

57. *Colonel Hume.*] When I visited Picton you say it was about a year after you went there?—I think so.

58. And you gathered from what I said you would likely be there some ten years?—In conversation you told me there were several complaints from the Justice Department. You said Mr. Haselden had stated he did not think I could efficiently carry out the duties of Clerk of Court. I said I had received no complaints from the Justice Department on the subject, or from the Bench or public, and I said, "I hope I will not be transferred again, because I was transferred from Charleston to Wellington, and from Wellington to Picton, within seven weeks, and that to a man with a family of seven children it became expensive to him"; and you said, "Well, I do not think there is any likelihood of your being shifted if you do that which is right."

59. There was no likelihood, was there?—No, not at that time, that I was aware of.

60. What was to become of you at the end of ten years, do you suppose?—I thought it likely I would be transferred. I did not think I was to be there stationary.

61. I did not give you to understand that?—No.

62. Did you fix in your own mind ten years?—I thought ten years a fair and reasonable time.

63. Was ten years mentioned?—No.

64. Was five years mentioned?—No.

65. Was one year mentioned?—No.

66. In the £40 for improvements at Picton, do you include your own labour?—Yes.

67. Then, you asked for another—third—constable in Picton?—I have no recollection of having done so; there was a third constable appointed.

68. You did not ask for him?—If I did it has escaped my memory.

69. Then, this work that you did must have been done in your police time?—Yes; it was done whenever I had half an hour or an hour spare time. I have also worked on moonlight nights.

70. Notwithstanding the fact of having this spare time to improve your quarters, you still wanted another constable?—At times we wanted another constable badly, particularly so when three English ships were loading there at the same time, and the sailors troublesome.

71. I suppose, as a man of your experience, you believe thoroughly in obeying the regulations?—Yes, as far as possible.

72. Now, do you know that regulation No. 118 says: "Officers in charge of districts will be held responsible for the good repair of all buildings and premises occupied by the department under their charge, and no alteration or addition must be made to any Government building, nor must any building be erected on a reserve, without special authority"?—I have read that.

73. Did you get that special authority?—I did not.

74. Then, you disobeyed regulation 118?—By cutting off gorse and blackberries and other noxious growths.

75. *The Chairman.*] Do you include garden-work in your claim of £40?—Not work for the garden, but I do for clearing gorse and noxious growths, and I think it right to claim for it.

76. How much of the £40 is for that?—My labour was £12 or £14 out of the £40.

77. *Colonel Hume.*] I have not seen this memorandum of expenses, but I was not alluding to noxious growths, but to improvements to the house, such as a coal-house: is a coal-house an addition to quarters?—Yes, it is.

78. Then, does that not come under regulation 118?—I do not think that it does, because it is necessary.

79. Then, you do not think you disobeyed regulation 118 in putting up a coal-house?—No, I do not think it could be construed that way.

80. Then, there was a wash-house: does that come under 118?—I think a wash-house is necessary.

81. Does a wash-house, in your opinion, come under the distinction of addition to buildings and premises occupied by you at the station?—It was not connected with the station, although adjacent; still, I suppose, by straining a point, it could be construed that it is an addition.

82. Then, you distinctly disobeyed regulation 118 in putting up a wash-house?—Yes, but not wilfully so, as you imply.

83. You went to Wellington about your transfer?—I did.

84. And interviewed me in my office?—I did.

85. And apparently I was surprised to see you?—I think so.

86. And you asked me why you were removed?—I did.

87. And your version is that I said on account of the part you took in the late election?—Yes; you said I interfered in the last election.

88. That was the only reason I gave you?—No; when I complained about another move from Picton, you said I had been there a very good time.

89. What was the date of this memorandum you made two days afterwards?—I was at your office about the 11th or 12th. I wrote it next day, because after I asked for an inquiry into it, and you said "No," I then made up my mind that if I could not get satisfaction I would endeavour to bring the matter before Parliament.

90. Then, you wrote this memorandum the next day, and yet cannot tell the dates you were at my office?—No; I failed to put the date on this memorandum.

91. Do you generally fail to put dates on letters and memoranda you generally write?—No; but the smartest men make slips sometimes.

92. Now, was not that memorandum written at the interview you had with Sir Robert Stout and Wilkie immediately after leaving my office?—No, it was not; I wrote it afterwards.

93. In fact, you wrote it when you came back from Wellington?—No; it was written in the National Hotel, where I was staying.

94. Now, before you went to Wellington you had made up your mind why you were transferred?—No; but I was under the impression that in consequence of Mr. Mills stating, “probably Constable Jeffries can explain,” that it was the principal cause, and that some political influence had been brought to bear. I may, however, be wronging Mr. Mills, which I have no desire to do.

95. At any rate, you came to the conclusion Mr. Mills had worked it?—I considered he had aided it.

96. You were fully impressed in your own mind that was why you were transferred?—That and another thing. I was under the impression that Mr. Mills used influence with you to get me transferred.

97. You say you think you had more moves than most constables?—No. I said I had more than my share of moves; I have had four moves during your Commissionership.

98. What do you consider, then, is your share?—I think, so long as a man conducts himself properly and the public are satisfied with him, and it is to the interest of the public service that he should remain in a place, I think ten years a fair and reasonable time for a constable to be left there.

99. *The Chairman.*] And you think that is what other men’s share has been?—No, I cannot say that, as there are some very long-service men who have never been shifted. But that is my opinion touching removals. If I was a single man I would not care if I was shifted every six or twelve months.

100. *Colonel Hume.*] Then, a memorandum was sent to you by the officer in charge of the police at Blenheim, in connection with a letter from Mr. Mills, who asked for an inquiry about people who had been struck off the roll at Admiralty Bay?—Yes.

101. Then, yesterday we had evidence you were sent down to the Sounds to adjust this roll?—That is so, and I did adjust it honestly and straightforwardly.

102. After you were sent on that particular duty, was it not a very natural thing for Mr. Mills to put in his letter that you could give information probably?—No; I thought he should have written to the Registrar of Electors, who had all the papers.

103. But you were the particular officer sent to that particular place to adjust these particular rolls?—That is right.

104. Then, if he had written to Mr. Stoney he would simply have sent it on to you?—No; Mr. Stoney had all the documents.

105. Supposing Mr. Mills had gone to Mr. Stoney, and Mr. Stoney had told him he could give him no information about the matter, would he not be justified in writing to the police, and assuming that probably Constable Jeffries would be able to throw some light on the matter?—Yes; I quite agree he had a perfect right to ascertain who had disfranchised these persons.

