter since 1896 than they were before ; what is your own feeling, as a man interested in that question?—I think at the present moment the hotels in Invercargill are as well conducted as in any part of New Zealand.

121. That is not saying much for them?—I find from my own personal observation that they are as well conducted as it is possible for them to be.

122. Referring to the question of Mr. Ward, if Mr. Henderson said you were one of a deputation he would be wrong?—I cannot say.

123. Would you contradict him?—I can only say I have not the slightest recollection of going to Mr. Ward. If Mr. Henderson said I was one I cannot say he was telling an untruth or not. About what time was this?

124. About October last year?—I am positive I never went. I am quite positive I never went in 1896.

125. If you are quite positive you did not go in 1896, are you positive you did not go about 1894?—I cannot say.

126. You will not contradict Mr. Henderson?—No, because I cannot say.

127. Is Mr. Henderson your lawyer?—No.

128. Have you ever discussed with Mr. Ward police matters at all?—Never, that I remember.

129. No matters affecting any policeman?—Not that I remember.

130. Have you got a good memory?—Very fair.

131. A very good memory?—I fancy so. What troubles me is to know why I should discuss the question of Sergeant Macdonell's removal with Mr. Ward. I have never had anything to do with him politically, because I have never gone in for politics at all.

132. Did you not act on his committee last election?—No; I never acted on any committee at all.

133. You take no interest in politics?—Not beyond indulging in the chaff of everyday life. I take no active interest.

134. Do you know Detective Herbert?—Yes.

135. Did you know him well?—Very well.

136. Did you ever ring him up at the police-station?—Not that I remember.

137. Did you ever get a telegram from Wellington regarding police matters from any one?—Not that I remember.

138. Did you ever ring anybody up at the police-station about any business?—I cannot tell you that, because very likely I may have. I am fairly intimate with some of the constables. I am a great cyclist and often go out with them on Sundays.

139. On Sundays you cycle with policemen?—Yes, on Sundays, sometimes. I do not know that there is any harm in that.

140. Do they ever go to your brewery to see you?—Never. In what way do you mean?

141. Has a police-constable ever been to see you on business?—On what sort of business?

142. State the business yourself; on any business, at any time, has any constable called to see you?—Not that I remember; if you stated the particular business I might remember.

143. *The Chairman.*] Has a constable ever gone to serve you with a summons?—I have been served with a summons.

144. Well, then, a constable would visit you to serve that summons?—Yes.

145. *Mr. Taylor.*] Did Detective Herbert ever go to see you at the brewery?—Not that I remember.

146. Does your brewery work at night-time?—No.

147. Have you got a night-watchman?—No, the brewer lives on the premises in a cottage attached. Of course the men may be back at night, because the beer comes down at all hours, and they have to be there to take it down.

148. Did you ever see any policeman in uniform in your brewery?—It would be better if you wanted to find out about the brewery to summon some one from there.

149. *The Chairman.*] The question is, whether you have ever seen constables in uniform at any time, day or night, in your brewery?—The only constable I have ever seen in the brewery is the constable in charge of the East Invercargill District. I have not asked him what he was doing there.

150. *Mr. Taylor.*] Is he still in charge of East Invercargill?—Yes, I think so. He is the only constable I have ever seen in the brewery.

151. What is his name?—Constable McDonough.

152. You never knew what he was doing there?—No.

153. Did you ever make any inquiries as to what the constable was doing in your brewery at night?—The constable could not possibly be there at night, because the place is always closed at night.

154. You said the men worked there sometimes at night?—To bring the beer down; but I would never be there at night.

155. Suppose you saw the constable there during the day-time, would you bother to ask him what he was doing there?—No; because all my men live in East Invercargill, and I should think probably he was there to see them on business. Probably he only passed the time of day with them.

156. *The Chairman.*] Do you say you saw the constable there in uniform?—Yes, but not often.

157. *Mr. Taylor.*] Is that part of his beat?—I presume so, because I have seen him at the end of our street pretty frequently.

158. He drops into the brewery sometimes to chat with the men?—I cannot tell you, because I really cannot tell what his business was.

159. Have you ever seen him get refreshments there?—No.

160. If you did would you stop him?—In fact, once or twice when I have seen him there I have asked him to have a glass of beer, but he said "No, thank you."

161. He always declined?—Yes, with me.

162. When he was in uniform?—Yes.

163. Do you know that is an improper offer to make a constable in uniform?—No, I do not. Any one who goes up to the brewery is always asked to have a drink. I may say whenever I have asked this constable he has always declined.

164. You do not know you were committing an illegal act in offering drink to a policeman in uniform?—I do not.

165. Is he the only constable you have seen in your brewery?—All that I remember.

166. And your memory is a good one?—It is so very seldom that I am there. The brewer is left in charge of the brewery, and I may say I am not there on an average two hours a day. I do not actually see what that has to do with the question.

167. Can you remember the workmen to whom you saw this constable talking?—I do not remember seeing him talking to any one in the brewery. I generally passed him going out as I was coming in, about 5 o'clock.

168. What is the name of your chief brewer?—James Wilson.

169. Would he be there at the time you are speaking of?—He would be about the premises.

170. Was he in your employ when the constable visited there?—I cannot say.
171. How long is it since the constable was there—twelve months?—I really cannot tell you.
172. Will you state the time you saw him there—about the time?—I cannot say.
173. Did you see him there once a week?—No.
174. Once a fortnight?—I cannot say.
175. *The Chairman.*] Can you say whether you did or did not see him there once a fortnight?—I cannot say. I may say I am quite certain I never saw him there once a fortnight.
176. *Colonel Pitt.*] You are quite certain it is not more than a year ago since you saw him there?—I am quite certain I have seen him there within the last twelve months.
177. *Colonel Hume.*] Do you happen to know a man named Bridge, who used to be in Invercargill?—I do.
178. He used to keep the Princess Hotel?—Yes.
179. The sergeant got a conviction against him?—He did.
180. Do you recollect being in Wellington when Mr. Bridge was there?—I do.
181. Did you see Mr. Bridge on that occasion?—I did.
182. Did Mr. Bridge say anything in reference to me to you?—He did.
183. What was the subject of your conversation?—He told me he had been to see you to lay a complaint against the sergeant for his behaviour in Invercargill, but you had told him you had no complaints from Invercargill, and could not accept his unsupported statement. He said I was in Wellington, and would be very happy to support these statements; and you told him to bring me to you. Bridge came to me and I refused to go, and would have nothing to do with it.
184. Then, if you had had any “down” on Sergeant Macdonell you had ample opportunity to ventilate it to me?—Yes, because I was going away that night, and Bridge offered to pay my hotel bill if I would stay that night to see you.
185. And you did not come to see me?—I did not know you in those days.
186. Any way, you did not go to the Police Commissioner’s office?—No.
187. *Mr. Tunbridge.*] Are you aware that within the past few months there have been prosecutions against four licensees in Invercargill?—I am aware of it through the papers. In a small place like this every one knows what is going on.
188. You know from general knowledge?—Yes.
189. And the penalty imposed in each case?—Yes.
190. That is within the last few months?—Yes; within the last three months.
191. Does that indicate that the licensing law has not been carried out here, recently or otherwise?—It does not seem like it. I think myself that the licensing laws are very well carried out, and that the hotels are very well conducted, and that the police do their duty.
192. You are quite clear that this constable you saw in your brewery refused to take drink?—Quite certain.
193. You would ask him?—Yes, I asked him. I may say I did not make an exception of him. If you see any one in the yard and speak to him you generally say, “Will you have a drink?”
194. At any rate the constable did refuse to have it?—Yes.
195. How many times do you think you have seen the constable at your brewery altogether? Can you give us any idea of the number of times?—I really cannot.
196. Scores of times, or a few times?—I do not remember seeing him more than three or four times in my life. Certainly not half a dozen times.
197. That is the sum total of his visits there, so far as you know?—Yes.
198. Have you any reason to suppose he does visit there frequently?—No.
199. *Mr. Taylor.*] You are only there two hours a day; how do you know?—I cannot say, of course.
200. *Mr. Tunbridge.*] Do you know if the constable buys beer from your brewery for home consumption?—I do not know of my own knowledge?—I do not keep the books at all.
201. You are not aware of the business the man had at the brewery?—Not the slightest.
202. Or, if he had any business?—I presume he had business, because all my men live in that district, or all live round about the brewery, and where he lives; but I have no idea why he was there.
203. *The Chairman.*] If he had a summons to serve on one of your men, would he go there?—Yes.
204. *Sergeant Macdonell.*] Have you any reason to think there has been any change in my conduct within the last few years towards hotels?—Well, I may say, of course, that I only surmised before that you had a leaning that way. I have no reason to think there has been any change whatever in you.
205. You have no reason to think there has been any change whatever in me?—No, I have not.
206. Can you say whether more hotelkeepers have been prosecuted lately than some time ago?—I cannot say there have been more prosecutions lately. But I have taken no particular notice of it. Your records will show.
207. Can you say whether or not we seized a quantity of your liquor at sly-grog shops?—I do know that. I said I thought before this last election you rather favoured prohibitionists.
208. What rid you of that idea?—I do not know.
209. Had any member of the Police Force anything to do with that opinion of yours?—No, I never mentioned it to any of the Police Force. I have been very careful not to. I knew they were under you.
- JOHN McDONOUGH was examined on oath.
210. *The Chairman.*] What is your rank in the Force?—I am a second-class constable, stationed at North Invercargill.

211. There is a statement made in the course of evidence, by a witness before this Commission this morning, that you had at various times been in his brewery when in uniform. That partakes of the nature of a charge, and in respect to it you are entitled to have twenty-four hours' notice in order to meet it. Do you desire that twenty-four hours' notice, or are you prepared to give evidence at once?—I am prepared to go on with it.

212. *Mr. Taylor.*] Do you remember at any time meeting Mr. Roope in his brewery?—Yes, I do.

213. Where did you meet him?—I met him in the brewery.

214. What part of the premises?—The brewery yard, while inquiring for the brewer's son.

215. Where did you meet Mr. Roope?—In the brewery yard.

216. At what point in the yard?—About the middle of the yard, just inside the gates.

217. Was he coming in, or going out at the time?—He was going out, I think.

218. You were going in?—Yes; to inquire about this boy as a witness, in a case of a boy charged with throwing stones. I had to summons the boy as a witness.

219. Are you very clear on that point, that you were going in as he was going out?—I cannot exactly say, but I think he was going out.

220. *The Chairman.*] When was this occasion?—Not long ago.

221. Can you fix it?—I cannot fix the date from memory.

222. How long about, approximately?—About a month or two months ago.

223. If Mr. Roope said whenever he met you you were going out and he was coming in, he would be wrong?—He might have been.

224. What boy was it you summoned in the stone-throwing case?—A boy named Thomas Little, up in Invercargill, and I wanted to get the brewer's son as a witness.

225. Did you prosecute this boy?—Yes, he was taken before the Court.

226. Did the boy go as a witness?—He was summoned, but did not appear, because he sprained his ankle the day before. The boy charged with the stone-throwing was convicted and discharged.

227. What conversation took place between Roope and yourself?—He passed the time of day and walked past.

228. Did he ever ask you to have a drink?—On one occasion.

229. Only on one occasion?—Yes.

230. And you refused?—Yes. As a matter of fact, I do not take drink on duty.

231. On other occasions, what took you to the brewery in uniform?—Well, the telephone is another thing, and it is very convenient if I want to send a message into Invercargill. It is two miles from North Invercargill to the station, and there is a telephone in the brewery, and I have had to telephone down to the sergeant on several occasions. I have no telephone at my station, and I go in there to telephone.

232. Is there no other telephone in the vicinity?—In the water-tower, but it is sometimes closed.

233. Do you use the telephone at the brewery both day and night?—I do not go there at night.

234. You have never used it at night?—No.

235. Is the water-tower closed in the day-time?—There is one man there at the present time, and sometimes he is away from the place.

236. Is the machinery running all day?—Sometimes it is stopped.

237. You say you rung the sergeant up from there: would the sergeant know where you were ringing from?—I expect so.

238. *The Chairman.*] How would he know?—I would tell him so.

239. *Mr. Taylor.*] Now, besides the telephone, on what other occasions have you been there?—On other occasions in consequence of a brewery-man named Dick, who is away from the brewery now, reporting to me that there was some misconduct placed on the gates, and I used to go there at night and watch for the boys.

240. You never took any refreshments from that brewery?—No.

241. Did the men ever offer you any?—Never.

242. No one but the proprietor?—No one but Mr. Roope.

243. How often have you been there altogether?—About five or six times, to the best of my knowledge.

244. Did it ever occur to you that it might lead to a misunderstanding your using that telephone?—Never.

245. How far is the brewery from the water-tower?—About a quarter of an hour's walk.

246. Which is nearest to your station?—The water-tower is nearest.

247. Have you ever applied for the use of the water-tower telephone, and found it locked up, and then gone to the brewery?—Yes.

248. How often?—Once or twice I found it closed. I go to the water-tower and then down to the brewery, because there is no other telephone to go to.

249. Did the sergeant know when you were ringing up from the water-tower?—Yes.

250. Did you tell him always where you were ringing up from?—Yes.

251. Were you always in the yard when you saw Mr. Roope, or did you ever see him in the main buildings on any occasion?—No.

252. Were you ever talking to any of the men when he came there?—I might be talking to some of them in the yard.

253. You never talked to Mr. Roope and some of the men together—in a group I mean?—No.

254. Quite sure?—Quite sure I never did.

255. Did you ever have anything to do with the inspection under the Beer Duties Act, in connection with the brewery?—Never.

256. You have never been employed in that capacity?—No.

257. *The Chairman.*] There is no telephone at your station?—No.

EWEN MACDONELL was examined on oath.

258. *Mr. Taylor.*] Have you often received telephone messages of your own knowledge from Roope's brewery?—I cannot say that. I often get telephone messages from the water-tower, and occasionally from Roope's brewery. That is so.

259. Do you not think that it is undesirable that a constable should go to a brewery to use a telephone?—If there was anything urgent, I would be pleased if he went anywhere. In a matter of urgency I should say he was justified in going anywhere.

260. Would you think it would be a good thing to go to a hotel to use a telephone?—It depends on the cause. If anything happened suddenly, and was important, I should say Certainly; but, if not, I should prefer a constable not to go to a hotel.

261. I want to know whether you think it is a good thing generally for constables to use telephones in breweries or hotels?—They do not do so to my knowledge; and if there was no particular reason for them doing so I would prefer they should not.

262. Do you think it is desirable for police-officers to use telephones connected with breweries and hotels, for the public service?—It may be in some cases.

263. Do you think generally it is a desirable practice for police-constables to use telephones connected with breweries and hotels?—If it is for the good of the service.

264. I think you are fencing the question?—Not at all. I say it depends on the occasion.

265. Do you think it is a desirable practice?—No, unless there is a particular reason for it.

266. An urgent reason?—Yes, something more than ordinary; but they do not often do it.

267. Do you not think a practice of that kind is likely to lead to misunderstanding and misrepresentation?—I do not know, really.

268. Cannot you give an answer?—It depends on who is looking on. I do not wish the police to go into hotels if they can avoid it.

269. Suppose you were looking on?—I would immediately inquire as to what the constable was doing there.

270. Then, you do think it is undesirable?—Unless there is a good reason for it.

271. Then, generally, you think it is undesirable?—Yes, unless for a good reason.

272. Can you remember how many times you received telephone messages from the brewery?—No; but not often.

273. Can you remember on any occasion what the business was?—No, I cannot really. I often told him to go to the tower telephone. Suppose he wished to know whether he was required next day, I told him to go to the tower and ring us up from there.

274. Did you ever tell him to go to the brewery?—No, not to my knowledge; and I would not unless the case was really urgent.

275. *The Chairman.*] Did you ever requisition for a telephone to be put in the station?—There was something said about it some years ago, but it was never carried out. There is a telephone to the South Invercargill Police-station.

276. *Mr. Taylor.*] Have you ever had occasion to reprimand any of your men for frequenting that brewery?—No, I do not remember.