106. I understand you take exception to his saying, “Probably Constable Jeffries can give some information”?—I felt, rightly or wrongly, it was a hit at me. I thought it was a charge by innuendo.

107. And do you still feel that?—Yes, I do feel there has been some underhand work. I am morally satisfied of it, although I am not in a position to prove it.

108. Then, you go on to say that you are treated worse than an ordinary tenant in not being allowed to remove these fixtures?—Yes; the window-blinds, hat-hooks, shelving, &c., they were not fixtures, they were simply put up with screws.

109. Is it usual for an ordinary tenant to be allowed to take away fixtures when he leaves a house?—I do not rightly know what you mean by the term fixtures. Will you explain or define it?

110. Do you think a tenant would be allowed to take away a coal-house and a wash-house?—No.

111. These two, you admit, were fixtures?—Yes.

112. Suppose you nail or screw up some hat-pegs in your halls, is that your idea of fixtures, or is it not?—My idea is that they are not fixtures.

113. Did you say anything to me at this interview about voting or not voting?—I said I had not even voted.

114. What did I say to that?—You said I ought to have voted.

115. Did I say you ought to have voted for Mr. Mills?—No.

116. You went to Takaka in February, 1897?—Yes.

117. There was a petition got up in Picton that you should not go?—Yes; there were three got up—one by the local Magistrates, one by the Borough Council, and one by the public.

118. Were they extensively signed?—I never saw them.

119. Did you know that they were being got up?—I was in Wellington when the public petition was got up, but I was in Picton when the petition of the Magistrates was got up.

120. You did not ask them to get them up?—No.

121. You did not ask them not to get them up?—No.

122. Had you any intention of taking your wife and family to Takaka?—I would rather have remained in Picton; but had the house been suitable I would have shifted my family.

123. What do you mean by the house being not suitable?—It was a mile and an eighth from the lock-up, besides being in a state of disrepair.

124. But your wife did not want to go to the lock-up?—No; but if I had a drunken man there I would have had to walk a mile and an eighth to the lock-up to visit him.

125. Has there ever been a drunken man there?—Yes, but not while I was there.

126. Is it on record that there ever has been a prisoner in the lock-up at all?—Yes, several.

127. How many?—I cannot tell, without reference to the lock-up records.

128. *The Chairman.*] Did your predecessor live in the same quarters?—Yes.

129. *Colonel Hume.*] Why were the quarters unsuitable for your family?—My family have always lived in comfortable quarters, even if I had to pay for them.

130. In what way were they unsuitable: were they not water-tight?—There were leaks in one of the upstairs bedrooms.

131. Did you ask to have that leak repaired?—I did not.

132. Your predecessor lived in that building?—Yes.

133. Then, this leak in the roof was the only leak in the house?—I cannot say; I was only in the house three or four times.

134. You did not trouble to look at the house, in fact?—Yes, I did.

135. It was a bigger house than the one in Picton?—Yes; there was one room more, such as it was.

136. Then, the lock-up was the same lock-up that your predecessor used?—Yes.

137. Was there any house in Takaka that you could have got?—Yes.

138. Did you apply to have it?—No.

139. Then, as matters went, so far as the house was concerned, you could have removed your family to Takaka, and they could have lived in the house?—Yes, I could have done so as a last extreme.

140. Then, the next move you had was from Takaka to Nelson?—Yes.

141. Did you want to have that move?—No; I never asked for it. I endeavoured to get back to Picton.

142. Did you never tell anybody at all whom you thought would represent it to me that you would very much like to go to the Port at Nelson, and that Mackay would like to go to Takaka?—I have no recollection of having done so. I got a wire from Mr. Card, of Picton, as follows: "14th April, 1897.—Constable Jeffries, Takaka.—Will it please you to be transferred to Nelson? Reply at once.—CARD, Picton." That was from Mr. A. T. Card, newspaper-proprietor, of Picton. To this I replied as follows: "CARD, Picton.—Prefer to return Picton; failing that, Blenheim or Havelock, but rather Nelson than here.—JEFFRIES.—15/4/97." But at the time I did not know whether the telegram referred to the Port or town station.

143. Had you any conversation with Mr. Card before this about being transferred, or any conversation with him?—I have had correspondence with him about my return to Picton, but not with reference to my transfer to Nelson.

144. Is that not another distinct disobedience of the regulations—in working influence?—Yes, probably it is.

145. And you admit doing it?—Yes, I have done it; and dozens of others have.

146. *The Chairman.*] Mr. Card was also Mayor of Picton?—No, he was not.

147. *Colonel Hume.*] Then, you did not object to go to Nelson; you would rather be at Nelson than Takaka?—Yes, that is what I said at that time. I being senior man, and there being a police dwelling in Nelson, I thought I would probably be put in possession of it.

148. When you got to Takaka first did you ask the landlord about repairing the building?—I did; I asked him whether he would put it in repair, and he said he would put it in repair provided the department ordered it.

149. Did you let the department know that?—No; I thought it was hopeless while you had a voice in the matter.

150. Then, you were in Nelson thirty-two weeks before you got into the Port quarters?—Yes.

151. Now, did you or did you not know that the money was sanctioned for the repair of these quarters before you went there?—No, I did not; in fact, I knew nothing about it.

152. Then, if the money had not been sanctioned, I could not possibly have said the repairs would be carried out in two months?—I cannot say what you would say. You were in a position to know, I was not; but early in August you wired that necessary repairs would be effected in two months.

153. But the quarters were available for you?—If you choose to call them quarters they were available, but I do not think many other men would deem them quarters.

154. But Constable Mackay and family lived there?—Yes.

155. If that is so, how could you possibly be there thirty-two weeks without habitation: was it not habitable?—No, it was not habitable.

156. Not even if you had chosen to sleep amongst cockroaches, say, if you did as Constable Mackay did?—Yes.

157. Then, you incurred a cost of about £16, for which you got £6 10s.?—Yes.

158. And you were perfectly satisfied with the treatment you received from the new Commissioner?—Yes.

159. *The Chairman.*] You state that you were satisfied. I ask you, now, does that mean you were satisfied in receiving £6 10s. for what you say cost you £16?—No; I am pleased the Commissioner allowed me £6 10s., but I think I should have received some further consideration.

160. *Colonel Hume.*] That was from the 1st January?—Yes.

161. Then, the new Commissioner took over the office in October?—Yes.

162. Well, what about November and December; you do not seem to have been paid for them?—No.

163. You said you had been fairly and justly treated, and yet you received nothing for November and December?—I hope I may get it.

164. You said you applied to see your defaulter's sheet?—Yes; on leaving Westport I asked Inspector Goodall to let me see it, and he told me my defaulter's sheet was posted on to Wellington, to which district I was then transferred. Previous to that I had applied to Inspector Emerson.

165. Did you ask the late Inspector, Inspector Pratt, to see your defaulter's sheet?—No.

166. Did you ask me?—No.

167. Then, you were Clerk of Court at Picton?—Yes.
168. And Clerk of Court at Takaka?—Yes.
169. Therefore you lost nothing by going there?—Yes. I did considerably.
170. What did you lose?—In Picton I was doing work under the Advances to Settlers Act, and also for the Public Trust Office.
171. *The Chairman.*] What emoluments did these offices bring you?—I got from £10 to £12 annually from the Public Trust Office, and from the Advances to Settlers Department I got upwards of £20 the first year the Act came into operation, but after that there was a falling-off in valuations. I was also bailiff.
172. *Colonel Hume.*] Then, you went on to say that a man named Seward threatened to have you removed?—Yes.
173. Is that the only man in the course of your police experience who has threatened to have you removed?—So far as I know, I do not know that anybody else has threatened me personally.
174. Then, if constables came to this Commission and said it was a daily occurrence for them to be threatened by drunken men and people they were arresting with transiers and dismissals, that would not be your experience?—Oh, yes, that often happens. I have been told that many times. They say, "I will have your jacket off and have you out of the Force," but I do not view with any great concern the sayings of drunken men.
175. Why did you pay so much attention to what Seward said?—Because I knew he was using influence, and I believe he was successful in using it, although I cannot prove it.
176. When that case was thrashed out in the Supreme Court did you ever mention this about Seward?—No, it was not necessary then.
177. Did you not try to make the case as strong as you could?—I had nothing to do with it in the Supreme Court; I was simply called as a witness.
178. You say Seward threatened you with Mills and others: am I included amongst the others; did he ever mention my name?—Yes, he mentioned that he could exercise sufficient influence with Colonel Hume to get me shifted.
179. Will you swear it?—No, I cannot positively swear he did use it; but, for all that, I believe he used his influence with you.
180. Have you any proof at all?—No, I have not.
181. You said something about constables getting loaves and fishes: what do you mean by that?—I said nothing of the kind. Mr. McNab used those words, but what is meant by it is that some men have been allowed to remain in stations for thirty years, while others are continually being transferred.
182. What constables have been stationed in one station for thirty years?—Constable Knapp, of Spring Grove, is one.
183. *Colonel Pitt.*] Do you say Constable Knapp has been there thirty years as a constable?—Yes; he was taken over at the abolition of the provinces in 1876; and Constable Lloyd, at Picton, is another instance.
184. *Colonel Hume.*] Constable Lloyd is paid by the Prisons Department?—I know that; but he is a constable, all the same.
185. Constable Lloyd, when there are no prisoners, has to do police duty?—That is right.
186. And very often he has got no prisoners?—There are times he has not.
187. Is he not often a couple of months together with no prisoners?—Yes.
188. *Mr. Tunbridge.*] You say you do not think you would care now to take the rank of sergeant?—No; I would prefer to be without it.
189. How long have you been of that opinion?—When I was in Picton it suited me better to remain as a constable.
190. You were of that opinion before the 1st January last?—Yes.
191. Then, you do not blame the police authorities for also coming to the conclusion that you were getting too old to be a sergeant?—I think I am as well able, if it comes to a question of ability or activity, to do the work as some of those men who were appointed.
192. You are just on sixty years of age?—No, I am not; I am fifty-five only.
193. In 1877 you were credited with being thirty-six years of age?—I cannot tell you what I am credited with, but at the present time I am fifty-five.
194. I see you have to wear glasses?—Yes, for some years now. Although not necessarily, yet I use them to assist the sight.
195. Do you think at the present time you are competent to perform the duties of sergeant in a place like Wellington, where you have to take eight hours' beat duty?—I believe I am competent to do it, but it would be a very heavy tax on me, and I would rather be without it.
196. You could bear the rank, but the question is whether you could perform the duty?—I would prefer to remain as I am; yet there are many sergeants in charge of out-stations who do no street duty whatever.

JAMES BUTLER STONEY, examined on oath.

197. *Mr. McNab.*] You are the Registrar of Electors for the Wairau district?—Yes.
198. Last election you had occasion to have dealings with Constable Jeffries in settling the extreme boundaries of the district in the Pelorus Sounds?—I did not instruct him to do it; he was instructed by the sergeant, and reported to me.
199. *The Chairman.*] Will you tell us what his duties were?—Of course, I never saw the instructions, but I understand it was to ascertain the names of electors who reside on the boundaries, and whether they were on the one side or the other.
200. *Mr. McNab.*] Did the constable do the work to your satisfaction?—Yes, certainly.

201. *Colonel Hume.*] Did Mr. Mills write to you at all about this roll in connection with Admiralty Bay?—He wrote a note and asked me to explain why certain names of electors in Admiralty Bay were not on the roll.

202. And what answer did you send him?—To the best of my recollection, I answered I was not in a position to give him any information, and I knew nothing at all about it.

203. Can you tell us what was the date of that?—No; I have a letter from the Colonial Secretary's office, and it must have been before it, and the letter reads:—

Colonial Secretary's Office, Wellington, 12th January, 1897.

SIR,—I have the honour, by direction of the Acting Colonial Secretary, to enclose a list of persons living in Admiralty Bay, Pelorus Sound, whose names, it is reported, should have been placed upon the Wairau electoral roll, but have not been so placed, and to request you to be good enough to inquire and report whether all or any of these names appeared on the general supplementary roll of the late Waimea Sounds electorate, or whether they had forwarded applications for enrolment.

The Registrar of Electors for Wairau, Blenheim.

I have, &c.,

HUGH POLLEN.

204. Did you make inquiries?—Yes; I searched the Wairau roll, and the Waimea electoral roll, and the Nelson roll, and I discovered that out of thirteen names sent to me five were on the Nelson roll, and eight were on no roll at all. In addition to that, I searched through two thousand odd claims for enrolment, and not one of these claims had filed any application to me to be enrolled.

205. Then, you did not send Constable Jeffries down; it was the sergeant?—No, I did not send him down.

206. Then, how do you know this work was satisfactorily done?—Only in this way: that he never removed any names that were on my roll; they were not struck off.