277. Did you ever reprimand Aitcheson for doing it?—I believe so, but I am not positive.

278. In view of the fact that you have had occasion to reprimand a constable for the practice of going to the brewery, do not you think it is undesirable that a constable should use that telephone except in urgent cases?—Yes; but I would like to say, in reference to this constable, that I never saw a sign of drink on him.

279. *The Chairman.*] If the telephone at the water-tower is closed, and the constable wishes to communicate with you, do you see anything reprehensible in his going to the brewery to send you a message?—No, I do not, if there is any particular occasion, and so long as I am satisfied he is not going there for any improper purposes.

280. *Mr. Taylor.*] You can only remember reprimanding Aitcheson in connection with that brewery; have you reprimanded men for visiting any other brewery?—I do not think so; not here.

281. Any in Invercargill?—I do not think so.

JOHN JAMES MEIKLE was examined on oath.

282. *The Chairman.*] Where are you living?—In the Tuturau district, in Southland. I had occasion to go to Wellington in 1895 to attend a Parliamentary inquiry in regard to my false imprisonment. When I got up there I found certain reports in reference to my case, and a report sent up by Constable Leece, dated "Police-station, Mataura, 21st September, 1890."

283. Where did you find that?—I found that amongst the correspondence recorded against me at the Parliamentary inquiry.

284. Was a copy of that report put into the hands of the members of the Parliamentary Committee?—That is so.

285. How did it come into your hands?—It was handed to me to see whether it was correct. There are two members of the Committee here present, Mr. McNab, ex-member, and Mr. Kelly, M.H.R.; they were both on that Committee, and will corroborate my statements.

286. You produce this copy that you received from whom?—At the table, from the members of the Committee. I will just read the contents of it, as follows:—

Report of Constable Leece re Meikle Family.

Police-station, Mataura, 21st September, 1890.

REPORT of Constable Leece relative to the attached correspondence, and Minute No. 3270/90 thereon.

I respectfully report having made careful inquiries into the separated destitution of the Meikle family, but am of the opinion the case is not so bad as represented by the writer of the attached letter inasmuch as I found on my visit

to the farm that a young man named William Johnston, *alias* Lloyd, although not a desirable character, as seen by *New Zealand Police Gazette*, 1882, page 19, and 1886, page 248, was ploughing and had ploughed 30 acres of ground, sown it with oats, and harrowed it for Mrs. Meikle. He had bought the oats for the ground from a neighbouring farmer named R. Urquhart, and that he intends to work on the farm for the benefit of Mrs. Meikle—as he and Mrs. Meikle states—purely out of good-nature, and receives no pay. He has lived on the place for the last two years, and generally worked at rabbiting and general labouring work in the neighbourhood during that time. Also, in contradiction to the statement of the writer, that everything was sold after her father's incarceration, I found in Mrs. Meikle's possession two draught-horses with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, three of which were milking-cows, besides household furniture and effects. Most of the farming implements, cows, and horses were on the farm when Meikle was there. I asked Mrs. Meikle if she could not convert the cattle into money to buy food, and she stated that she had not tried; that she owed £20 for food to John Templeton, of Wyndham, storekeeper, and he had promised to take two stacks of oats in part payment. The farm comprised 205 acres, not a penny of mortgage on it; but it belonged to her sons, James, Robert, and William, aged respectively fifteen, twelve, and nine years of age, and it was bought under agreement that no person could touch it until the youngest arrived at the age of twenty-one years. On the farm was erected an eight-roomed house, eight-stalled stable, two roomed house, large barn and piggery, with a water-wheel and chaff-cutter. I suggested to her the possibility of leasing the farm, but she said she could not live on the rent. She pays no rates to the Southland County Council or Tuturau Road Board, they having been kind enough to forego the rates owing to her pleading poverty. She was never offered any money for the ground, although it was rumoured that Mr. J. G. Ward, of Invercargill, offered her £700 for it. She has nine children—the eldest fifteen years, the youngest three years. One of them is at a town near Gore with her sister. Her eldest son, Arthur, aged twenty-one years, died suddenly about three months ago. She sells eggs and butter to Mr. Templeton, of Wyndham, to get food. She sold eight pounds of butter and five dozen eggs last week, but it is not sufficient to live on. I consider, on the whole, Mrs. Meikle is not worse off than her neighbours. If she rented the farm she could live on the rent of it; whereas as it is now she will not make much good of it. The young man Johnston will not always be kind enough to remain to father such a large family. The children, although having indifferent clothing, look healthy enough, and informed me they have had three meals a day since their father left them; and the girl Margaret who wrote the letter had a gold ring on her finger. Mrs. Meikle was dancing at a party given in the neighbourhood a week ago; but she denies that, saying she only sang, and put the children through the movements of set dances. She said it is at certain times she feels unwell. I would respectfully suggest that Mr. J. G. Ward, of Invercargill, be interviewed to ascertain if he offered Mrs. Meikle £700 for her farm. He has land adjoining on to Meikle's farm, and also Mr. Templeton, of Wyndham. As to the supplies of food to the Meikle family, I heard also that a subscription was got up for Mrs. Meikle and family at Wyndham, and if so the amount could be ascertained, and if she got it.

JAMES P. LEECE, Constable No. 412.

287. What portion of this report do you impeach?—I impeach the portion of it relating to the horses; that is totally untrue. The horses were all sold to pay my current accounts.

288. What portion do you say is untrue? Do you complain of the statement, "In contradiction to the statement of the writer, that everything was sold after her father's incarceration, I found two draught-horses, with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, three of which were milking-cows, besides household furniture and effects. Most of the farming implements, cows, and horses were on the farm when Meikle was there"?—Yes. These were all sold to pay my current account.

289. *Colonel Pitt.*] Who was the current account with?—Mr. J. G. Ward.

290. *The Chairman.*] Do you state that the articles the constable says he found in the possession of Mrs. Meikle were not there?—No; everything was sold. That was fresh stock she got from Mr. Mabin.

291. Do you dispute that the stock and implements mentioned by the constable were on the premises when he visited it?—The stock was there.

292. Do you say it was not there when you were there?—That is so. In reference to the roller mentioned, it was the frame of a wooden roller, and the log was lying beside it, and that was all. There was nothing in it.

293. All the stock and implements you left there having been sold to pay your current account?—Yes. Mr. Ward sold them, and said he could not help himself. He was losing money on it, and he came and saw me, and told me what he had done. The next statement I complain of is that in reference to the Southland County rates. The constable said that through Mrs. Meikle pleading poverty they had foregone her rates. I should respectfully suggest that Mr. Fox, the County Clerk, should be brought here to show that I have received summonses, and that my family rates were never forgiven. They were recorded against the property.

294. You say they were charged on the land?—They are recorded here in the Supreme Court. I got a bill for £15 when I got here.

295. Did the Tuturau Road Board also forgive the rates?—They forgave two rates, and I paid the others since I came home.

296. It is only the constable's statement in regard to the County Council rates you complain of?—Yes. It has been a great injustice to Mrs. Meikle in my absence. She has been summoned once or twice.

297. Is there another statement?—Yes. It is a most serious one. He said, "The young man Johnston will not always be kind enough to remain to father such a large family." We all know what that means. I am not aware that my wife was cohabiting with him; but that is the meaning of it.

298. You complain of that as insulting?—It is plain enough to people all over the colony. In regard to the remarks about Mrs. Meikle dancing, I may state she was asked to give the use of the barn for a dance to celebrate the opening of the new school. A concert was also held in the school, and Mr. Bree asked her if she would go, and she said "No; I cannot go." He begged her to, if only for an hour, and she went, but simply to assist Mr. Bree in one song. Afterwards she was asked to stay; but she said she could not, and after staying an hour or an hour and a half she came home.

299. Was this in your own barn?—No; they held the concert at the Waikaka School, about four miles from Waireke, and they came down afterwards to hold the dance at my barn.

300. Where was the song sung, at the barn or at the school?—At the barn. The dance was held the same night. There is another item I would like to draw attention to very much, and that is as to this "undesirable character, Johnston." He was the principal witness against me here in

1884. He was looked upon then as a decent man, and this conviction was kept in the background in 1884, although it is on record here that he was convicted in 1882.

301. Was that a police case?—Yes, and this witness was produced and brought down here, and got me committed for trial on a charge of perjury over an assault case that I did not commit at all, and they made use of this lad at that case, and held him up to Judge Williams as an honest lad. Yet when I am in prison he is put down as an undesirable character, although they knew of the conviction against him in 1884.

302. When was the case heard?—In 1884; but it all fell to the ground.

303. What age was Johnston?—He was an industrial school boy. When this report of Constable Leece was written, I suppose, he was a young man of about twenty-three or twenty-four. I am only speaking from memory.

304. And your wife's age?—She will be forty-eight on the 1st April.

305. What age was Johnston in 1890?—About seventeen years of age.

306. And your wife about forty?—About that.

307. You say he was called in what year?—In 1884, before two Justices of the Peace. He was called first at the Court, as principal witness, and on his testimony I was committed.

308. *Mr. Poynton.*] Then, you went up at the December sittings of the Supreme Court?—Yes.

309. At that time he would be about seventeen?—Yes.

310. *The Chairman.*] And he was brought up before Mr. Justice Williams as a witness of reliable character?—All his convictions are set out here in the month of September, 1890, in the report about my family—all the accusations that possibly could be brought forward are hurled against the young man in 1890; yet he was a bad character in 1884, when he appeared against me, because his first conviction was in 1882.

311. You say these previous records against him were not brought up against him at that trial in 1884?—Not to my knowledge.

312. *Colonel Pitt.*] You said he was held up as a person of character by the police at your trial; but had Constable Leece anything to do with that prosecution?—Yes, he got it all up; and he got a strange policeman to swear the information.

313. That is your complaint?—Yes.

314. *Constable Leece.*] This young man, Johnston, was working on your farm at the time I went up to make this report in 1890?—He was not working in 1884, when he gave evidence against me; I cannot answer the question, because I was not present.

315. You do not know whether he was there or not?—Only from what I heard. I cannot state, when I was miles and miles away in the North Island.

316. Do you know that this stock was there?—I know perfectly well the stock was there; stock that had been bought.

317. Do you know they were there when I was making inquiries?—Yes, but not when I was there, as you state in your report. Not a hoof was left. Mr. Ward will prove that.

318. Were all these articles I have enumerated there then?—The only thing there was the broken frame of the roller, which was useless for anything but firewood, and an old broken reaper which any one could have had for 10s.

319. *The Chairman.*] Was every one sold while you were in prison?—Yes.

320. If they were sold while you were in prison, how could you say they were not on the premises while you were in prison?—There were sold years before, while I was in prison. If you call Mr. Ward he will prove that.

321. *Colonel Pitt.*] I understand these things were there, no doubt, when the constable was there; but they were not there when you were there, except that broken reaper and roller, and they were no good?—Mr. Ward came and told me in prison that he had to sell everything, as he had been losing money hand over fist.

322. *Constable Leece.*] As regards paying no rates to the Southland County Council, do you know that I was making inquiries about that at the time?—I do not know if you did, but I found out since that what you stated was totally untrue.

323. If I asked Mrs. Meikle and she said that was the case, would that be so?—She never told you so, and I can speak for her truthfulness.

324. She told me the Tukurau Road Board had forgiven her the rates, and also the Southland County Council. If the one part is true will not the other part be true?—No; because she could not tell you that, because she was summoned, and the records of the Council will show that.

325. This remark about the young man Johnston you have taken exception to very much?—It is the proper meaning. If you wanted to blacken Mrs. Meikle's character you might have said so all over the colony.

326. You have read the previous part of the report, in which I have said that he ploughed twenty acres of ground and sowed it with oats, and harrowed it, for Mrs. Meikle, and that he had bought the oats for the ground from a neighbouring farmer named Urquhart. Now, would not you consider from that that the other remark meant nothing except looking after their welfare?—It was "another man to father my children." You cannot get away from that fact.

327. But do not you see how I have said in the first part of the report that the young man was working on the ground?—I do not complain of what you said about that. I complain simply of what you have said about Mrs. Meikle, and the young man remaining to father the large family.

328. But, taking the one statement with the other?—I have nothing to do with the other statement. I say the imputation about my wife is a very serious and very improper one.

329. After reading the whole report through, do you think I have made a statement imputing motives to your wife?—I consider the report a most disgraceful one.

330. *The Chairman.*] I understand the thing you really feel most is what you consider an insinuation against your wife's character?—Precisely so; and not only that, but making untrue statements about my wife's position, and making out that she was untruthful, to the Minister.

331. The original letter stated everything had been sold, and this was a report on that letter?—That is so.
332. *Constable Leece.*] You say this young man Johnston was brought up as the principal witness against you in the perjury case?—He was.
333. And that I knew about him prior to that?—Yes; you have the *Gazettes* in your hands, and you knew perfectly well that the man was convicted in 1882.
334. Who laid the information against you?—You worked the case up.
335. Who laid the information?—Mr. Kenny.
336. Where is he?—In Invercargill.
337. Is he a constable?—Yes.
338. You say I knew all about it at that time?—Yes; you worked it up. I got you going through the land with this young man Johnston, and I asked you what you were doing there.
339. Who else was with us?—The late Detective Eade.
340. And Johnston and myself?—Yes.
341. What were we doing there?—You were there to see the distance from which the young man was supposed to have seen the assault on the other side of the hill; and I asked you what you were doing on the land without my permission.
342. What was the result of that perjury case?—It fell to the ground.
343. *Mr. Tunbridge.*] How long had you known this man Johnston?—The lad came to my house one day, in 1883, hungry, and I took him in. He was in a terrible state of nakedness, and I clothed him and assisted him.
344. Did he tell you what he had been?—No.
345. He did not tell you he had been in an industrial school?—No; I knew nothing about the lad.
346. *The Chairman.*] What was his age in 1883?—I do not suppose the lad was much more than thirteen or fourteen by his appearance.
347. *Mr. Tunbridge.*] When did you first know he had been in an industrial school?—After he ran away from me.
348. How long?—About six months. Mr. Sonnes told me, in Gore.
349. What date?—I cannot give the date. Roughly, about the latter end of 1883.
350. When were you prosecuted for perjury?—In December, 1884.
351. You state that Johnston was held up as a lad of good character by the police when you were prosecuted for perjury?—Yes.
352. In what form was he held up as a lad of good character?—The police got him as a principal witness in order to get me committed.
353. He was called as a witness?—He was recalled, and asked to disqualify his evidence, and on his evidence I was committed to stand my trial.
354. But the police did nothing to lead the Court to suppose this lad was a respectable lad other than call him as a witness?—They tried to uphold him as a decent lad.
355. Who upheld him?—The police.
356. Did they do anything other than call him as a witness?—They called him as a witness, certainly.
357. And nothing more?—A good deal more, when Mr. Turnbull recalled him and asked him if he wished to disqualify his evidence. I consider it was the duty of the police to tell the Bench of the conviction against him, and that he was a lad of bad repute.
358. You were defended by a solicitor?—We called no defence, if I remember.
359. You had a legal gentleman to represent you?—I believe Mr. Finn did.
360. You say it cost you over £300: where did it come in?—I was taken before the Court at Gore for the alleged assault case. After sitting there, at much cost to me, the case was rushed down here, and it was amended on both sides. There was also the case in the Supreme Court.
361. Your counsel had to be paid for?—Yes, and witnesses.
362. Were you defended by counsel in the Supreme Court?—Certainly; I had Mr. Solomons down from Dunedin.
363. You said you knew in 1883 that the boy Johnston had been in an industrial school?—Yes.
364. This was before you were tried for perjury?—Yes.
365. Well, if the police did anything to hold up this boy as a respectable person, why did not you instruct your solicitor that he had been in an industrial school?—That did not disqualify the lad because he had been in the industrial school. I did not know about the conviction, but the police knew, because they had the *Police Gazette*. I never knew until I saw this report, when I went to Wellington.
366. You did not allege that the constable inserted in his report that there were things on the farm that really were not there?—Of course he inserted what was not there when I was there.
367. But at the time he made the report?—I do not care what he made afterwards.
368. The constable said there were two draught-horses there, with harness, plough, harrows, back-delivery reaper, one roller, thirteen head of cattle, of which three were milking-cows, besides household furniture and effects. Were there such horses and cattle and articles there at the time?—I say distinctly that these animals were not there before I was sent to prison.
369. But they were there when the constable made his report?—I have every reason to believe they were there, because Mr. Mabin bought them for Mrs. Meikle.
370. Was the letter sent to the Minister of Justice one describing your family as in a destitute condition?—That is so.
371. Do you consider the fact that your family were in possession of these horses, cows, farming implements, and other things consistent with destitution?—Certainly; they are not paid for yet, some of them.