207. Then, ought these eight to have been on, or ought they not?—They never filed any claims. He did not go down to Admiralty Bay.

208. He did not go down to Admiralty Bay?—He told me he did not go down to Admiralty Bay.

209. Did anybody, do you know, go down to Admiralty Bay?—Not that I know of.

210. Then, Admiralty Bay was left out in the cold?—Apparently. I never got any claims from Admiralty Bay except one, and that was not one of the names mentioned.

211. You merely know that where he did go he gave satisfaction?—Yes.

212. *The Chairman.*] Then, was there any wrong in these five names being on the Nelson roll?—No.

213. Was there any wrong in these eight names being on no roll at all?—No; it was an error of omission on the part of those electors who did not lodge the claims to be put on some roll or another.

EDWARD PURSER, examined on oath.

214. *The Chairman.*] What are you?—I am Mayor of Blenheim. I wish to draw the attention of the Commission to the fact that on or about the 26th October, 1897, the body of a certain man named Harry Satherley was found dead; he had been missing since the 9th July; an inquest was held, and the verdict returned was that of murder against some person or persons unknown; and that while this man was known to be missing on the 10th July the police took no active steps to apprehend any one for the murder or in conjunction with the case until somewhere about the middle of October, when they then apprehended a man for robbing one Beattie, who had been "eased" of about £40 on the day of the 9th July. That man was acquitted by the Supreme Court; but the Commission will find that the evidence given at that inquiry would tend to demonstrate that if it had not been for this £40 in question probably there would have been no murder.

215. *Mr. Poynton.*] That is your opinion?—Yes.

216. *The Chairman.*] You are assuming that there was a murder, and you found an opinion on the verdict of the Coroner's jury?—Yes; what I have to complain of more particularly in connection with the department, and I may say Colonel Hume in particular, is that since it was known this man was missing, and also that Beattie had been robbed of £40, and that the murdered man was in the company of well-known spiliers the night previous, no steps were taken at that time to apprehend any of the people who were known to be in Satherley's company the day of the robbery.

217. *Colonel Pitt.*] Did anybody know Satherley was dead then?—It was known he was missing, but his body was not found until somewhere about the 20th October. There was naturally great excitement over this affair. And the apprehension was attempted to be lulled by the theory set up by the police that Satherley was not dead. He had been seen in Christchurch and other places. When I first interviewed the Stipendiary Magistrate shortly after the affair, I was assured most positively by Mr. Allen, by Colonel Hume, by the Hon. Mr. Thompson, that the man had only cleared out of the way with Beattie's £40, and that there was nothing the matter at all. I think the people of New Zealand have very just grounds of complaint that no steps were taken to bring to a focus the cause of Satherley's disappearance. I have further to complain that the department, when I, after making myself thoroughly acquainted with the surroundings of the case, interviewed Colonel Hume and the Hon. Mr. Thompson, with a view to offering a reward for the apprehension of the murderer, said they would not do so.

218. *The Chairman.*] What date was this?—I think in the early part of August. I was almost—well, certainly looked upon as next door to a fool to think for one moment that Satherley had been murdered; but as we had searched the whole of the river, I felt that our local police were not able or competent to discover who the murderers were, and that the Government should offer a reward. They said there was no occasion to offer a reward, because the man was in Christchurch, and they could put their hand on him at any moment, or thought they could.

219. Who informed you of this?—This conversation happened in the Hon. Mr. Thompson's office. He said Satherley was only lying low, and they could get him at any time. I complained further that after a certain amount of pressure had been brought to bear on the department, when they offered the reward, they did not insert the usual clause in regard to a free pardon to anybody, not being the actual offender, who would turn Queen's evidence. Although that clause was specially discussed in the office of the Hon. Mr. Thompson, the result was a reward of £500 was offered without a free pardon, and it could not be expected to bear fruit. About a month after that I interviewed the Hon. Mr. Thompson again, and pointed out the very strong feeling that existed in the locality as to the lax manner in which this case was being dealt with, and, before leaving, the Hon. Mr. Thompson agreed to a condition being inserted in the reward offering a free pardon to any person not the actual murderer. That was gazetted on the 20th of October, 1897. Therefore, as a further ground of complaint, I say that from the 9th July until the 20th October the department took no steps to offer a free pardon for the Queen's evidence.

220. *Colonel Pitt.*] This was issued, then, before the body was found?—Yes. Now, I assert that had immediate steps been taken, the police knowing that Beattie had been robbed, to apprehend these people who were in his company, the probability is that the perpetrator of the crime would have been arrested.

221. *The Chairman.*] Do you say there was anything at that time to connect the robbery of Beattie with the disappearance of Satherley?—Yes.

222. Was anything inconsistent with Beattie having been robbed, and Satherley being alive?—Yes.

223. What was there?—It involves going through a great mass of detail just in the hands of the department.

224. Was that knowledge in the possession of the police at that time?—Yes.

225. Was it within their knowledge that Satherley was dead?—Of course they were not aware of that.

226. Have you any reason to believe that they had reason to doubt the honesty of that information that Satherley was alive?—No, I believe they honestly believed that Satherley was in Christchurch.

227. But if the sergeant honestly believed these things, as he did, why do you blame him now for not taking the steps which you think now he ought to have done?—I blame the sergeant for not apprehending some of those shady characters on the 10th July who robbed Beattie. It was well known that he had been robbed.

228. Do you know who robbed him?—No, but he was in the company of these spielers.

229. If they had been arrested, what do you think would have followed?—They would have been convicted.

230. But was the one man who was arrested afterwards convicted?—No.

231. Do you think the evidence was sufficiently strong to have laid an information yourself against the men?—That is not my function.

232. You pose here as one who considers there has been a miscarriage of justice?—Certainly.

233. If there were facts within your knowledge that were within the knowledge of the police, why did you not lay an information and call such evidence as you think the police should have called?—I was out of Blenheim at that date; any information I had I gave to the police.

234. Was that information sufficient to justify a prosecution?—A matter of opinion; the sergeant did not think there was. I think I have formulated some objections, and sufficient for the Commission to institute an inquiry. I think a man should be sent for here to investigate this case in order to allay the disquietude which is felt in this matter. If some skilful detective were sent over here it would be some satisfaction to the public, even if no prosecution followed. About eighteen years ago, when I came to Blenheim, the place was one-third the importance it is now, but it was sufficiently important to have an Inspector. In the eighteen years there have been eight changes in the officers in charge of the district, and I think it is owing to these rapid changes that the inspectors or sergeants or officers in charge have been placed at some disadvantage. While not wishing to make any complaint against the integrity and ability of the present police, still I cannot help saying that a town of the size of Blenheim should have had some little respect shown to it when there was an urgent request made by the Mayor that Sergeant O'Malley should be retained in Blenheim. I think the sergeants have not time to get acquainted with the run of the ropes before they are shifted off somewhere else. I know there is a good deal of excuse for Sergeant Kiely, inasmuch as this intricate affair happened shortly after he came to the district; that is the only excuse I can make for him.

235. *The Chairman.*] You say you complained that no steps were taken to apprehend anybody in connection, first of all, with the robbery of a man named Beattie?—Yes.

236. How do you know what the police were doing?—When I asked Sergeant Kiely why he did not apprehend somebody he said Beattie would not lodge a complaint.

237. Did Sergeant Kiely say he was not making inquiries?—They have always been making inquiries, but inquiries are not steps.

238. They did not apprehend the five men because there was no evidence?—I can only tell you that they did ultimately apprehend a man without instructions from Beattie; and if they could apprehend that man without instructions two or three months afterwards they could have done it at the time.

239. Will you tell me why you knew they were taking no steps?—Because nothing resulted.

240. Then you think that, because nothing resulted, no steps were being taken?—What was the good of taking steps if nothing resulted?

241. *Colonel Hume.*] When you went over to Wellington in reference to offering a reward you knew Mr. Mills had been refused before that?—I knew I was alone.

242. Did you not know that Mr. Mills had asked for a reward before that?—I did not know that he had; I only know that Mr. Mills took up the theory of the police that Satherley was not dead.

243. You will not say he did not ask for a reward?—No.

244. Did you say to me that if a reward was offered you undertook to say that the murderer would be within the clutches of the law within twenty-four hours?—No, I did not; I think I said if you took prompt steps and offered a reward you would have had somebody apprehended.

245. Did you not say to me that if a reward was offered you were quite sure that the murderer would be apprehended within twenty-four hours of the reward being offered?—If you had offered a reward in the early stages of the affair you would have had somebody apprehended, probably within the twenty-four hours.

246. Then, in other words, we should have had the murderer arrested before the man was known to be dead: is that your idea?—No; but we had ample reasons to expect that he was dead, for the simple reason that part of his belongings were found.

247. Suppose we had arrested any one of the persons you mentioned, and could not prove Satherley dead, what was the good of arresting them?—The chances are one or the other might have turned Queen's evidence.

248. Then, you consider that the whole of the four or five men who were with Beattie should have been arrested?—Yes, until they could have proved their innocence of robbing him of the £40.

249. *The Chairman.*] Not in respect of Satherley's murder, but in respect of Beattie's robbery?—Yes.

250. Why should the police associate the robbery of Beattie with the disappearance of Satherley?—You would find, in going over the evidence, that one is part and parcel of the other.

251. *Colonel Hume.*] Is it not a fact that the Judge did say at this trial that in his opinion no murder had been committed?—I do not know; I was not there.

252. Then, am I to understand that in a trial in which you say you have taken so very much interest you cannot actually tell the Commissioners now what the remarks of the Judge were when he tried Ohlson for robbing Beattie?—I did not stop in that Court for half an hour, for the simple reason that it was not a case of murder.

253. Then, you did not even read the remarks of the Judge next morning in the newspaper?—Yes.

254. Then, did he say there had been no murder?—I do not remember.

255. *The Chairman.*] Associating the two things as you did—the robbery and the murder—how can you tell us that the trial for the robbery was such an insignificant thing that it did not require attention?—Simply because I could not stand the tedious routine of every word being taken down by the Judge.

256. *Colonel Hume.*] You said no steps had been taken until the 20th October by the police to apprehend those in Satherley's company on the night of the 9th July?—Yes.

257. Was a detective sent over from Wellington?—Yes; a man they called an acting-detective.

258. Do you know that Inspector Pender came over himself?—Yes.

259. Is that taking no steps?—He was over here for the trial in connection with the robbery of Beattie.

260. Are you aware that he was here a few days after Satherley was missing?—I am not aware, but I think it was in the papers he had been here.

261. Do you know he was at the Police Court examination?—No; I was away on the West Coast a great deal.

262. How do you reconcile the fact of admitting that Inspector Pender probably was here, and that a third-class constable and acting-detective was sent for here, with your sworn statement that the police took no steps?—It was a considerable time after Satherley was missing before even Acting-Detective Cox was sent here.

263. Now, do you know when Acting-Detective Cox was sent over here?—I cannot tell.

264. Then, how do you know that it was a considerable time after Satherley was missing?—Because he came to interview me on two or three occasions, and I date that from the time of his interview with me. I never knew the man until he came to my house to see if I could give him any information. He might have been here before then.

265. Was it not a fact that it was published here that no detective had been sent over, when Cox had been here at least eight days?—No, I do not know.

266. Then, you swear it was not so?—No, I do not know anything about it.

267. You have complained about the manner in which this reward was offered?—Yes.

268. What is your complaint about the manner in which this reward was offered?—That there was no free pardon clause in the reward for the person not the actual murderer, when the reward was first offered.

269. *The Chairman.*] You had an idea in your mind that a murder had been committed?—Yes.

270. And you were pressing the department to deal with the matter as though a murder had been committed, antecedent to the finding of the body and the verdict of the jury?—That is so.

271. Of course, you can realise that if the body had been found and a verdict recorded your opinion would have been very much stronger?—Yes.

272. *Colonel Hume.*] Will you swear on your oath that at that first interview a single word was said about a free pardon to the informer?—Yes, I am quite sure, if my memory serves me aright, that I discussed the question of a free pardon with the Hon. Mr. Thompson.

273. Was I present?—I do not know.

274. Then, you do not blame me for not putting it in if I was not present?—You should not have omitted to put in a reward; that has never been omitted before in any case.

275. You are not prepared to swear that it has not been omitted before?—No, I am not.

276. Then, after your second visit a reward was offered, and a free pardon clause was inserted?—Yes.

277. Had that any result?—I do not think so. I have not heard of any. I do not know that you could expect any after that lapse of time.

278. Why did you go to Wellington especially to get this “free pardon” added to the reward, if you did not expect anything to result?—I did not expect any result while the heads of the department seemed to be so indifferent in the matter, yourself in particular.

279. Why did you go to Wellington?—To bring pressure to bear on the heads of the department, when there should have been no need for me to go.

280. You saw me in Wellington that time?—I did.

281. Did you tell me that within twenty-four hours we could have the murderer if that “free pardon” clause was added to the reward?—I do not remember.