372. It is merely on the question that these things, although they were in the possession of your wife when the constable went there and made his report, were not the identical things on the farm before your conviction; that is what you complain of?—Yes; and the harrows were merely lent to do the work.

373. Do you consider the fact of your wife being in possession of this property consistent with the letter of your daughter to the Minister, stating that the family was in a state of destitution?—I say distinctly they were not paid for, and some of them are not paid for yet.

374. The constable reported they were there?—It does not matter what he reported. He said they were there when I was there, and they were not. My wife lived on potatoes and salt, and milk, for fourteen days.

375. You objected just now to answering any question relating to a matter that happened when you were not there; and now you are making a statement about things that occurred when you were not there?—My wife can come here and make a statement for herself. The district knows it well.

376. You say, you saw this report in 1895 for the first time?—Yes, in the month of October, when the first inquiry was held in Wellington.

377. Have you made any complaint about it before this?—I have. I complained to the Committee last session. Mr. Kelly can bear me out in that.

378. You made that a point in your petition?—I made a complaint to the Committee about this constable's conduct in this report.

379. Beyond making that complaint to the Committee, you have taken no steps prior to this?—I did; I reported the matter to Commissioner Hume.

380. Prior to this complaint?—I wrote when I saw this Commission was set up.

381. Then, you rested for two years without taking any action beyond mentioning the matter before the Public Petitions Committee?—I brought it up before the Committee in 1897, in the presence of Mr. Kelly.

382. I say, other than that, you have taken no action prior to the setting-up of this Commission a few months ago?—Because I was trying to get the department to take the matter up. If I could have prosecuted the constable civilly I would have done so.

383. With regard to the last paragraph of the report, to which you have taken exception, do not you think it is capable of a very different interpretation to the one you are putting on it?—Certainly not. When a man goes to father any one else's family, he is living with the wife. There is no getting away from that.

384. You think there is no other possible interpretation?—No; and you can put it which way you like.

385. You do not think the fact of your suggesting that is likely to put into the minds of innocent persons an interpretation that would never have got there otherwise?—The letter has no other meaning. You cannot wriggle out of it.

386. That is your opinion?—It is the opinion of better men than myself.

387. *The Chairman.*] I gather from the constable's cross-examination that he did not impute to the words the meaning you attach to them. Would not your major complaint against him be satisfied, and would you not feel satisfied, if the constable puts that view in a more distinct manner so that it can go forth to the world?—Well, here is the position. I had a certain complaint before the Government in regard to false imprisonment, and this report is put in before the Committee and impresses the Committee. I have no hesitation in saying that these false reports damned the reputation of myself and my family in the eyes of the Committee. They thought we were a bad lot.

388. Then, if these two matters can be explained—that these words were not intended to be used in the sense in which you and many others have received them, and that the cattle and implements which the constable saw on the premises were not there at the time you were in possession of the farm—would not that remove all the trouble?—No, it would not. He made these malicious statements against my family.

389. Would it not enable you to put yourself right?—Not with the House, because things were stated in the House last session because of these reports which would make you shudder to hear them. It was even stated I was guilty of horse-stealing and several crimes. It was all done to damn my reputation and my family and my case, and it has done so.

390. As you have made that remark, I will put a question in reference to it; was there no truth in such statements?—None whatever. It was brought up on the floor of the House next morning that three members the night before said I had been several times in gaol for horse-stealing. It was even kept out of *Hansard* and the papers.

391. Were you ever in gaol for horse-stealing?—Never. I was never accused of thieving until I joined this company, and I was put in gaol for sheep-stealing. And the constable helped the company on several occasions. He arrested my son, who is now dead, in connection with the same matter.

392. *Colonel Hume.*] Is it a fact that, during the time you were in prison, Mrs. Meikle was offered £700 for this farm?—It is totally untrue.

393. *The Chairman.*] Had she power to sell it if an offer had been made?—No; she could not sell it, and Mr. Ward knew it. It belongs to three of the boys. Mr. Ward, I may say, has launched out about £2,000 on my affairs, and I am sorry to say he has not been paid.

394. *Colonel Hume.*] Did anybody offer anything for the farm at all?—No; she could not have sold it if she had been offered £20,000.

395. *Constable Leece.*] Was there any mortgage on the farm at all?—She could not mortgage or sell.

396. Was there any mortgage?—No.

JAMES WHYTE KELLY, examined on oath.

397. *The Chairman.*] You are a member of the House of Representatives?—Yes, for Invercargill.

398. *Mr. Meikle.*] Were you along with me at the parliamentary inquiry last November, at Wellington?—Yes, with you almost every day.

399. *The Chairman.*] Were you a member of the Committee?—No. I presented the petition, and members presenting petitions are always allowed to be present at the Committee.

400. *Mr. Meikle.*] Were you present when I made these complaints in reference to Constable Leece?—I heard you on several occasions making complaints, not only before the Committee, but you made complaints very often to me personally about Constable Leece, whom I did not know at that time.

401. These complaints were not inquired into by the Committee, although I wanted them to do so?—I do not remember if the complaints were gone into last session.

402. You remember I gave them a list, and they were taken down in shorthand by the reporter—the same complaints as I now make?—Yes.

403. Are you aware that I wrote to the Chairman as well, to urge and get these things down?—Yes, I am aware, because on one or two occasions I handed your letters to Mr. Meredith, who was Chairman of Committee.

404. And that I showed you the correspondence before I sealed it, mostly to ask your opinion?—Yes, almost daily you showed me correspondence in connection with the case.

405. Did I also ask for other matters to be attended to, but they were ignored?—Yes, there were other reports you wanted to get hold of, but they were not available to you. Mr. Meikle requested to be shown reports that he believed were in existence, but whether the reports were in existence or not I cannot say. If they were in existence, Mr. Meikle's request was not acceded to.

406. *Colonel Pitt.*] To lay them before the Committee?—No, to be allowed to inspect them personally. In all probability they were laid before the Committee, but Mr. Meikle was not allowed to see them.

407. *Mr. Tunbridge.*] Was it suggested that these were reports from Constable Leece?—No, certainly not; but Mr. Meikle put the question about other matters.

408. *The Chairman.*] Do I understand you to say that Mr. Meikle made a complaint to the Committee in respect to these matters that he is now bringing before us?—Yes, and I may say he addressed me on several occasions in connection with the conduct of Constable Leece generally.

409. Did this particular complaint specially come before the Committee?—In connection with the report or letter, which he told me was sent by Constable Leece.

410. Did the Committee deal with that complaint?—The Committee did not deal with it during my attendance at the Committee.

411. Do you know whether the Committee reported on it?—No, they did not report upon this particular complaint.

412. Was this complaint only mentioned incidentally, or was it a matter of inquiry by the Committee?—It was a matter of inquiry along with others, and Mr. Meikle complained to me several times of the contents of this report, which was sent by Constable Leece.

413. I am not asking what complaint he made to you, but whether you can tell us, from the fact that you were in the habit of attending the Committee, if the Committee dealt with and made any report upon the complaint, that these statements by Constable Leece were not true?—No, the Committee did not. I will tell you what Committees generally do. They go over all reports and matters connected with petitions, and they do not report upon any individual matter. They merely draw up a report as to what they consider should be done; and if anything is printed in connection with the case these reports are put in as part of the evidence, but nothing is said as a rule about particular portions of evidence. This complaint was not dealt with specifically.

414. *Mr. Meikle.*] With these reports coming up, do you think they did me a great deal of harm with the Committee; do you consider this report against me and my family did me a great deal of harm with the Committee?—Well, I cannot say anything about this specific report. I can only assure the Commission that these reports, and this amongst the others, did materially damage the case so far as Meikle was concerned.

415. *The Chairman.*] You cannot speak of this particular one?—No. I say, this along with others, because there were fresh reports circulated amongst Committeemen every day.

416. *Colonel Hume.*] You have read that report carefully from time to time?—Yes.

417. And, taking into consideration the first part of the report, do you consider there is any reflection contained in that report against Mrs. Meikle's character?—Well, I think the interpretation put on it by Mr. Meikle is a very natural one.

418. *Constable Leece.*] I would like Mr. Kelly's opinion on that matter. As regards the first part of that report referring to the young man Johnston, and the remarks to which Mr. Meikle has taken exception, do you think there is any reflection upon Mrs. Meikle there?—Well, I think the words are highly capable of the interpretation put on them by Mr. Meikle. Certainly, after my attention was drawn to the matter, I read it over carefully two or three times; and I must say, in my opinion, the general public would come to the conclusion that Mr. Meikle came to, that there was a gross insinuation contained in these words, although it may not have been meant by you.

419. Supposing the word "support" had been used instead of "father," how would that do?—I cannot say.

420. *The Chairman.*] Suppose he had used the word "support" instead of "father"?—I think, even then, the general public would be apt to take their own meaning out of it, that there was some connection between the two parties that had no right to exist.

421. *Constable Leece.*] How did it strike you when you first read the report?—When the report was first read to me it struck me just exactly as I say now.

422. Did Mr. Meikle draw your attention to the report?—Mr. Meikle first drew my attention to the words contained in the report.

423. You had the same opinion as you have now, that it was a reflection upon Mrs. Meikle?—I say it is an interpretation that can be reasonably taken by the public.

424. Are you aware if the public have had a view of these reports?—I cannot say.

425. Do you know it was a confidential report sent to the department?—I cannot say; but I know this much, that Mr. Meikle had it.

426. Then, the public would not hear of it?—If it was a confidential report, and Mr. Meikle got hold of it, I do not see how the public could be prevented from getting it.

427. You say that?—I cannot say. It would probably get into the press if they got a hint of it.

428. Did he proclaim it himself?—He might do so. If one man gets hold of a confidential document outside Parliament it is no longer a confidential document.

429. If taken outside the Justice Department?—I do not know where it was taken from.

ROBERT McNAB, examined on oath.

430. *The Chairman.*] What are you?—A solicitor, practising in Invercargill, and a member of the last Parliament, representing Mataura.

431. *Mr. Meikle.*] Whilst a member of the House in 1895 you were on the Committee that considered my petition?—Yes, I was a member of the Public Petitions M to Z Committee in 1894, 1895, and 1896. I remember Mr. Meikle's petition. I think I presented the petition, and while before the Committee I sat with the Committee, but did not vote as the petition was from my own district. At the request of several members of the Committee I gathered the material together and directed Mr. Meikle in what form he should put it before the Committee. I was present on every occasion, but beyond that I took no part in the proceedings except, perhaps, that I think I cross-examined. A solicitor represented the Government. I looked after him. He raised law points occasionally, and I took it upon myself to reply to him.

432. Did you ever see that report from Constable Leece in 1895 whilst on the Committee?—I remember hearing the report read to the Committee, the tenor of which, from recollection, identifies it with this report. That was in 1895.

433. *Colonel Pitt.*] This report before the Commission now?—Yes, the report read by Mr. Meikle when in the box.

434. Constable Leece's report?—Yes, I understood it was by a constable, but I cannot recollect the name. The document came to the Committee through the Chairman, and I heard it read before Mr. Meikle saw it. I think I was also furnished with a copy of it before Mr. Meikle saw it. Every member of the Committee got a copy. Mr. Meikle was claiming a sum for damages, and it was alleged by him that his family were in destitution, and had been left in destitution; and I remember, when the report was read, I formed the opinion myself that Mr. Meikle had exaggerated the condition of matters, and I understood that members generally held the same view. We got over the difficulty of the *quantum* of damages by referring the matter to the Government, with all the evidence which we had, including this report, and asked them to vote a sum, speaking from memory, to cover the prosecution and the various headings of damages specified. The report was adopted, and the Government voted a sum under one heading—the question of costs. The following year Mr. Meikle petitioned for the award under the balance. There were some four headings left out, and the same Committee reported that the previous recommendation should be given effect to. I speak from memory only. A sum was put on the estimates, but Mr. Meikle refused it. There was a general election, and another man took my place in the house. When the Committee was sitting we made no investigation into the truth or otherwise of this report, because we only investigated what was referred to in the petition. We made it a practice to never go in and sit upon matters that arose during the course of our inquiries.

435. *Mr. Meikle.*] You have seen Constable Leece's report?—It was put into my hands just now.

436. If you will look at the latter part of it you will see there the paragraph about Mrs. Meikle, and this young man Johnston not always remaining to father such a large family. What construction would you put on the words there?—If I were reading it, I would say it was worded in such a way that the great majority of people would be liable to conclude that some improper relation existed. So far as I myself am concerned, I would say it was playing with a phrase which enabled any such inference to be drawn.

437. Do you think it is right for a constable to express himself in such a phrase?—I do not express any opinion on that point.

438. Would you use such a phrase?—Well, I am a solicitor, and I have sometimes to appear in different ways. If you ask me in some capacity, I might suggest it in cross-examination.

439. Are you aware that this report injured me very much with the Committee in the House?—The opinion formed on the Committee, speaking from recollection, was that you had exaggerated the destitution of your family.

440. And this report was the means of saying I had exaggerated?—Yes.

441. That is the report that was taken to Wellington to show I had exaggerated; it was from that report the Committee thought I had exaggerated?—Yes; individual members. The Committee, of course, expressed no opinion.

442. *Constable Leece.*] You say there was no investigation as to the truth of this report by the Committee: Why?—No; because the petition alleged certain things on the face of it; and when Mr. Meikle came up before the Committee he wanted to go into a lot of different matters, and that is what caused members of the Committee to ask me to guide him in formulating his complaints. The Committee ruled that he should not step outside the four corners of the petition, and he had to

abandon a whole lot of things and confine himself strictly to the wording of the petition; and when anything arose incidentally, the reply of the Committee was that it was not within the terms of the petition, and could not be investigated.

443. Did you see this report before?—My recollection is that I heard it read, and, of course, I had a copy of it in a bundle of papers that every member of the Committee was supplied with, and it was published in the Appendix at the end of the year.

444. You say you think a number of people would say that the last paragraph in the report would cast a reflection on Mrs. Meikle?—Yes; a great number of people would hold that view.

445. Did the Committee in their investigations come to the conclusion that there had been immorality between this young man Johnston and Mrs. Meikle?—I have no recollection of that part of the report at all. We were seeking to ascertain the *quantum* of damages, and that was not directly bearing on the question. My recollection of it is as a report stating what was on the property, and as to the destitution of the family. The family stated they had nothing; and the report showed they had a lot of property.

446. You heard Mr. Meikle say it was still there when I went to make that report?—I heard what was said. The point, of course, was a different matter altogether. She got this property by going further into debt, a way in which you can easily increase your property.

447. Do you think the statement as to destitution still exaggerated?—Not a bit, financially. The position then was the same as if she had no property, because she only got into debt in getting it.

448. Still, there is nothing about liabilities in the report about the stock?—That was the weakness of the report. It did not state that the stock was brought there, and that Mrs. Meikle had gone deeper into debt on that account.

449. *The Chairman.*] With regard to these words in the report, that the stock which was on the farm was there when Meikle was there, did that convey any distinct idea to your mind?—I can only speak of having heard the document read and of the effect it produced, and it was this: that Mr. Meikle was contending his wife and family had been living in destitution; and the effect produced by this report was that they had been left by him with this stock and various chattels on the premises. I could not have told you there was a reference to any impropriety with Mrs. Meikle. That was outside the premises.

450. If the report had stopped there, stating that these articles were on the farm, would it have produced the same effect on your mind without the addition of these words: "Most of the farming implements, cows, and horses were on the farm when Meikle was there"?—If the report said this: "There is stock upon the property purchased by Mrs. Meikle since her husband's incarceration," I myself would have considered that Mr. Meikle's representation had been sustained, that he had left them with nothing.

451. Or if the report had said these things were on the farm, without going on to say they were there when Meikle left, would it have produced the same effect?—I would still have considered that the effect that was produced would have been produced, because it is a contradiction of the statement that was before it; and the report of the policeman, stating that the contradiction was not borne out by what he saw, would have caused the impression in our minds that Mr. Meikle's statement was untrue or exaggerated.

452. *Colonel Pitt.*] In your opinion, the awkward part about the report is that it did not state that these things were not paid for?—Exactly, and it appeared to make out that the wife was not destitute.

453. *The Chairman.*] Also, in contradiction to the statement that everything was sold, it said these things were there, most of which were there when Mr. Meikle was there?—Yes. You see we were aware from the evidence that a sale had taken place, when Meikle was incarcerated, to pay his debts, and we knew that once the things were sold all money had gone to the creditors.

454. *Colonel Pitt.*] After the Committee received this report, and before they drew up their report referring the matter to the Government, had Meikle an opportunity of contradicting that report?—Some documents were put in as evidence, copies of which were not furnished to Mr. Meikle, and I cannot say if that was one. I think the report from the Justice Department was one of them, but my recollection is that some were not supplied to Mr. Meikle. We got over the point—giving a definite finding on the point—by referring the *quantum* of damages to the Government, and forwarding all the evidence.

455. *The Chairman.*] Can you say if Meikle was brought before the Committee and examined as to the truth or otherwise of that report?—I cannot say.

456. *Constable Leecé.*] Having these cattle and horses on the farm, and selling the produce of the cows and poultry, would you consider it then exaggeration for them to describe themselves in a state of destitution or starvation?—I would say a person was correct in describing himself in a state of destitution in a case like this: if the stock was supplied by some one else, and they were simply there getting the use of it, and, having it so long as the owner cared to supply them with it, they would be correct in describing themselves as destitute.

457. Would they be starving, having the use of the produce of cattle and poultry?—They would not be in danger of dying for want of food so long as the liberality continued.

458. Then, it would be an exaggeration to say they were in destitution?—No, it would not be exaggeration.

459. If they had this produce?—In the case which I cite they would have the use of the property only during the pleasure of the owner of the property. I do not know who owned the property.

460. *Mr. Meikle.*] Had I any chance to contradict this report before the Committee?—I cannot say—that is, speaking for 1895. In 1896, if I remember aright, no evidence was given, because at my suggestion Mr. Meikle did not go to Wellington.

JOHN JAMES MEIKLE, re-examined on oath.

461. *The Chairman.*] With regard to the cattle which the constable saw on your farm: Have you any reason to believe that these are the cattle which had previously belonged to you? No, they never belonged to me. I know who has got some of the horses now.

462. It occurred to me it might possibly be the same cattle?—No, it was not the same cattle.

JOSEPH GEORGE WARD, examined on oath.

463. *Mr. Meikle.*] After my incarceration, Mr. Ward, did you carry on my farm for some time, and get the crops cut off it?—My recollection is that we did carry it on for some time.

464. Then, you sold all the stock and implements, as you were losing so much money by it, and put the proceeds to my account to reduce it?—My recollection is that, after you were incarcerated, we found it impossible to carry on the farm in the way in which it was going, and we sold the horses and cattle and implements, but we could not find many sheep.

465. There were five hundred gone?—I do not know the number, but a very large number were missing.

466. *The Chairman.*] Were the implements sold?—Yes, and the stock, such as was available, was sold.

467. *Mr. Meikle.*] Did you come to the prison at Lyttelton and tell me how badly things were managed, and the great amount of money launched out, and that you had sold the stock and implements because it was only a losing spec.?—My recollection is that I called upon you at your own request at Lyttelton, and told you then the position of matters, and what had been done.

468. And the only thing you could not get were the five hundred sheep; they were missing?—I cannot recollect the details, but my impression is that that is so.

469. Did Constable Leece go to you, after I was in prison, and ask you how many sheep were left on the place, and did he go to my son and family?—I have no recollection of him doing that. It may be so, but I do not recollect it.

470. I suppose you are aware, as a member of the House, that representations that went to damage my reputation and that of my family had a great deal to do in leading members to think that I was exaggerating my circumstances and position? Is that not so?—I heard a great many things said against you. Personally, as I told you in Wellington, the position I took up was that I declined to interfere, inasmuch as indirectly you were indebted to me.

471. Of your own knowledge you thought I had been unfairly dealt with, and you launched out £1,500 to £2,000 on my place?—I had a great deal of sympathy with your wife and family. When you came out of prison I authorised an advance of some hundreds of pounds to try and enable you to pull through.

472. Exclusive of what you had advanced before, to the amount of nearly £400?—Oh, yes. I may say that, although it was a necessity at the time to have sold Mr. Meikle's implements and stock, I authorised the continuance of the payment of the interest upon his farm, and the rates on his farm, during the interval that he was in prison.

473. You kept my property clear from 1887 until about eight or ten months ago. Is that not so?—I kept it going until it was put up by the mortgagee, and we bought it practically on your behalf while you were in gaol, and I kept it going until the Ward Farmers' Association went into liquidation.

474. You had every faith that I would come out and do what I have done to clear my reputation?—I was of the opinion that you were very energetic, and that in time you would repay me the whole of the money you owed me.

475. And you still think I will repay you if I am spared to do so?—I hope so.

476. *Constable Leece.*] How long after Meikle's incarceration was it that you sold the implements?—I cannot tell you the date; it would be some time after the first crop was taken off I should imagine.

477. That would be the first harvest after incarceration?—I am not certain, but I think so. What I think occurred was that after Meikle, who was the head and backbone of his farm, was removed to gaol the whole position was altered so far as the security of my firm was concerned. I think, in all probability, that it was after the first harvest; and after the accounts were balanced, it was decided to realise on our security, and I think that was done.

478. Did you ever see me before; did I ever interview you?—I have no recollection of having seen you or been interviewed by you before; I may have.

479. Did I ever interview you on this subject?—I have no recollection of ever having been interviewed by you, or being spoken to by you. Personally I have been spoken to by thousands of people, but I cannot recollect all their faces and names and the incidents that occurred.

480. If I say you were never interviewed by me I am correct?—If you say so I shall take your word at once. As I say, I have no recollection of having seen you before.

481. Mr. Meikle said reports were circulated when he was in Wellington about himself. Who circulated these reports; do you know?—I only know, so far as the reports I refer to are concerned, that what I heard was by way of what is familiarly termed "lobby gossip." I heard several members of the Committee making statements distinctly uncomplimentary to Meikle, and generally running him down as "a bad lot." I heard statements to that effect in the lobby.

482. *The Chairman.*] You do not know on what they were founded?—I have not the remotest idea—they were general. The position I took up, so far as Meikle's petition was concerned, was that as a member of Parliament I would not interfere or exercise any influence in any case in which I was interested, even though it was only indirectly. I did not go to the Committee, and I kept out of the whole business, so that nobody could say I had interfered in any way in a matter in which I was indirectly interested at that time.

483. Did you authorise the payment of the rates on the land?—My recollection is that I authorised the payment of the interest on the loan, and also the rates upon his farm.

484. You kept the farm going generally?—Yes.

485. That was after his incarceration?—Yes. The details of it I cannot give you from memory, but we kept his farm going for a time, and then we realised upon our securities. The mortgagee put the farm up to auction, and we bought it in and kept it going until Meikle came out of prison, and then we allowed him to go on it, and advanced him several hundreds of pounds to enable him to try and retrieve the whole position into which the thing had drifted.

486. Did you buy the stock that is there now, after the other lot was sold?—I do not think so, but I cannot tell you for certain.

487. I am referring to 1890?—Briefly, we had a bill of sale over his stock. The bill of sale was realised upon, and whatever was covered by the bill of sale and could be found would have been sold, and the proceeds placed to the credit of Meikle's account.

488. In saying you kept the farm going, did you buy stock also to keep it going?—I cannot tell you that; but my impression is we did not, but I am not sure.

489. *Colonel Pitt.*] If your firm paid the rates, how comes it that there were judgments in the Supreme Court against the land for rates?—I cannot tell you the details; but what I said was, we realised under a bill of sale, and we kept his farm going, and paid the interest and rates. I assume there may have been both interest and rates due then which we may have refused to pay. We would buy the property then without any back rates being due on it.

490. Since you have bought it in, you have paid the rates due on it?—I cannot tell you that from memory. When Meikle came out we advanced him some hundreds of pounds to keep going, and he may have paid the rates out of that.

491. *Mr. Meikle.*] You paid rates on my Sections 20, 21, and 22, but not on the boy's section, No. 23?—I know one section, with which we had nothing to do, was in the name of a minor.

492. That was the section—206 acres. They were summoned for the rates. You did not pay rates on that at all, Mr. Ward, because it belonged to my son, and those were the rates which were sued for?—There was one section, I remember distinctly, that belonged to some of your children, with which we had nothing to do.

493. I will read this statement to you: "Although it was rumoured that Mr. J. G. Ward, of Invercargill, offered her £700 for it." Now, did you ever at any time offer Mrs. Meikle one penny for that land?—I do not think so. Not to my knowledge; and my impression is that I never made such an offer. I do not recollect anything of the kind, and I certainly do not recollect authorising any such offer to be made.

494. You are quite certain you never paid any rates on my property more than during the time I was away?—Well, I cannot give you such details from memory.

495. On what did you pay rates on my property?—On the farm we had security over. I assume we paid the rates.

496. Did you ever pay rates on Section 23, for which summonses are recorded in the Supreme Court and held against the land?—We had nothing whatever to do with that section.

497. *Constable Leece.*] Was it only on the three sections you sold the stock, and only on the sections you had any dealings over?—It would be only the stock that our bill of sale covered, whatever that stock was.

498. There may have been stock on the other farm you knew nothing of?—There may have been.

499. Was the section on which the dwelling-house stood the one which belonged to the boys?—My impression is that that is so.

500. They were not sold?—No.

501. That is where they are living?—That is my impression.

502. *The Chairman.*] Do you know whether the bill of sale applied to all the stock then running on the farm?—I do not know that.

502A. *Mr. Meikle.*] I wish to ask this very important question: When you got the crop lien from me you were well aware you got a crop lien on my boy's section as well as on mine?—I think the crop lien covered the lot; that is not the bill of sale, of course.

503. *Constable Leece.*] But not the stock?—No, that does not refer to the bill of sale at all. The crop lien was quite separate and distinct from the bill of sale.

504. Which section was the crop on?—I cannot tell you that, but the crop lien covered the whole crop on either Meikle's or the children's sections.

505. Would the crop lien cover the stock on the boy's section?—No, it had nothing to do with the stock, the crop lien covered grain only.

506. Then, for all you know, there may have been these two horses and some cows on this other section?—They may have been there, or anything else might have been on the other section.

507. *The Chairman.*] You do not remember the words of the bill of sale; whether it covered undescribed cattle, or only described cattle?—I do not remember.

508. In respect to Mr. Henderson's case; it was said that a suggestion was made that Henderson might get a Government billet if he did a certain thing, and that the offer was put to him through Sergeant Macdonell. Did you in any way authorise any such offer?—No. I noticed also the question and answer in the paper this morning. I may say I had no conversation at any time with Sergeant Macdonell about any position for Mr. Henderson, or for anybody else in connection with that case, or any case, or any person in Invercargill. The suggestion that any such proposal was made by me is a highly improper one, because Sergeant Macdonell has never spoken to me about a billet for Mr. Henderson, nor I to him. In addition to which, I should be very sorry to think I could so far lose my self-respect that I should suggest that a billet should be given to him or any one else in order to give evidence against any man. I never had a conversation with Sergeant Macdonell about a billet for Mr. Henderson, or with anybody else, under such circumstances.

WILLIAM GRAHAM FOX, examined on oath.

509. *The Chairman.*] You were formerly Police Inspector?—Yes; in Invercargill, Southland.

510. *Mr. Meikle.*] I believe in 1889 and 1890 you had occasion to summon my children for rates on Section 23, Block X., Tuturau?—I cannot tell you from memory.

511. Perhaps that summons in the names of James and William Meikle will refresh your memory?—I have no doubt it is correct, because it is signed by Mr. Morgan, the Registrar of the Supreme Court, and it does call to my recollection a judgment I got against this property for rates.

512. You got three judgments?—I do not think so. I would have to refer to my books; but this summons I believe to be true. I am Collector of rates for the Southland County Council.

513. *The Chairman.*] Did the Council at any time forego the rates on that land?—That I cannot say without referring to my books. I have not the slightest recollection whether they did or did not.

514. Where are your books?—In the County Council office.

515. Could you refer to them?—Yes; I will do so. [Mr. Fox left the room and returned subsequently, and continued his evidence as follows:] I find on referring to the rate-books that the 1892–93 rates on this section, amounting to £1 15s. 11d., were part paid on the 23rd August, 1893; 2s. 1d. balance, and 16s. costs, being left unpaid—£1 13s. 10d. having been paid.

516. *Mr. Meikle.*] I want the rates from 1888 to 1892?—I find the rates for 1887–88, 1888–89, 1889–90, and 1890–91 were not paid, and the Council got judgment in each case. The 1892–93 rates were the first paid.

517. *The Chairman.*] Were they paid?—They are not paid yet. There was a judgment on the land in each case. That certificate of the Registrar deals with one or two of them.

518. *Mr. Meikle.*] You say the first summons was in 1889?—I cannot tell that. I know nothing about the dates of the summonses. I only know about the certificate and judgment.

519. Judgment was given?—Yes; on the 27th September, 1888, for £2 3s. 9d., and 15s. costs, on Section 23, Block X.; on the 25th August, 1891, for £3 7s. 8d., and 16s. costs, on Section 23, Block X.; on the 29th August, 1893, for 2s. 1d., and 16s. costs, on Section 23, Block X.; and on the 27th September, 1888, for £4 13s. 6d., and 15s. costs, on Section 22, Block X., Tuturau.

520. In 1889 judgment was given against me, and in 1890, and in 1891: that is all I want to know?—I have, I think, already said so.

521. *Mr. Poynton.*] Can you give the date?—It would be nearly two years from 1887 before judgment would be got for the 1887 rates.

522. These certificates referred to J. and W. Meikle?—I think Section 23, Block X., Tuturau, belonged to the sons.

523. It would be nearly two years before judgment would be given after the rate became due? Yes.

524. Against whom was this judgment entered?—Against the owner or occupier, as the case may be.

525. You do not know whom?—I think it was John W. Meikle.

526. Do you know any section belonging to the sons, John, James, and Robert?—Yes; I think the rates have been paid.

527. By whom?—To the best of my belief, Mr. Ward paid them.

528. *The Chairman.*] Can you tell us whether the rates on the other sections were paid?—I think they were paid.

529. *Constable Leece.*] Were the rates paid on all the sections?—I think so.

530. Was no request at all made to the Council to forego the rates?—I have a slight recollection that Mr. Mabin, who is well known in that district, made some representation somewhere; but it is too far back to remember.

531. Is there no minute or record made of it?—I do not think so. I think Mr. Mabin called and made some verbal representations; and I think he was recommended to send in a petition in accordance with the Act, and I do not think that came. At any rate, the rates would not be foregone except for extreme poverty.

532. Do you consider there was any extreme poverty?—I do not know anything about that.

533. It is only in cases of extreme poverty that the rates are foregone?—That is all.

JAMES DANVERS LEECE was examined on oath.

534. *The Chairman.*] What is your rank in the New Zealand Police Force?—I am a second-class constable, stationed at South Dunedin.