282. *The Chairman.*] There was an interval of a month between the first and second offer of a reward?—Yes.

283. And do you think that the delay in offering a free pardon rendered it to some extent valueless?—Yes.

284. *Colonel Hume.*] You complained about the number of changes made in the officers in charge of the police, and the want of respect shown to the request made by the late Mayor to retain the sergeant at Blenheim?—Yes.

285. Would you be in favour of the communities choosing the heads of the police for themselves?—No, I would not.

286. *Mr. Tunbridge.*] You took a great interest in this Satherley matter from the commencement?—Yes.

287. And not only that, but you spent a considerable sum of money, I believe, in conducting search-parties?—Yes.

288. You have spoken of the spielers who were present, or who were concerned in the robbery of Beattie?—Yes.

289. And I suppose we may take it that you think that the reward might have been the means of getting some of these spielers to disclose evidence?—Yes.

290. As a matter of fact were not all these men, or nearly all these men, who were present, examined at a Coroner’s inquest?—I think most of them were.

291. You were present at the inquest?—Yes.

292. Was Ohlson examined?—I think so.

293. Was Gillett examined?—Yes.

294. Was Bush examined?—I do not remember.

295. If I say he was examined you will not contradict me?—No.

296. Was Simpson examined?—Yes.

297. Was Reardon examined?—Yes.

298. Was Ready examined?—Yes.

299. Does that not represent nearly all those who were present?—No.

300. Well, who else were present on the occasion when Satherley was last seen, other than those I have mentioned?—There was Carkeek.

301. Do you not know that Carkeek was never known to be in the company of Satherley or Beattie at all during the day?—No, I did not.

302. Did you not know that the whole of the evidence taken went to prove that he was not in the company of either of these people at all that day?—No, I did not.

303. Do you say that either of those people that I have mentioned can properly be described as a “spieler”?—I wish to withdraw that term of “spieler.” I perhaps spoke unguardedly when I used that word.

304. You said the murdered man’s property was found?—Yes.

305. What was found?—A few days after he was missing—on the following Saturday—his tobacco was found near the wharf.

306. Was it not a plug of tobacco?—It was, I understand, recognised as his tobacco.

307. Can you say by what means it was proved to be Satherley’s tobacco, if it was merely a plug of tobacco with no marks upon it?—Well, we will drop the tobacco.

308. What next?—There was a £5 National Bank note found near by, which was supposed to have belonged to Beattie.

309. Where was that found?—In a little paddock in Customhouse Quay.

310. Beyond the fact that the £5 note was found there, was there any proof at all that that was in Satherley’s possession?—I never heard. But a short time after that, about ten days, a £10 National Bank note was found on the same spot.

311. Did you ever see that £10 note?—Yes.

312. It was perfectly dry?—Yes.

313. And a good deal of rain had fallen during that time?—Yes.

314. Can you explain how it lay there from the 9th July to the 21st July, during which time a lot of rain fell, and that note did not get wet?—I can only assume it was part of the plunder of the £40 stolen from Beattie, and that the fellow who had it was afraid to keep it and went to put it there. I think it was put there to keep our attention down stream.

315. The tobacco was found a day or two after the man was missing, and do you suggest that the tobacco was taken there for the same reason?—I do not know.

316. I believe these notes and tobacco were found on the line of route to Satherley’s house?—It was a parallel route.

317. What is your theory as to the place where the man was murdered?—I think it was within a few yards of the Marlborough Hotel.

318. And his body was found two miles up the river?—Yes.

319. Then, you suggest that the man was murdered within a short distance of the Marlborough Hotel, and the murderers had to convey the body up the river?—No; by going down the river for a quarter of a mile and crossing to the other bank they could go over a neck of land and meet the river again two miles up by its course above where the notes were found.

320. They would have to cross the river to get to the place where the body was ultimately discovered?—Yes.

321. There were boats in the neighborhood they might have used?—Yes.

322. You are aware, perhaps, that when the boats were seen next morning there was nothing to suggest that they had been used by any one?—I do not know; I understood one boat was seen being baled out.

323. Is it not a fact that the owner of the boat himself was seen baling it out on the Monday morning, two days after that?—I cannot say.

324. And is it not a fact that the boat had been used the previous day in dragging for the body?—That is likely, because a lot of people were out on the Sunday.

325. You, I believe, had as many as ten or twelve men employed at the time?—Yes, and a steamer.

326. That was mainly searching for the body?—Yes.

327. Did you make it known in the neighbourhood that you were prepared to reward anybody having information?—No, when I found the police would not move, I moved at my own expense. I would not have known Satherley if I had seen him.

328. You communicated with the police where you thought they should search to find the body?—No; when I knew anything I let the police know, and I did everything I could to help them.

329. You did not find the body?—No.

330. Therefore, if the police had adopted your suggestion and employed these men, it would have been to no purpose?—I never suggested they should search at all; I suggested the Government should offer a reward.

331. Do you think that these men, after having given their evidence on oath before the Coroner and disclosing no information to lead to the elucidation of this mystery, as you call it, would now for the sake of a reward come and say something different?—It is hardly right for me to assume anything.

332. Even if it came forward now, would not their evidence be discounted and unreliable?—Yes, of course.

333. I should like to know in what way you think the best detective officer in the world could possibly get evidence?—I am not an expert.

334. *Colonel Pitt.*] Who found the first £5 note?—A lad named Ironmonger.

335. Your lad and another lad named Bartlett found the £10 note?—Yes.

336. What was done with the £5 note and the £10 note?—They are still in the custody of the police.

337. *Mr. Poynton.*] You are not acquainted with the rules of evidence?—No.

338. You have no knowledge of what will support an information for a criminal offence?—No.

339. You know, I suppose, that if the police arrest men without having sufficient evidence they expose themselves to an action for damages?—I do not think so.

340. You dragged the river?—Yes.

341. And you found no body?—No, we went down stream.

342. You went as intelligent men, and men acquainted with the whole of the circumstances, to search where you thought the body would be found?—Yes, but I was deceived.

343. The police may also have been misled as well as yourself?—Yes.

344. Taking into consideration the fact that Beattie was robbed of a large sum of money, that Satherley was seen with a large sum of money immediately afterwards and then disappeared: was it not a reasonable thing for the police to believe that Satherley had robbed Beattie, and then absconded?—Certainly not, the very fact of the man openly displaying Beattie's money all day long showed that he honestly thought that Beattie had paid a half-share in the horse Iota.