535. You were formerly stationed, where?—At Maitauro.

536. Which is near where Mr. Meikle lived?—Yes, about fourteen miles. I wish to say, with regard to the objection to the first part of this report about the stock, I saw them there, and asked Mrs. Meikle if they had been always there. She replied, "They were always there." As regards the objection to the second part of the report, that she paid no rates to the Southland County Council, those were Mrs. Meikle's own words to me, because I had no knowledge of it myself. As regards the third objection to the statement, that "the young man Johnston will not always be kind enough to father such a large family," all I can say is that I did not mean to impute the sordid motives that Mr. Meikle has given to them, or that they should be taken to cast any reflection upon his wife. I meant them to be read with what I had written before, that "I found, on my visit to the farm, that a young man named William Johnston, *alias* Lloyd, although not a desirable character, was ploughing, and had ploughed 30 acres of ground, sown it with oats, and harrowed it, for Mrs. Meikle. He had bought the oats for the ground from a neighbouring farmer named R. Urquhart, and that he intends to work on the farm for the benefit of Mrs. Meikle, as he and Mrs. Meikle states, purely out of good-nature, and receives no pay." Well, in following those remarks up, I meant to state that he would not interest himself always in the welfare of the

family. I did not mean to impute any of the motives Mr. Meikle suggests, or to cast any reflection upon Mrs. Meikle. Such a thing was entirely out of my mind when I wrote that report, and I had not the slightest idea of casting any reflection upon Mrs. Meikle.

537. *The Chairman.*] Hearing, as you have heard from witnesses, the impression which these words convey, what have you to say about it?—I had no intention of casting any reflection, and I am sorry that such an impression has gone forth, that a reflection should be cast upon Mrs. Meikle by them. I had not the slightest intention of doing any such thing. I have got a dictionary there to show the meaning of the word “father” in some respects. I did not intend to give people that idea, if it has been taken that way. I am very sorry that such a thing has taken place. I might have used a better and different word, but I assure you, gentlemen, I did not do anything to cast any reflection upon Mrs. Meikle. Of course, this information was gathered from Mrs. Meikle at the time.

538. You have referred to the three items specially objected to?—Yes.

539. *Mr. Poynton.*] Mrs. Meikle was a respectable woman, and you knew her to be so?—Yes.

540. *Mr. Meikle.*] Why did you state in your report, “In contradiction to the statement of the writer, that everything was sold after her father’s incarceration, I found,” &c.?—I saw the letter then, but I have not seen it lately.

541. But you must have known then, when you wrote in reply—in contradiction to the writer?—I suppose I saw it then, and, in contradiction to the statement that there was nothing on the farm, I saw stock there.

542. How is it you remember other things, and do not remember this thing particularly? How do you remember about the county rates and do not remember this?—I do not know the contents of this letter.

543. Then, if you did not know, why did you write in contradiction to the letter?—I knew at the time, but I do not know now.

544. In this report, why did you not state that Mrs. Meikle told you that she stated the cattle and horses were there when Meikle was there?—I made careful inquiries.

545. Who from?—From the family and Mrs. Meikle.

546. And you swear now that you are telling the truth, when you say that she told you that?—Yes; she told me they had always been there when Meikle was there.

547. When Meikle was there?—Well, that is what I meant: they were always there.

548. Which did she tell you? Did she use those words?—I cannot tell; but that is the meaning I took from the reply I got from her, and it is very likely this one, because I have written it here.

549. *Colonel Pitt.*] Had you any note-book with you?—Yes, I think I had.

550. Where is it?—I do not know whether I have got it yet. I do not think I have.

551. *Mr. Meikle.*] Why did you not state in this report that Mrs. Meikle told you that the County Council forgave her the rates?—From what I said here I made careful inquiries.

552. Who from?—From your wife.

553. You want to make out that Mrs. Meikle was the only one you inquired of as to the destitution of the family? Did you go to any of the neighbours about it?—I do not remember that I did.

554. Will you swear that you did not?—I will not swear now. I am not sure.

555. Now, I wish to draw your attention to another part of this report. You say you asked Mrs. Meikle if she could not convert the cattle into money to buy food, and she stated that she had not tried. How is it you mention that so particularly? Why did you not state the same thing in other parts of your report that you say you asked her about?—It may be the way which I have of reporting the matter. I did not think it was necessary for me to state that I asked Mrs. Meikle on every occasion.

556. You also say she was not well: why say that?—She told me.

557. Yet you do not mention in other parts of the report that she had any county rates to pay?—I cannot say.

558. If the County Collector says the rates were never forgiven, you will be telling the truth, and the County Collector will not?—I may state that Mrs. Meikle said so.

559. If Mrs. Meikle comes here and says she did not tell you that, she will not be telling the truth?—I cannot help that.

560. I suppose you told the truth all along in this case?—Yes; I told the truth, and I challenge any one to bring an accusation against me.

561. Why did you here state that the young man Johnston would not always remain to father such a large family? Was it not to blacken my family, and to blacken Mrs. Meikle and myself?—No; I did not wish to impute any motives of that kind to Mrs. Meikle.

562. Did you not harass Mrs. Meikle all the time I was in prison until you were removed, and was reported for it to Colonel Hume?—I never heard of it until I got notice from this Commission.

563. Then, you think what you said about the young man remaining to father such a large family was a very good way to express yourself?—I never intended to put such a construction on that expression.

564. Who is your authority for stating that Mrs. Meikle danced at a party; I suppose Mrs. Meikle told you that?—Yes, she did. She said she was putting the children through the set dances, and that she sang at the concert.

565. And she denied it; and you said you had it on good authority, and that she was dressed with gold earrings, and that there was a gold ring on my daughter’s finger?—It is in that report, but not in mine.

566. You state it in your report that you had it “on good authority that Mrs. Meikle danced at a party a week ago; and she denied that, stating she only sang and put the children through the movements of the set dances”?—Somebody told me that, and I went to Mrs. Meikle and asked her if such was the case.

567. First you say she did tell you ; and then you say she denied it : Is she going to deny it in the same sentence ?—I say I was told that such was the case, and I asked her if it was the case.

568. She denies it in the report ?—She denied that she was dancing, but she put the children through the set dances and movements.

569. She told you she was at the dance ?—She did not tell me.

570. Do you think it was right to make a misrepresentation like that, knowing I was suffering in prison under an unjust sentence, to try and show my family were a gay lot, and did not feel my position ?—I put it in to show they were all happy and well.

571. On salt and potatoes for a fortnight ?—The children told me, and they all looked healthy.

572. Why did you go to young children, some of them—James aged thirteen, and a little baby only eleven weeks old when I was convicted in this Court ?—There are three sons, aged respectively fifteen, twelve, and nine, and they were able to give evidence as to the food they were getting. They were James, Robert, and William.

573. Then, you have got more than you should have ?— Well, you see, that was what was given to me.

574. No doubt you thought that a very good report to send to Wellington to injure me ?—I did not send it to Wellington.

575. Where to, then ?—No doubt to the Inspector of Police.

576. Are not all the reports sent to the office in Wellington ?—I do not think so.

577. Why fence the matter and not give a decided answer ?—I know any number of reports are left in the Inspector's office, Dunedin, that are of a purely local nature.

578. Was this of local nature, when word came from the head of the department to inquire into the destitution of my family ?—It was of a local nature in 1890.

579. Then, you mean to tell me that Mr. Buckley sent you this ?—Mr. Buckley sent me out to inquire into the matter.

580. Is all of this report you sent quite true ?—I will stand by the report.

581. Did you annoy Mrs. Meikle in any way during the times you went to the house ?—No, I did not.

582. Did you threaten to summon her for selling 5 lb. of mutton ?—I remember something being said about mutton, and I told her if she was selling mutton she was liable to be brought up for it.

583. Now, did you go to Mrs. Meikle and say, " You have been selling mutton ; I will summons you for selling mutton without a license " ?—No, I told her if she did sell mutton she was liable to be fined.

584. With regard to this £700, did Mrs. Meikle tell you Mr. Ward offered £700 for the property ?—No, I do not think she did.

585. Who told you that ?—It was a rumour.

586. Then you based your report on a rumour, and not upon facts ?—Of course I heard it in course of my inquiries in regard to destitution, and I asked the Inspector to see the Hon. Mr. Ward about it and ascertain if the rumour was correct.

587. Then, you are quite convinced in your own mind that you never told any one in the district that you would do everything you could against the Meikle family, and that I was a bad lot myself ?—No.

588. You never told a settler in the district that you would do all you could against me, because I was a bad lot ?—No.

589. And you never went and asked anybody about my family and about the stock ?—So far as my recollection serves me, I did not know of the stock until I went on to the farm and saw them there, and what Mrs. Meikle told me.

590. Did you tell any one on the road between Mataura and my house that you were going down to report on the destitution of my family, and ask what stock was there ?—I do not remember anything of the kind, because on the road between Mataura and your place I would not go near any of the settlers' houses, and I never met any one on the road. It is a lonely road.

591. You never spoke to Robert Urquhart about the matter ?—I do not remember.

592. Did you not go to Mrs. Urquhart's house, and want to get Mrs. Meikle to sign a paper ?—What paper ?

593. A paper to have my children put in the benevolent institution, and Mrs. Meikle to go to the Old Women's Home ?—I never did.

594. Then, if Mrs. Meikle and Mrs. Urquhart say you did, both of these ladies will be telling an untruth ?—I never did to my knowledge. I do not think I would know Mrs. Urquhart if I saw her.

595. Did you not explain the meaning of that paper to Mrs. Meikle, and tell her if she signed it it would be all right ?—I do not remember anything of the kind.

596. After that, when Mrs. Meikle made an application to the Charitable Aid Board, did you not go back to the house and fetch some papers, and, not finding her there, you went to Mrs. Urquhart's to find her ?—I must say I do not remember anything of the kind.

597. And you never went to Mrs. Urquhart's at all to get Mrs. Meikle ?—I cannot call the fact to memory.

598. And you cannot call the fact to memory, although you say the house is off the road, and it is a lonely road ?—It is a lonely road.

599. How often did you go to Mrs. Meikle to see her and she was not in ?—Whenever I had duty to do.

600. How often ?—I do not know. Not oftener than I could help.

601. A good many times after I was in prison ?—If there was anything to do I went there.

602. You were not there very often ?—Not oftener than I could help.

603. You did not put yourself about in any way?—No.

604. You were never told to hunt my family down, by the company?—No.

605. And yet all the time you were in league with Lambert, the principal witness against me in the sheep-stealing case?—No, I was not.

606. Were you not in league with him all the time, and had horses waiting for you at the station when you arrested my late son, Arthur?—No. You have been misinformed. I never did any such thing.

607. Did you not ride a station horse when you mustered the sheep on the 2nd November?—That is a new thing altogether.

608. It is not new, because you knew the horse you rode?—I do not know I ever rode a horse belonging to any one else but the police.

609. Was your own not knocked up and you could not go quick enough?—I may have got the loan of a horse.

610. Will you swear you did not ride a station horse?—I will not swear that. My horse may have been knocked up.

611. Will you swear you did not ride a station horse that day you came to arrest my son and muster the sheep?—It is possible I may have rode the horse.

612. You admit now such is the case?—It is possible; I am not quite sure.

613. With regard to this young man Johnston: In 1882 you were in Mataura, were you not?—Yes, I was in August, 1882.

614. And you state here, in this report, that he is not a desirable character as will be seen by reference to the *New Zealand Police Gazette*, 1882. How is it you made such an associate of this lad in 1884 when you wanted to assist to convict me and prosecute me on behalf of the loan company who wanted my land, because it happened to be in the middle of theirs?—It was not my province to ask a witness as to his character.

615. Then, you allow a witness to go into the box if you want to get a conviction, and keep it from the Justices that he is an undesirable character, while knowing he was recalled in this Court to see if his evidence could be disqualified in any way?—If he was convicted on any previous offence his conviction would be very soon brought up against him.

616. You are aware he was recalled in this Court when you came down, and that on his evidence alone I was committed for trial?—I am not aware.

617. You were here?—Possibly I might. I cannot say whether he was recalled or not.

WILLIAM GRAHAM FOX, examined on oath.

618. *The Chairman.*] You were an Inspector of Police in Invercargill?—Yes, for eight or nine years. Up to 1880 I had twenty-three years' service in the police.

619. Up to when were you in charge in Invercargill?—1880; Invercargill, Queenstown, and Dunedin were my stations. I have filled every grade—mounted, foot, detective, and general service. Of course, political influence will always be used in the appointment of the Commissioner of Police. That, I think, will be admitted. It should stop there. Therefore, a wise selection must be made if you want efficiency—a man who will carry out the rules and regulations, and will not allow any one else to usurp his authority in the constant fulfilment of the rules and regulations. Merit in the service must be rewarded, and breaches of the regulations punished, without fail. As a general rule, with very few exceptions, Inspectors' and sergeants' recommendations and reports should receive the best attention. Just fancy, merit in the service being rewarded by a Liberal Government, or a Conservative Government! Are not the Inspector and Commissioner the best judges of merit, and they ought to be the only judges. I think the recommendations of Justices and Magistrates ought to have great weight, because they have such opportunities of judging of the abilities and conduct of constables and sergeants. Promotions should not be overlooked. I understand and believe that for many years there was scarcely a promotion in the service. And the Inspectors had very little power; in fact, the men could not, and were afraid to do their duty.

620. *Colonel Pitt.*] Who, the Inspectors?—I believe on my oath the men, from the Inspectors to the lowest rank, were afraid to attempt to do their duty.

621. *The Chairman.*] You use the word "were": what period do you refer to?—For several years past—with the exception of Sergeant Macdonell, who was zealous and intrepid in the discharge of his duties, but he was not over-zealous. I should say the men in charge of out-stations ought to have first-class constables' rank and pay. Now, I would ask you to reflect for just a few moments on the position of the sergeant in this town, and, after hearing the evidence that has been given, I would ask you, are not the Government "loafing" on this man in a sense, by paying him a sergeant's pay for doing the duty of an Inspector.

622. You think there should be an Inspector here?—Undoubtedly. I say distinctly there has not been sufficient supervision; that the Force has been perishing for want of supervision. There ought to be an Inspector in this town, because there is not sufficient supervision. I ask you, as men of experience, how can the Inspector supervise this Otago Provincial District alone. Look how the stations are scattered, and the policemen require constant advice and instruction.

623. Do you mean the district is too large for one Inspector?—Otago is far too large. It is utterly impossible to do the work, and Mr. Pardy is far underpaid.

624. Has not the sergeant here the same control over his men as an Inspector or Sub-Inspector would have over his men?—No. The sergeant requires rank, in a place like this, to deal with the people with whom he is brought into contact. He comes into contact with the solicitors, and he requires rank; and the man is well qualified.

625. You are speaking of a particular man, and a particular district?—Yes, I am dealing with what I know most about. He is doing the duty of an Inspector, and the public are giving him a sergeant's pay, and but a second-class sergeant's pay until recently. Now constables, if you will just think, are out eight hours every night, Sunday nights included, through the year. The duty

is most severe, and very few men can stand it. They should have more leave of absence allowed them. It is most killing work for the legs, eight hours on a stretch in this severe climate. These men should have more consideration shown them, and more pay. You require intelligent men, and men of physical ability, and if you do, you should pay for the article.

626. You know the present leave—twelve days in the year?—It is not enough where they are working on Sundays. It is a terribly trying life, with a great amount of worry and annoyance from “cranks.” You know there are men outside of the lunatic asylums and gaols who should be there, and they constantly annoy and harass the police. Look at the worry the sergeant gets here. Why? Simply because he does his duty. There is another point I would like to submit for your consideration: a constable is continually making enemies if he is active and zealous, and immediately he commences to be active there is an immediate movement to get him out of that, and hunt him off. Now, here was Sergeant Macdonell transferred to Queenstown, and he was no sooner there than he had to break up his home, and come back here again. Has he ever been compensated for that? The sergeant did his duty, and he was punished by having his home broken up twice, and to satisfy the demands of whom?

627. You are not giving an opinion on the general management of the Force, but on the sergeant here?—I think you can apply these remarks right through the service. They will have a general application. How is it that New Zealand, of all the British Empire, is the only place where superannuation is not provided by law.

628. *Mr. Poynton.*] You think there should be superannuation?—Most decidedly. It is a disgrace to the colony. Do you think that I would have left the West Riding if I had thought I would get no superannuation allowance when I came here?