345. Was not Satherley under the influence of liquor?—Cannot say, I was not in his company. I was informed only slightly.

346. In addition to that, did not the police receive the intimation that he was seen in Christchurch?—They had no direct evidence.

NICHOLAS KIELY, examined on oath.

347. *The Chairman.*] You are a first-class constable, stationed at Blenheim?—Yes.

348. How long have you been here?—Since the 3rd March, 1897.

349. Is there anything you wish to tell us in connection with Satherley's disappearance?—On Saturday, 10th July, it was reported to us that a man named Matthew Beattie had been robbed of some money amounting to about £40 on the previous night in the Criterion Hotel. The only body who could give any information of this money was a man named Victor Ohlson, who was billiard-marker at that hotel. He started the story that this sum of money was paid by Beattie to Satherley for a share in a racehorse. Both Beattie and Ohlson went down to Satherley's house that Saturday morning, and were informed by Satherley's wife that Satherley had not come home the night before. At 2.30 the same day Mrs. Satherley came to the police-station and reported her husband missing. We started to make inquiries for this man, and we found that he had a large sum of money on him the night before, and that he was spending it pretty freely at the hotels. We found

that he had left the hotel about 10 o'clock on the 9th in company with Victor Ohlson, and that was the last that was seen of him alive. Ohlson left the hotel in company with Satherley that night in order to see Satherley home, as Satherley was the worse for drink. That was his statement to us. He accompanied him about 50 yards on the road, and then Satherley objected to him going any further with him, and that when Satherley objected to his going home with him he turned back; and we have it on the evidence of others that he was only about five minutes away from the hotel from the time he left with Satherley till he returned. As Satherley was drunk the night he disappeared, we concluded he had fallen into the river, and on the Sunday morning, the 11th, we organized a search-party, and dragged the river round the bridges and down the river for about three miles. On the 12th we were handed a £5 National Bank note, which had been picked up by a little boy named Ironmonger. On the 13th there was a stick of tobacco picked up within 30 yards of where the £5 note was found. The £5 note was picked up just inside the fence off the road, and the stick of tobacco was found about 50 yards away, on the river side of the embankment. We found out that Satherley had bought a stick of tobacco of a similar brand on the Friday he disappeared, but, of course, we could not say to whom the £5 National Bank note belonged, although there was strong presumption that it was money that was stolen from Beattie. We inquired at the National Bank and found that the money paid to Beattie was in £5 and £10 notes, but we could not find out the numbers. We thought at that time it was quite possible for Satherley to have lost one of these notes on his way home that night, or when going towards his home. Of course, there was a general outcry here about the man being murdered and the body being done away with. This was within a day or two of the occurrence. We had no evidence of any murder. We had no evidence of the man's death, although we kept up a constant search in the hope of finding the body, for weeks after his disappearance. When I was unable to cope with the occurrence, I may say, I applied to Wellington for a detective; I should say I applied for a detective about the 20th. On the 26th July, Detective Cox reported himself to me at the station here. I have reason to believe that he had been in the town for the best part of a week without my knowledge. The matter that I had gathered regarding the case was handed over to him. He was placed in possession of all the facts of the case that were known to us, and he continued the inquiry, of course. On the 12th a man named Gamble told me he saw Satherley alive on the morning of the 10th about a quarter to 9; at any rate, this man Gamble gave this evidence on oath afterwards that he had seen Satherley alive. There was a lady in Christchurch who had written to a friend of hers stating that both she and her boy saw Satherley in Christchurch, and I reported the circumstance; and a detective in Christchurch made inquiries of this lady, and he reported that she was satisfied she had seen Satherley. The date was given. The police here were in this position: they had no evidence of Satherley being dead until the body was found, about 9 o'clock in the morning of September 18th, by two boys named Leslie and Way. It was found in the Opawa River about two miles above the town by the river, and one mile in a direct line in from the town; that is, not at all in a line with his track home, in fact quite opposite. Of course the body was caught in some stakes in the river, otherwise it might have passed down and floated away; there is no telling how far it had come down the river. We had an inquest on the body, and most of the persons who were in his company on the night of his disappearance were summoned to give evidence. There were one or two men who were the worse for drink on that night who could not give evidence, and they were the only ones who were not called. Ohlson, the man most in his company, gave evidence at the inquest. Two doctors held a *post-mortem* examination of the body. The inquiry showed there were scalp wounds on the right forehead; the man's scalp was described as an unusually thin one, and the doctors looked for traces of drowning and were unable to discover any. They said they had found traces of concussion of the brain, and the in absence of any traces of drowning they concluded that death was caused by this blow on the forehead; and in accordance with the medical evidence the jury returned a verdict of murder against some person or persons unknown. There was no fracture of the skull, only it was described as an unusually thin one. Of course, soon after this two detectives—namely, Cox and Broberg—came over here from Wellington. Of course, the inquiry then was placed in the hands of the detectives, and the local police gave them all the assistance they possibly could. This Victor Ohlson was arrested on a charge of having robbed Beattie. He was committed for trial and acquitted at the Supreme sittings. Most of the persons who gave evidence at Satherley's inquest also gave evidence on the occasion of this trial, which was a very long one. In that prosecution the police did their very utmost to drag out something that would throw light on the Satherley murder, but they failed to do so. Personally, of course, I did my very utmost from the very first; and up to the time the body was found I had doubts—grave doubts—about the man being drowned and dead. Of course, I was in communication with Inspector Pender. During the time these inquiries were going on, I expressed to Inspector Pender my doubts; these doubts did not prevent my keeping a constant search for the body up to the 24th July.

350. *Colonel Pitt.*] What about the £10 note?—The £10 note was found by Purser's son and another boy on the 21st July, close beside the spot where the £5 note was picked up.

351. Did you search that place previous to the note being found?—Yes, on more than one occasion. The last time would be two or three days before that. I had a good search on the 12th, with two or three others, and on several occasions before the 24th July I searched.

352. Did you previously search that particular spot?—Yes, I did.

353. What sort of place was it; was it covered or open?—It was not covered; there were a lot of hedge-clippings, and the note was amongst these hedge-clippings, about 10 yards from the road.

354. Did you search that spot with sufficient care to swear that the note was not there when you searched two or three days before?—I cannot conscientiously swear it was not there, but it was not possible for it to be there.

355. *Mr. Poynton.*] Had there been any wind in the meantime?—Yes, wind and rain.

356. *Colonel Pitt.*] Did the boy put the note in the position in which he found it when you went there?—Yes.