629. *Colonel Pitt.*] At what age do you think men should retire?—Sixty-five at the very latest, for officers and men. There is one matter I would like to draw attention to: that is the murder of a man named Bell, at Lora Gorge, in 1892. Now, the action of the police in that matter seemed to me very discreditable. It seemed to me that was a case of murder where it was the easiest matter possible to bring home the crime to the offender, had policeman-like action been taken—united action. One man might find little difficulty in doing it. As to political influence, I would like to mention, if I may be allowed, that it does sometimes happen that political influence is used on behalf of an officer or constable without that officer's knowledge at all. It has often happened. The Force seemed so sickly that I spoke to the last member returned (*Mr. Gilfedder*), and asked him not to interfere with the discipline of the service, and he promised not to do so. Religious influences, too, I know have been used to interfere with the service.

630. *Colonel Pitt.*] What is your opinion as to a central depot for the instruction of recruits?—I do not think a depot is complete without an instructor who has had police experience, to instruct the recruits in police duties and coroners' work, and in dealing with licensed victuallers. The instructor should give his instruction to the men verbally, and they should write it down as a guide for themselves in particular cases, as to how they should execute search-warrants, and how to approach a public-house if they wanted to inspect the hotel, and how to carry out their police duties in all matters.

631. What I mean is, do you think a central depot would be sufficient for the whole colony?—I think a central depot would, but the selection should not be narrowed to any section or class. The selection should be large, and the more applicants you get the better men you will get. In connection with the Permanent Artillery there is one matter I should like to mention, to show you the false position these men are placed in, in sending these men in soldiers' uniform to do police duty. Now, I will give you an illustration of what is likely to happen, and the danger of that position. Suppose a captain at the Bluff telegraphs to the police-station here that two sailors from his ship have run away, and asks that they should be sent back to the ship. That is quite within the captain's power. One of these artillerymen goes to the railway-station and says to the sailors, “The captain wants you back.” The sailor will ask him in strong language who he is, and will probably upset him on the pavement. When he is charged before the Magistrate what will he say? “I never saw a policeman dressed in this style, and I took him for a soldier and not for a policeman.” What would a jury say? They would say that some one ought to buy a suit of policemen's clothes for the soldier.

632. *Colonel Hume.*] You said, *Mr. Fox*, this Lora Gorge murder was a disgrace to the Force; I think you ought to give some further explanation?—The result of the case was an acquittal, inasmuch as there was no bill of indictment presented against the person accused.

633. *The Chairman.*] You say that proper united action on the part of the police was not taken?—Well, I will endeavour to enlighten you, as I understand it. I may tell you, Winton Station is eighteen miles from here, and is in telegraphic communication, and I believe in telephonic communication, with here. The Lora Gorge is north-east from Winton some ten miles, and a man named Bell was riding home to his own house one evening when he was shot dead at his gate, and the gun with which he was alleged to have been shot was found beside the murdered man. He was not quite dead at the time of discovery, but died shortly afterwards. The man made some statement to his wife and daughter actually pointing to the criminal; yet in the face of these facts, and certain other facts which I cannot detail at the moment, the man was not prosecuted. Now, I understand that this station (*Invercargill*) and Winton were not attached at that time; and when the murder was discovered, Winton Station was in communication with Dunedin, some hundred odd miles from here. Some years before that murder was committed there was stationed at Winton a constable named Tuohy, afterwards a sergeant, and then a detective—one of the smartest men in my time in the New Zealand Force. Had that man been immediately sent to the spot (he knew every man in the locality, and probably knew the gun with which the murder was committed) the prosecution (there was no trial) would probably have ended in a different way. Why was that not done? The police walk about, and so does the murderer. There was not proper steps taken, nor

proper action taken, to discover the murder. The matter was done in a slipshod way that would be a disgrace to any public service.

634. Where was Tuohy stationed?—At Winton.

635. How far from the scene of the murder?—He was transferred from Winton Station some years before the murder, but he knew everybody in the district.

636. You think he should have been sent there?—Yes; he had the great advantage of local knowledge, and that is why a policeman should not be moved too much, because his local knowledge is of great value.

637. *Colonel Hume.*] Is that your idea, because one particular man was not sent?—No, that is only one idea.

638. Do you know who was sent?—Not at all; but Tuohy was not sent.

639. Do you know who was?—No.

640. Where is the want of communication?—The matter should have been communicated to Invercargill first, to the sergeant here, and he should have immediately proceeded to the spot to take prompt action and to take statements separately, so that each person should not know what his neighbour was saying. These statements should have been taken down in writing and signed.

641. In a case of that sort you would put the sergeant over the Inspector in Dunedin?—What good could the Inspector in Dunedin do. When a murder occurs it is not a question of Inspector and sergeant, but a question of detecting the murderer. The Inspector is only a constable, and the sergeant is only a constable.

642. Are you in a position to say these written statements were not taken?—So far as my information goes they were not taken; and, I firmly believe, if they had been taken a different result would have been arrived at.

643. Any way, the police did bring a suspect to justice over it?—Yes, and a nice mess they made of it.

644. I suppose the Metropolitan Police of London is a good Force?—Yes.

645. Did they ever discover who committed the "Jack the Ripper" murders?—These are not on all-fours. It is ridiculous to compare the two cases.

646. Any way, you do not know what action the police did take?—Not what you might call "officially."

647. *Mr. Poynton.*] Do you know who was the constable at Winton when the Lora Gorge murder was committed?—Constable Rasmussen.

648. You do not reflect upon him?—No.

649. Is he a good man?—A very good man.

650. *Mr. Tunbridge.*] You think it absolutely impossible to have an efficient Police Force without a pension system?—That would steady the men, and take away a lot of frivolous nonsense. There are lots of young men who would look forward to a pension; and I may tell you there would be men amongst these pensioners who would be of the greatest assistance to the general Force. They would be reliable men.

651. You are also under the impression, I believe, that there is a want of proper supervision?—There is no proper supervision in this district, and I do not think that can be denied. I speak with no feeling in the matter other than the good of the service.

652. You think the constables are left too much to themselves in the remote part of the district?—They have no one to consult. These men require an Inspector stationed here, who would advise and instruct them, and be with them a good deal. There is constant supervision wanted if you want efficiency. If you have not constant supervision over the detectives you will find some very queer men get into the general Force and into the detective police, and it is the duty of the sergeants and Inspectors to get rid of these men. They gain admission somehow, and the Inspectors and sergeants must watch them. Suppose an inferior stamp of man is a detective here. If you do not supervise that man and keep him to his work what will he do? He will seek out an enemy of the sergeant's, and will thwart the sergeant in every possible way. If you have political influence coming in on top of that, you will have a service that will be a disgrace to any British community.

653. Do you think the Force as it stands at the present time is strong enough in numbers?—Yes, if you have the material.

654. Your experience in Dunedin was a long time ago?—Yes; in 1863. I got an appointment while in the West Riding to come out here.

655. *The Chairman.*] What position did you hold there?—I was a first-class sergeant before I was nineteen, and had an offer of an inspectorship from Colonel Cobbe.

656. At what age do they admit to that service?—Well, that I cannot tell.

657. You passed through the several grades and reached the rank of first-class sergeant before you were nineteen?—Yes; I joined in June or July, 1857. It was at the end of 1858 or the beginning of 1859 that I was appointed first-class sergeant.

658. *Mr. Tunbridge.*] What was your rank in Dunedin?—I was a quartermaster-sergeant.

659. Were you in charge there?—No, I relieved Inspector Percy at Queenstown.

660. Did you find the men in Dunedin at that time sufficient for all purposes?—Yes.

661. Can you tell us the number of men you had?—No.

662. It was very much reduced?—I think so.

663. What is your opinion about the outside offices held by constables?—Well, constables have a lot of duties to perform; and sometimes, to the best of my belief, there used to be a disagreement about performing the work which took the place of police work. At any rate they were made the most of.

664. Do you think these offices interfere with the police work?—I have not the slightest doubt they do, but still I do not see how you can get away from them.

665. Do you think it would be a good plan to remove that cause of irritation by putting the whole of these outside emoluments into a fund for the benefit of the men as a whole?—I think it a capital idea if a superannuation fund was established, even if the men paid 2½ per cent. out of their own pay, as we did at Home. That could be supplemented by the emoluments from these offices, as you suggest, and the Government should contribute towards it. I think it a capital idea.

666. That would remove a good many causes of discontent?—Certainly it would tend to bring about a steady discipline and good service to the public. They would get good value for their money.

667. You mean the fact of taking away these outside offices and salaries from the individual, and putting them to a fund for the benefit of the whole men?—I think it a capital idea.

668. *Sergeant Macdonell.*] I was taken by surprise to hear your remarks in reference to myself, and I wish to ask if I had anything to do with your coming here?—Not at all. You would not descend to such a thing.

669. *Colonel Pitt.*] As to the standard height: what should be the minimum?—I should say not lower than 5 ft. 9 in.

670. *Mr. Tunbridge.*] What do you think should be the maximum when a man should be admitted to the Force?—You can get good men at all ages.

671. Would you extend the age up to forty?—That was the standard in England; a man was eligible up to forty. Some men are as good at twenty-one as others are at twenty-eight.

672. From your experience of men, does it tend to show that men who are taken on late in life, and who have tried other occupations, are likely to develop into good policemen so readily as a man who in starting life makes the police his profession?—I do not think so. I have found good men from the army and navy; but we should make it a point to have young men, and to have the training of them ourselves, and we could then knock frivolous notions out of their heads, and settle them down to steady duty. Treat them with strict justice; if you do not, the constable will not think of his duty, he will think of something else. Useless men do not get into much trouble. If there is injustice in the service, or religious or political influences at work, you will turn their attention from duty, and inefficiency will be the result.

673. *Colonel Pitt.*] Supposing a charge is made against a constable, and it is inquired into and decided against him, and an entry made in his defaulter's sheet: ought he to know that?—Certainly. There should be no reprimand or admonishment without his knowing it. It is un-British.

674. What is your opinion as to the police having the franchise?—I cannot for the life of me see why you should allow the franchise to a man coming out of gaol, after serving six or nine months, and not allow it to a constable.

675. *The Chairman.*] Do you think the fact of allowing him the franchise places him at a disadvantage as regards political influence?—I do not think so.

EWEN MACDONELL, further examined on oath.

676. *The Chairman.*] Will you tell us what you know of Constable Mayne?—I think he was here under me for the best part of a year.

677. Is this the only place where you knew him?—Yes, where I came in contact with him.

678. He was here for about a year?—Speaking from memory I think so.

679. Was he in plain clothes here?—No, in uniform.

680. When was he here?—In 1890. I had no fault to find with the man's conduct. He was continually complaining of being ill. Ever since I have known him he has continually complained of being ill; and he took medicine, and that sort of thing.

681. Had you known him prior to this?—No, except by repute; I did not know him personally.

682. While he was here he was continually complaining about being ill, but you had no fault to find with his conduct?—That is so, but we used to be amused at his illness. A number of the men thought it was imagination, but whether it was or not I cannot say. There was nothing seriously wrong with him that we could see. He went from here to Waikaia, some sixty miles from here. I have seen him at different times while he was there.

683. Is that in your district?—No, but he used to come to the Supreme Court here.

684. What did you see of him?—Just in the usual way.

685. How long was he under your observation?—For about three years, I should say, at Waikaia, but I just saw him occasionally. That is all I can say about the man; I could not find fault with his conduct.

686. *Colonel Pitt.*] How did he do his duty?—I must say he appeared slow in doing his duty. I put it down to his supposed illness.

687. *The Chairman.*] What did you know of his illness? Well, I was inclined to think with the others that he imagined it. I do not think there was much wrong with him, but at the same time he was of opinion there was. I do not think he was malingering. I would like to add that from what I saw of him and his conduct I would say he was a very respectable man.

688. On account of his condition of health was he fit to do his duty well here?—He did it pretty well.

689. Did you find it necessary to report him at all invalided?—No, because he was never much invalided.

690. You never felt it necessary to report he was unfit for duty?—No, I did not, but I mentioned it to the different Inspectors that he was complaining.

691. *Colonel Pitt.*] Did he consult a doctor at all?—I understand he did.

BALCLUTHA.

FRIDAY, 1ST APRIL, 1898.

ALEXANDER SCOTT MALCOLM, examined on oath.

1. *The Chairman.*] What is your name?—Alexander Scott Malcolm.
2. Where do you reside?—Kelso.
3. *Mr. Taylor.*] Are you a schoolmaster?—Yes.
4. In a public school?—Yes.
5. How long have you been in the Clutha?—Nine years next May.
6. You were living in Kelso when licenses were abolished?—Yes.
7. Who was the police constable in that district at the time?—Constable Parker.
8. Did he remain there long after licenses were abolished?—Some little time. I could not answer the question exactly. From memory I should say he was there six months or more.
9. Do you think that the laws in relation to the sale of liquor were enforced while he was there?—I am confident they were not.
10. Did you complain to any one?—Frequent complaints were sent in from myself—not to Constable Parker, however.
11. To whom did you complain?—To Colonel Hume.
12. *The Chairman.*] By yourself?—By myself, as secretary of the Clutha Prohibition League.
13. *Mr. Taylor.*] And to any other person?—To Inspector Pardy.
14. Did you complain more than once to either of them?—I could not say the number of times, but during the whole course of prohibition frequent complaints have been sent in.
15. *The Chairman.*] Within what period?—Three years and nine months. They were not always sent directly. For instance, on some occasions deputations from the Otago Council have forwarded our complaints.
16. *Mr. Taylor.*] What has been the character of the complaints?—To call attention to the fact that sly-grog selling was going on, and, at first, was not being stopped in any way, and since then that it has not been stamped out. I have a copy of the first resolution that I forwarded as secretary of the League in February, 1895. I would like to say that informal complaints had been made to the police about sly-grog selling going on; and on one occasion the police had publicly asserted that we were doing harm by making our complaints so public, and that the police would have a far better opportunity of coping with these illegalities if the Prohibitionists would keep silent.
17. *The Chairman.*] Who said that?—I think Inspector Pardy was one of the gentlemen who mentioned that.
18. To you?—No. It appeared in the *Otago Daily Times*. I remember reading it there. I am not altogether sure that it was in the *Times*, but at any rate I believe it came from Inspector Pardy. And in consequence of that, this resolution was passed in February, 1895: "That in order to give the police a free hand, the Prohibitionists will keep quiet until the 12th April, on which date, if convictions had not been obtained, the League would institute a local and colonial agitation for police reform at the Otago Convention to be held in Dunedin at Easter." That resolution was forwarded by me to Colonel Hume and Inspector Pardy. It was very courteously acknowledged by Inspector Pardy. From Colonel Hume it received no acknowledgment whatever. In connection with that, I would like to say that before Easter arrived several convictions throughout the Clutha had been obtained.
19. *Mr. Taylor.*] But matters became pretty bad again, in your judgment, did they not?—Yes. I do not know that matters have been so bad since, but certainly they became bad, comparatively speaking.
20. Did you make complaints to the authorities?—Complaints were forwarded. I do not remember any complaints so distinctly as I remember the last, but I remember that complaints were forwarded frequently, indirectly or directly.
21. What was the general complaint—that the attempts to enforce the law were too spasmodic?—That was one of them. I felt that. For instance—I am open to correction in this matter—in the three years and nine months that have passed since the "No license" vote was carried in the Tapanui district there have been only four series of prosecutions—that is, at the rate of a series for ten months. I say a series, for this reason: that several of the offenders against the law would be brought up at the same time. I think those convictions were in February, 1895, November, 1895, August, 1896, and November, 1897. I know that the Prohibitionists have largely felt that, owing to the spasmodic action of the police in having convictions prosecuted at such large intervals, it has been equivalent to an encouragement to the sly-grog sellers to continue their illicit practices.
22. Are the houses at which sly-grog selling is practised well known to the police?—I admired the precision with which Inspector Pardy could lay his fingers, not only on the districts in which grog is sold, but apparently on the very houses, as shown in his evidence before the Commission in Dunedin. I would like to say that, seeing this is so, there is no reason whatever why the sly-grog selling should not be stamped out altogether. As was shown in Inspector Pardy's evidence, the police know that the offenders are few in number, and they know where they are to be found. Not only so, but the offence cannot be committed in private—that is to say, there must be a sale, and, therefore, somebody must be cognisant of the breach of the law. And not only so, but the offence must be frequently committed to make it pay. There are offences, of course, which the police have great difficulty in dealing with, because a man might commit one once and it pays him sufficiently. With the sly-grog seller, to make it pay he must commit the offence repeatedly.

23. Do you feel that the authorities have been sympathetic with the breaches of the law?—I would not like to say that. When you speak of the authorities, I know that at one time it was felt that the police were not doing anything like what they might. In fact, it was felt that they were letting matters slide.

24. *The Chairman.*] What period do you refer to?—Before Constable Mathieson came to Tapanui.

25. When was that?—It was some time in 1895.

26. *Mr. Taylor.*] Did Constable Parker get any convictions while he was there?—He got no convictions.

27. Was he there during the time that sly-grog selling was most rife?—At the time when it was as rife as it has been. Talking of the police being in sympathy with the liquor-sellers, I could not say it positively, but we have felt in regard to the police generally that they have not been as anxious to enforce the law as they should have been. In respect to liquor-laws, we recognise Inspector Pardy as perhaps the best Inspector in New Zealand; but even in regard to that officer we feel that he is very conscious of the amount of power and influence that the liquor trade exercises. I think that might have been evident to the members of the Commission at Dunedin.

28. What makes you think he is fearful of the liquor traffic?—His evident fright in addressing the Commission after he had given his first evidence. Of course, I cannot say it was fright—fear of the liquor party—but I wish to point out that a Police Inspector can feel fear, and Inspector Pardy is evidently susceptible to fear.

29. Did Inspector Pardy return to the Commission to give an explanation of his evidence?—Yes.

30. He was fearful of the consequences of what he had said?—As far as the report in the paper went his fear was evident.

31. *The Chairman.*] From the way that he explained his evidence on the second day, you think it showed he was susceptible to fear?—Yes.

32. *Mr. Taylor.*] Is sly-grog selling still carried on? Do you agree with Inspector Pardy that it is still carried on in the Tapanui district?—I do. It appears to me that perhaps the worst accusation that can be brought against the police is the fact that, by their own admission, there is sly-grog selling, and that it has not been stamped out.

33. *The Chairman.*] You have reason to think it is still carried on?—I am confident that it is.

34. Is it your opinion, or is it fact?—I have never seen the sale, but as far as a person can be reasonably confident of anything I am confident of it.

35. *Mr. Taylor.*] Have you seen persons frequenting the houses publicly known to be sly-grog houses?—I have seen persons in and about them. At the same time, let me say that, although we complain that the sly-grog selling has not been stopped, it has been enormously diminished by the operation of the "No license" law.

36. You think it should be stamped out?—I think it could be entirely stamped out.

37. If the police were vigilant?—If the police did their duty.

38. Do you see as many evidences of the sale of liquor in the Tapanui district as was the case formerly?—Before "No license"?

39. Yes?—Nothing like it.

40. Have you a copy of your communication to the Commissioner of Police?—Yes. It is as follows:—

Kelso, 23rd February, 1895.

SIR,—
At a meeting of the Clutha Temperance Convention, representing the whole electorate, held at Clinton this morning, I was instructed to inform you that, at the request of the police, the Convention had, in order to give the department every opportunity of getting convictions against sly-grog sellers, decided to take no action till the 12th April next, but that if no convictions are obtained by that date, a local and colonial crusade against the inaction of the police will be instituted at the Otago Convention to be held in Dunedin during Easter—that is to say, the Prohibitionists will fight as persistently and vigorously for police reform, and all that in their opinion is necessary to secure that, as they have in recent years fought for prohibitory legislation and "no license" votes.

The Commissioner of Police.

This was from myself, as the secretary of the Clutha Prohibition League.

41. Are you sure that convictions followed before the date fixed?—I am sure they took place in February or March. They would probably take place in March. They took place within a few weeks of the letter.

42. You ascribe the convictions to the pressure brought on the department?—I am not able to do that. I did not know what was going on behind the scenes.

43. *The Chairman.*] You think that what took place in the different centres was the result of that resolution?—I will leave it to the judgment of the Commissioners.

44. You said that proceedings were taken shortly after the sending of the letter?—Just so.

45. *Mr. Taylor.*] Was Dunnnett one of the persons convicted under the batch of prosecutions?—If I remember rightly, he was.

46. And Collins, and Simmonds, and McCann?—Yes.

47. The date of the convictions was the 8th March, 1895?—Yes; and I think there were six convictions.

48. There were six or seven charges and four convictions?—I think there were six charges at any rate.

49. I am quoting from Mr. Hawkins's report?—I would take it from other matter.

50. Do you think the report is inaccurate?—To say the least of it, inaccuracies have been found in some of his reports. I might mention, to save the time of the Commissioners, that through Mr. Thomson, the member for Clutha, complaints were forwarded to the Minister of Justice, the Hon. Mr. Thompson, within the last twelve months. Mr. Thomson, the member for Clutha, wrote that he had seen the Minister, who said that as the law now stood it was difficult to enforce it; and in answer to that I wrote that, as the Minister was one of those responsible for the making of the law, that appeared to be no defence whatever.

51. Do you think that the repressive measures adopted by the Clutha people in regard to the sale of liquor have led to an open defiance of the law, or is the defiance carried on with great caution?—The defiance is very veiled. There is no open defiance whatever.

52. Do you think they take extraordinary precautions to prevent detection?—Very great precautions.

53. If the Magistrate says that "the repressive measures and the penal enforcement of them have led to an open defiance of the law," would you say that is correct?—I should say No; certainly not. As a matter of fact, in the town in which I live, you may say there is no outward appearance of the sale of drink whatever. The bar is seldom or never open. At one of the hotels it is a very, very, rare thing to see any one lounging about.

54. *The Chairman.*] Are they hotels?—They are nominally temperance hotels. At the other hotel you sometimes see a small number of people about; but I have never seen any of them the worse for drink since "No license" was carried. As it is opposite the railway-station, it is only natural that people should be there.

55. Do you say you have seen no one the worse for drink?—I have seen five persons the worse for drink in the last three years and nine months.

56. How does that compare with the previous period?—Well, unless one had kept a very strict account it would be impossible to say. Before "No license" was carried drunken men were frequently seen. One afternoon in particular, I remember, when the shearers had got their pay, the street was simply a line of drunken men. That was in broad daylight, at 4 o'clock in the afternoon. At Heriot, where license has been renewed, I have only driven through it three times since the license was restored, and I have seen five men there the worse for liquor.

57. *Mr. Taylor.*] Since Constable Parker has been removed from the district has there been a more effective enforcement of the law?—Much more effective; but I am still of the opinion that it has not been effective enough. The police are too spasmodic in their efforts. They bring a series of prosecutions, and then, as it were, draw a big breath and say "That matter is done with," and six or ten months pass before fresh convictions are obtained. That encourages the breakers of the law, I hold, to continue in their illegal acts.

58. Do you attribute the present state of things to Constable Parker's action?—Not so much as to the action of the officer who has succeeded him, who is, in my opinion, a zealous, painstaking officer, though we think he might have done more still.

59. *Colonel Hume.*] Will you give us one single instance in which Constable Parker, while at Tapanui, neglected his duty as regards sly-grog selling?—I can hardly give a single one; but they were numerous.

60. Then, if they were numerous, you can give us one?—This is one: the sly-grog selling was going on the whole time, and Constable Parker did not in any case even institute a prosecution. I hold that when the law is being broken, and to the knowledge of the constable it is being broken, and he does not institute a prosecution, he is most certainly guilty of neglect of duty.

61. How do you know it was being broken?—In the same way as one knows a lot of things.

62. I can quite understand that; but you cannot get us any nearer, can you?—I can say that I have seen five drunken men during that time. That is one way.

63. Where were they?—In the Kelso district. And, although this is no direct proof, I may say that I have seen men going into the hotels who could not very well have been going in on any other business than to obtain drink. I am referring to Constable Parker's time now.

64. Would they not have been going in for anything else but drink?—One can imagine many things.

65. But what grounds have you for saying that they could not very well have been going in for anything else but drink?—My reason for thinking that they were going in to get drink was that more men were going in than were likely to go in for other business. After the first conviction had been obtained my reason for thinking it was, that I knew sly-grog selling had been going on there; and my other reason for thinking it was that it was a matter of common rumour.

66. Some of these temperance hotels have wholesale licenses, have they not?—No. When Mr. Hawkins unfortunately granted the wholesale licenses he made it a condition that they should not attach to any of the temperance hotels.

67. *Mr. Taylor.*] To any of the former hotels?—That is so.

68. *Colonel Hume.*] Are there such things as wholesale licenses in the Clutha district?—There is a single license of the kind, unfortunately, I understand.

69. Then, a man can go and buy wholesale at these wholesale licensed houses?—I suppose he can. Personally, I do not know.

70. You have seen five men drunk in the district?—Yes.

71. Had they bought the drink wholesale?—I should not suppose it likely, for the reason that the five men I saw were in Kelso, and the license now exists in Tapanui, four miles distant. It is a possibility, but that is all.

72. Constable Parker was removed from Tapanui, was he not?—He was.

73. And do you know what steps he took to trace sly-grog selling while he was there?—I do not know, but to all intents and appearances it was going on, and was not stopped, and no prosecutions were instituted.

74. Is it not the fact that your League made up their mind that he was doing nothing?—It is so long ago I would not like to answer that on oath, but it is possible that was our opinion.

75. Do you know what steps the department then took to get these spasmodic efforts—as you have termed them—stopped?—I know that Constable Broberg came into the district and obtained a series of convictions.

76. Do you know of anything else?—Since then?

77. Before?—Some attempts had been made and had failed, because, as the Inspector said, the affair leaked out through his own men, and nothing came of it.

78. How long have you been secretary of the League?—From the latter part of 1893.

79. Can you recall to memory a single case which, in the opinion of the League, has been properly managed by the police for detecting sly-grog selling?—I do not think it is a proper question to ask me. I could tell you where cases were improperly managed, but I cannot say where they were properly managed.

80. Do you know of a case that has been properly done?—My knowledge is not sufficient to enable me to answer that.

81. Well, can you tell us of a case that has been improperly done?—I said that common rumour had it that men were sent round; but evidently the cases were improperly handled, and they failed.

82. What do you mean by “improperly handled”?—That they failed.

83. You say that these spasmodic attempts encouraged the sly-grog sellers?—Yes, it encouraged them to continue, for the reason I will give to you. Of course, these people carry on the sly-grog selling for what they can make out of it, and if the prosecutions are conducted in such a way that they have a considerable time to recover themselves, and they thereby make more out of it than they lose, they are to that extent encouraged to continue their illicit traffic; whereas if convictions followed each other at the rate of one a month they would find that the game would not pay, and they would stop it.

84. But, on the other hand, have you not said that it is stopping?—It is very much less than it was.

85. What do you attribute that to—not to the police?—Yes, partly to the police; and I repeat that in Constable Mathieson we have a zealous and fairly capable officer, and in Inspector Pardy we have a gentleman who is probably the best Inspector in New Zealand. They have done some work. What I say is that they have not done as much as they might have done. It is also due to this: that there are a number of people in the Clutha district who are too respectable to go in and obtain drink at a sly-grog house even if they were able to.

86. I suppose these very conscientious people were there when Constable Parker was in the district?—Undoubtedly.

87. They seem to have gone in and got drink?—No. But since prosecutions have been instituted, drinking in the sly-grog shop is even more discreditable than it used to be. For instance, a gentleman who was had up in connection with a recent prosecution said that they would never catch him in a sly-grog shop again. The more public these matters are made, the less people with any sense of respectability will go into these places.

88. In your opinion, then, the department did what they should have done in removing Constable Parker, and they appear to have acted judiciously in selecting his successor?—I am quite of that opinion. I would like to say, though, that, in respect to Constable Mathieson, we feel, at any rate, that his services should have been more prominently recognised; and the Good Templars' Lodge at Tapanui sent a request—which I am not going to defend—that Constable Mathieson should be promoted on account of his success in coping with the illicit traffic.

89. *The Chairman.*] Is that political influence, or outside influence?—We had no influence at all; but, as I say, I am not going to defend it. It was simply a request that Constable Mathieson should be promoted on account of his activity; and the reply was that Constable Mathieson had only done his duty. The lodge were in the habit of thinking that that was the very thing that constables were promoted for.

90. There has been a good deal said lately about outside influence advancing men in the police service. You are of opinion that that ought to be so?—Most distinctly not.

91. Is it not the fact that certain gentlemen belonging to the Prohibitionist party were extremely anxious that Constable Mathieson should be sent to Tapanui?—I know a gentleman who was anxious that Constable Mathieson should be sent to Tapanui, but he did not belong to the House of Representatives.

92. If it were so, and he were sent there, and shortly afterwards was promoted, would not that be an instance of outside influence being used in the case of a particular individual?—I would like to say—

93. Will you say Yes or No?—I cannot say Yes or No. I would like to say that the zeal and ability he had shown was sufficient recommendation for his promotion.

94. But, on the other hand, might not some one else have been sent to the same district and shown the same amount of ability?—Yes; then, promote him.

95. But you cannot send the two to the same place?—No, I suppose not.

96. You say that things are now improving?—Yes.

97. How far back can you trace the improvement?—Undoubtedly there has been an improvement on what there used to be under license, ever since “No license” was introduced, and, on the whole, the improvement is a continuous one.

98. That is as regards the district, but I refer to the police supervision. When was that bettered?—After Constable Mathieson's appointment, as far as we could see.

99. That is some time ago?—Nearly three years ago.

100. *Inspector Pardy.*] You speak about sly-grog selling being stamped out. Can you tell me of a single offence on the statute-book that has ever been stamped out?—I shall decline to answer Yes or No to any question like that.

101. You are aware of the crime of murder?—Yes.

102. Has that been stamped out?—No.

103. Has theft?—No; but I can tell you one that ought to be, and that is sly-grog selling, inasmuch as it is known who the offenders are, that they are few in number, that they cannot commit the offence in private, and they must commit it regularly to make it pay.

104. Yes, and so ought all crimes. As to the spasmodic efforts of the police, are you aware that during the intervals between convictions I had men employed who were doing their best to

detect sly-grog selling and to follow it up?—I have come to know of some cases in which you had men in the district, but how frequently they visited it I do not know.

105. It was done secretly, of course. Kelso and Heriot are not the only places in the district where sly-grog has been sold?—I cannot venture to speak of other places.

106. Are you aware that the first prosecutions at Tapanui were promptly followed up by prosecutions at Balclutha?—From memory, I should say yes.

107. *The Chairman.*] The series you mentioned, Mr. Malcolm, in 1895–96–97, were they in Kelso?—They referred to Tapanui and Kelso, and sometimes to Heriot.

108. *Inspector Pardy.*] Do you remember that there were prosecutions at Balclutha, Catlin's, Owaka, and Dunedin?—I am interested only in those of my district.

109. I wish to show the Commissioners what a herculean task the police had to perform. Are you aware that the police followed up as quick as lightning Balclutha, Catlin's, Owaka, Edendale, Fortrose—all a long distance apart?—Edendale is not in the Clutha.

110. But are you aware that the police followed up prosecutions at these places, and at Gore, Stewart Island, and Preservation Inlet?—I am roughly aware of that.

111. Are you aware of prosecutions in Edendale?—That is not in the Clutha district, but I believe I have noticed it in the papers.

112. Fortrose?—I believe I have noticed about them.

113. Invercargill, and Gore?—Yes, I believe there were cases there.

114. *The Chairman.*] We will take it from you that you do not know what has taken place in other districts in regard to prosecutions?—Except through the casual reading of the *Times*.

115. *Inspector Pardy.*] Do you know of any other prosecutions in the Clutha district?—I know of prosecutions taking place in connection with Balclutha and in the Catlin's River district.

116. Again and again?—Repeatedly.

117. Quite recently?—Up to within a few months ago.

118. The police were working, then, in one part of the district or another?—I know the police have been working in other parts of the Clutha—I will not say continually. I suppose the very opposite.

119. Can you say that in my official capacity I have not done all I could to stamp out the sly-grog selling?—I think you have done a great deal, but that you have not done all you could have done.

120. Why do you think that?—Sly-grog selling has been going on. You have known it has been going on in a few places. It has been going on in public—that is to say, it has been sold to somebody—and yet in our district you have had only five convictions in three years and nine months.

121. Is that not the fault of the constable in the district?—I cannot distribute the blame.

122. Have you complained to me about the policeman Mathieson, for instance?—No.

123. Do you not know that I must be guided by the constables in the locality?—That is a matter for the department. I am not aware of its rules.

124. But, using common-sense, must I not be guided by the men in the district as to what is going on?—I should say, No.

125. Why not?—If you have frequent complaints of sly-grog selling going on in a place, and if you are informed by your constable that it is not, I consider it would be the duty of the Inspector to satisfy himself.

126. Are you aware that every time a complaint was made by you, or by any other member of the Prohibitionists, I have at once acted on it?—I was not aware of that.

127. Is it not a duty that must be performed with the greatest secrecy?—Yes.

128. Then, must I not carry it in my own mind, and not talk about it?—Yes, certainly.

129. Do you not see, then, that you are doing me an injustice in what you say?—We only say that sly-grog selling has been going on, and that five convictions have been obtained in three years and nine months; and we let the facts speak for themselves.

130. Have you ever given me information to act on?—It is not my duty.

131. I am asking if you did?—Once, at any rate, I did.

132. What was it?—I have no recollection of it. Shall I pass you a note of it?

133. Tell me what it was?—In the interests of justice, I think, it is best that I should not say it.

134. *Mr. Taylor.*] Is it a private conversation that you are reluctant to disclose?—No, I would not say that. Well, I will say that I have not given any public information.

135. *Inspector Pardy.*] There is a wholesale license and a publican's license in the district, are there not?—Yes.

136. It was never a prohibition district?—Never.

137. Do not young men and old men club together and buy beer, and make a noise over it?—That was common report in Tapanui.

138. And there was a wholesale license in Heriot, held by Collins, in the hotel that was shut up?—Yes.

139. And there is nothing to prevent any quantity of liquor being taken into the Clutha district?—Nothing.

140. Before the police can institute an inquiry they must have evidence?—Yes.

141. Can you say I have not done my utmost to get that evidence?—I should judge not.

142. Why so?—I will go back to the fact that only four series of convictions have been obtained in three years and nine months.

143. Are you aware that treble that number have been obtained in the district?—I am talking of Tapanui, and Kelso, and Heriot.

144. Do you mean to say that only four convictions have been obtained in Tapanui?—Four series.

145. And in between those were there not convictions in other parts of the district?—Yes, in the Balclutha end of the district.

146. Are you aware that I have prosecuted in seventy-nine cases during that period?—I was not aware of it, and I am glad to hear it.

147. *The Chairman.*] In the Clutha district?

Inspector Pardy.] Yes. There have been seventy-nine cases since “No license.” (To witness:) Are you aware that out of that there were twenty-three convictions, and fifty-six discharged through insufficient evidence?—Probably I was; but I do not know the figures exactly.

148. Are you aware that during that period there have been only seven drunkards in the Clutha district?—I understood there were only six.

149. Six were convicted and one discharged: Does that not speak well for the police?—The police have done a great deal, and we are only sorry they have not done more.

150. Are you aware that I had every support from Colonel Hume, who was then Commissioner?—I am not.

151. My hands were in no way tied, I had nothing to fear except neglecting my duty?—I have repeatedly heard you say so.

152. Are you aware that I had a man in that district for about three months, working, and that he was unable to procure liquor, though he was not known?—Do you refer to a recent case?

153. *Inspector Pardy.* Well, you do not know. No one knew but myself and the man.

154. *Mr. Tunbridge.*] You feel strongly on the liquor question?—Yes.

155. And you will never rest contented so long as a glass of liquor is sold in the Clutha district?—That is an extreme case. I should be contented if its sale as a general thing was stopped.

156. Do you suggest that its sale is a general thing at present?—I do.

157. I should like to know what your evidence is as to that?—When I say a “general thing,” I mean that the sale is going on generally. I do not mean to say that everybody and anybody can get it.

158. What is your proof that it is going on generally?—I have already explained that to Colonel Hume. It is a thing of common knowledge in the district. There are many things hard to prove by statement of fact that we know are facts.

159. It is hard to prove by everybody except the police?—No, I do not wish to say that.

160. How long is it since you last saw a man under the influence of drink?—I could not say. I suppose it is fully a year or more.

161. What other evidence have you that the sale of drink has been generally carried on?—Common knowledge.

162. Give us some idea of the common knowledge?—I occasionally hear, for instance, where there has been heavy drinking, from those who I can believe really know. I do not know of my own knowledge, but I have trustworthy evidence from others that drinking has been taking place.

163. How long is it since you heard that heavy drinking has been going on?—I heard of some within the last week.

164. Will you say who the persons were who were drinking heavily?—I was not told that. It was put this way: that there was heavy drinking going on last week.

165. In what place?—I did not hear.

166. Now, the person who told you?—I will have to think of that. If I remember rightly, it was my own wife who told me, but I am not quite sure.

167. How did your wife acquire the knowledge?—I could say how it is likely she got to know of it, but I understand you want facts. As a matter of fact, I am prepared to swear that I believe drinking was going on.

168. You are not able to tell the Court where the drinking was going on?—It was not mentioned.

169. And you are not able to say who the persons were who had the heavy drinking bout?—No; but I am able to tell the occasion with which it was connected, though I would rather not.

170. Perhaps you might tell Inspector Pardy?—Yes, with pleasure.

171. You cannot say where your wife obtained her knowledge?—Not definitely, but I have a suspicion.

172. May I take it that the drink consumed was obtained illicitly?—That I am not sure of, but I understand it was.

173. You are not sure, then, that the drink consumed was not obtained wholesale?—It is not likely.

174. *The Chairman.*] Do you suggest that it was sold for consumption on the premises where the drinking took place, or was it an entertainment by a man in his own house?—It was not in his own house, but it was an occasion I shall mention to Inspector Pardy. The whole of the surrounding circumstances would lead me to believe that it was sold illicitly.

175. *Mr. Tunbridge.*] You were rather surprised when you were told that there had been seventy-nine prosecutions in the Clutha since “No license” became law?—I was not surprised, but I was not aware of the figures.

176. Do you think the fact of seventy-nine prosecutions taking place shows apathy on the part of the police?—It shows that the police have been doing some work. It shows also that they could have done more. If they had seventy-nine prosecutions, why did they not get more? Why allow eight months to elapse in Tapanui?

177. If you glance down this return of convictions in Balclutha, you will see what has been done?—I see you have Guest among the number. His conviction did not take place under prohibition. That, I fancy, is one of Mr. Hawkins’s mistakes.

178. It is a prosecution for sly-grog selling?—But it did not take place under “No license.”

179. I think you are wrong in that?—It is dated the 11th April, 1894, and “No license” did not come into force until the 1st July, 1894. There are two convictions here that should not be entered.

180. How many series are there?—I will accept Mr. Taylor’s statement that there are seventeen series.

181. That is, for the three years and nine months. You know that the Court is held here only once a month?—I was not aware of that.

182. Do you not think that the holding of the Court once a month is likely to have deceived you?—No. There are only seventeen series of convictions in forty-five months. That makes an average of one every two or three months. I would like to point out, however, that the Court is not held in the district only once a month.

183. But the return refers to Balclutha only?—Well, Mr. Taylor told me that there were seventeen batches in the district. The Court is held once a month at Balclutha, once a month at Tapanui, and once a month at Clinton, and that shows that there have been no less than 135 sittings of the Court and only seventeen series of convictions.

184. You suggest that if a prosecution was taking place once a month it would have a more deterrent effect than a series of convictions?—I believe it would stamp the offence out altogether.

185. Do you not recognise the fact that there is very great difficulty in obtaining evidence against these people?—There is a considerable amount of difficulty; but, on the other hand, the offence is one which ought to be easily detected.

186. And stamped out?—Stamped out entirely.

187. You are a schoolmaster?—Yes.

188. For many years?—Yes.

189. Have you yet stamped out talking in the school?—I beg your pardon; it is a natural offence.

190. But is an offence of school discipline?—I never hope to stop it. I draw a distinction between the offences we may hope to stamp out and some we may not hope to stamp out.

191. Do you not think that, notwithstanding the utmost efforts of the police, they are never likely to stamp out all crime?—They will never stamp out all crime; but I believe they might stamp out sly-grog selling.

192. That is your honest opinion?—Yes, it is my honest opinion.

193. *Mr. Taylor.*] If Inspector Pardy had stated in Dunedin that he knew of six places in the Clutha where thieving was carried on regularly, would you not expect as a citizen that he would get convictions?—Yes; and break up the gangs.

194. *Mr. Tunbridge.*] Was the occasion of the heavy drinking at the holding of the Oddfellows’ banquet?—No, it was not.

195. *The Chairman.*] Do you recognise that, so far as the Inspector is concerned, he is dependent on the reports of his constables in the country districts to a great extent?—I hold he is to a great extent, but not altogether. My reply, I think, was that if he found there were frequent complaints of an offence sent in to him, which offence his constable denied, it would seem to me that it was his duty to satisfy himself as to the constable’s reliability.

196. Are you aware what number of visits Inspector Pardy made to the district?—Not a correct idea. I know he has paid a considerable number.

197. Do you class sly-grog selling as a serious crime?—A very serious offence.

198. Such a one as to require the special attention of an Inspector who is in charge of a large district, such as the Otago District?—What I was suggesting would not necessitate his whole attention. I do not think it would justify him in not attending to his other duties.

199. *Colonel Pitt.*] Do you not think the police have the same incentive to prevent sly-grog selling as the Customhouse officer has to prevent smuggling, for the protection of the revenue?—I do not, for this reason: The smuggler, I would think, has not many friends. I recognise in regard to the police that in dealing with the matter of sly-grog selling they have to risk offending a very powerful party—a party that has apparently had some political influence—and I think that has had the effect of deterring the police from being as active as they might have been.

200. In your charge against the police, of not doing all they might have done, do you take into consideration the cases they have brought before the Court in which they have failed, as well as those in which they have obtained convictions?—Yes; the cases I gave you cover the prosecutions as well as the convictions.

201. *Mr. Poynton.*] You say the crime is very much veiled here, and that the law-breakers take extreme precautions to hide the offence?—I think I corrected Mr. Taylor in that. I said they took very great precautions.

202. Do you not think that those precautions militate against convictions being obtained by the police?—I think they could obtain convictions in the easiest possible manner.

203. And when a batch of convictions took place, would not the failure of the police to obtain subsequent convictions be in a measure accountable to the increased caution of the sly-grog sellers for a time after?—I think the periods are growing shorter instead of longer.

204. Do you not think that, in a measure, it would be harder to obtain a conviction owing to the increased caution of the persons who were convicted, and also those who are warned by example?—Well, I have never seen the grog sold, but I think they are a little more careful now than they were before the last convictions.

205. You think that convictions could be got at regular intervals?—If the police were in earnest, and were backed up by the head of the department, they could get convictions whenever they liked.

206. Speaking as a citizen, do you think there is any need for increasing the Force?—I do not think there is any need to increase the regular police.

207. *Mr. Tunbridge.*] I was prepared to take Mr. Taylor’s version of there having been seventeen series; but will you take it if I say that on counting the list I find there have been twenty or twenty-one?—I think there may be twenty, and I will take your statement for it.

THOMAS GREENWOOD, examined on oath.

208. *Colonel Pitt.*] Your name?—Thomas Greenwood.
209. What are you?—Stationmaster at Tapanui.
210. How long have you been there?—Six years on the 4th July next.
211. *Mr. Taylor.*] Were you there when the hotel licenses were abolished?—Yes.
212. Have you ever had any communications with the police in regard to defeating their attempts to bring offenders to justice?—On one occasion.
213. What was it?—Constable Mathieson came to my office, and asked for some information from the warehouse-book, as to who a certain case was for.
214. Did you tell him?—No.
215. Did you know?—Yes.
216. Was the case addressed?—No; but it was marked.
217. How did you know who it was for?—I had the way-bill.
218. What do you do with goods not marked?—We do not receive them.
219. Why was the case not addressed?—I said it was marked, and the mark was quoted on the way-bill.
220. Was it marked on the case, or on the card?—On the case.
221. What card did you remove from the case?—On this occasion I removed no card.
222. On the other occasion what card did you remove?—If you follow up the other, I will say it was marked "B."
223. And you declined to give the police any assistance?—Yes. The case was wrongly delivered.
224. What do you mean by that?—It was delivered to a man whose initial is "B," but it was "J.T.B." Other goods came to the district marked "B" alone. The carter of the man "B" made a mistake in delivering it to "J.T.B."
225. Whom does "B" stand for?—Bellamy, a general carter.
226. And "J.T.B."?—John Thomas Burrell.
227. And it was delivered to him?—Yes.
228. What did it contain?—I may say that was the Friday afternoon. On the Saturday morning, Constable Mathieson came to me and said he wanted some information from the warehouse-book; but I declined to give it to him without a warrant for me to show the books, or authority from the General Traffic Manager. In doing that, I was only doing my duty; it was not a case of theft.
229. Did you say what the case contained?—Not yet. When I found the mistake that had been made, I saw the driver who had delivered it the previous afternoon, and told him the mistake he had made. I also told him to yoke up as soon as he got to town, and go and demand the case, and take it to the party to whom it belonged—Bellamy. Later on, I met the driver (Paterson), who said that Burrell had refused to give up the case. I went into the store to see Mr. Burrell, and ask his reason for refusing to give up the case. Mr. Burrell said, "Look at that. That is the way whiskey is being brought into Tapanui now." He also said there were eighteen gallons of whiskey, and one case of wine, and it was all in one large case. The case was booked as "sundries." I asked him how he knew it was whiskey and wine, and he replied that it looked like whiskey, and that the lid was off the case of wine to allow it to be packed in the case along with the octave (eighteen gallons). He also said they had drawn the case out, and that it looked like wine.
230. What happened after that?—I asked why he refused to give it to the owner, and he said, "I was afraid some one had sent it to me with the view of having my premises searched while it was here, and what a nice song they would make then." I told him to give up the case at once; and the carter and I took it out.
231. Did he sign for it to the carter?—I could not say. I do not think so, because it is not the practice. The carter takes stuff to a place and gets no signature whatever.
232. He signs to you?—Yes.
233. Do you give a way-bill?—No; only when I receive cash for goods delivered.
234. Is it not your duty to issue a way-bill with all goods?—No.
235. On the document he signed, was the name of the consignee given?—No.
236. To whom did you tell him to deliver it?—No one. He knew whom it was for. I concluded it was for Bellamy, being marked "B."
237. How did the carter know?—Because the mark was on it.
238. Had he taken packages to Bellamy's frequently?—He was Bellamy's carter.
239. Who is Bellamy?—He is the general carter from Tapanui, and the reason I did not give him a way-bill is that he has a ledger account. I do not give him a way-bill with every separate lot.
240. Are Bellamy's headquarters at Tapanui?—Yes.
241. And he had frequently had cases like that sent to him?—Yes.
242. You refuse generally to give information to the police that will assist them to do their duty?—If the police come to me with a matter of theft I would use my prerogative and let them know what I could.
243. But you draw the line at sly-grog selling? Did the constable not suggest that, as his reason for making inquiries?—Not that I recollect.
244. There was no address?—None, except "B."
- Mr. Taylor* said the police had been frustrated in their attempts to enforce the licensing law by the railway officials' action, and he desired to question the witness on the matter.
- The Chairman* ruled that the matter was one that did not come within their inquiry.
245. *Mr. Taylor* (to witness).] Since the hotels were closed, have not large quantities of liquor—larger than usual—passed through your hands?—Speaking from memory, there has been less