357. And then was it in such a position that you could have readily seen it, had you searched?—Yes.

358. Did the Judge at the trial of Ohlson make any remarks as to whether in his opinion a murder had been committed or not?—I did not hear them.

359. Did he favour the opinion that there was a murder or not?—In my opinion he did not express an opinion on that point; I cannot remember.

360. Were you present at the Court?—I think so, but I may have been out of the Court at the time.

361. What was the condition of the £10 note?—It was dry and crisp, and if it had been there before we would have expected to have found it wet, because it had been raining up to within four or five hours of the note being picked up.

362. What time of the day was it found?—It was either 12.30 or 1.30.

363. *Colonel Hume.*] I take it you used every exertion in your power to try and elucidate this mystery at the time?—I did.

364. And when you found you could not throw any light upon it you asked for a detective from Wellington?—Yes.

365. Did you get one?—Yes.

366. Then, Mr. Pender came over himself?—He did.

367. How many times?—He was over here before the body of Satherley was found, and he returned soon after the inquest.

368. Are you satisfied with the way the two acting detectives worked?—I was. I think Cox did all that it was possible for a man to do.

369. And Broberg afterwards?—Yes.

370. Did the boys bring the £10 note straight to you when they had found it?—I met them on the road. Mr. Purser came up to the building here and invited the Magistrate to go down and view the scene of that particular date. As they were passing the police-station the Magistrate called on me and asked me to accompany him. When we got about half-way from the police-station to this paddock we met Purser's boy, and he handed me the £10 note and said he had just picked it up. I believe the boy had been for weeks looking for this body of Satherley on his own hook.

371. How old is the boy?—About twenty.

372. Then, there is a wire fence between where the note was found and the road?—Yes.

373. And it was inside the wire fence, off the road, that he found it?—Yes.

374. Did he say he was going to the police-station when you met him?—I do not remember, I inferred he was; he was going in the direction of the police-station. He went back with us and replaced the note as he had found it. He had an old tin marking the spot where he had found it.

375. Was the grass wet at the time?—Yes, quite damp, but the hedge clippings sticking up out of the grass were quite dry. The note was resting on these hedge clippings.

376. *Mr. Poynton.*] It may have been blown there?—Quite possibly.

377. *Colonel Hume.*] What was the reason for not arresting any of these four or five men who were with Satherley on that occasion for the robbery?—There was no evidence against them.

378. *The Chairman.*] You were satisfied with the statement of Ohlson that he had started with Satherley and then returned?—We were not satisfied with his evidence, but we had the evidence of others who corroborated his statement as to the time he was away from the hotel.

379. You said he was the only one who could give any information about the money. Did he say that Satherley had received it from Beattie in payment for a horse?—Yes.

380. Was that confirmed by Beattie?—No, Beattie contradicted it; he said there had been no transactions between him and Satherley.

381. Did that not lead to any further inquiries on that point?—Beattie was drunk at the time he lost the money, and therefore his word went for nothing.

382. *Colonel Hume.*] Was there any doubt about Satherley being drunk on that night?—We were given to understand that he was under the influence of drink; it was on account of this that Ohlson offered to see him home.

383. Did he not drop a £10 note in the hotel that evening?—Yes.

383A. And a man named Simpson picked it up and gave it to him?—Yes.

384. Did you tell Purser that Beattie refused to swear an information against anybody?—Beattie would not have laid an information against Ohlson, because he was under the impression that Satherley had his money.

385. *Mr. Purser.*] You told Colonel Hume that you did not take any steps to apprehend anybody on account of the robbery of Beattie because you had no evidence at the time?—Yes.

386. Later on, in October, you did apprehend a man for robbing Beattie?—Yes, Ohlson was arrested then.

387. Did Beattie or anybody else lay an information then?—We had no information except this—evidence that Satherley was dead. There was nothing to justify us to lay an information against Ohlson before that, because Satherley might have been alive.

388. You had proof that Beattie had been robbed on the 10th July?—Yes, but we had proof that Satherley had the money.

389. You told the Court that you had information that Satherley had been met in Christchurch?—Yes; I never saw the letter, but I had information about it being in existence, and I found the name of the person who wrote the letter.

390. You also told the Commission that Gamble said he saw Satherley on the morning of the 10th July. Has it not come to your knowledge since the 10th July that the individual Gamble thought was Satherley ultimately turned out to be Watson?—Gamble told me that he saw Satherley; and afterwards swore before the Court he saw Satherley, and I believe he is prepared to swear that again.

391. Has it not come to your knowledge that he now admits it was Watson he saw, and not Satherley?—No, he has not.

392. What is the qualification of Acting-Detective Cox? Is it usual to send an acting-detective to investigate an important case when the local police are supposed not to be able to cope with it?—I suppose the head of the department would know more about that than I do.

NICHOLAS KIELY, further examined on oath.

393. *The Chairman.*] You are in charge of the Blenheim Station?—Yes.

394. When did you join the Force?—In September, 1875, at Picton. I took charge here in 1897.

395. You are in charge of this sub-district?—Yes. It includes Havelock, one constable; Picton, one constable and one police-jailer; Cullensville, one district constable; and Blenheim, three foot constables, one mounted constable, and myself.

396. You find the Force under your control sufficient for the ordinary requirements of your district?—I do.

397. In your opinion, are the men under your control efficient for the work they have to do?—Yes, they are sober and efficient.

398. What is the general order of the place?—It is a very orderly district, a law-abiding and respectable community. We are free from the usual class of thieves and spiellers that have to be contended with in the big towns.

399. Have you much crime to deal with?—No; and what we have is of a simple and ordinary character, except this great mystery.

400. Is there due and proper vigilance observed in apprehending drunken and intoxicated persons in the street?—There is.

401. Have you any reason to suppose that the law affecting licensed houses is systematically broken?—No, I can safely say that the hotels of Blenheim are better conducted than any hotels in any place where I have ever been before.

402. Have you, in all cases where you felt justified by the facts within your knowledge, taken steps to punish offenders against the law?—Yes.

403. Having observed it generally, have you taken such steps in all cases for breaches of the Licensing Act where you felt justified in doing so by information at your command?—Yes, but I must say that the licensing laws are lax; people go into hotels, and as long as the police cannot prove the consumption or sale of liquors during prohibited hours the police cannot take action.

404. Do you think an alteration in the law is necessary to amend that?—Yes, I think so. I cannot say that has been much trouble here, but it can be done without our being able to prevent it.

405. Have you any suggestion you would like to make in regard to the condition of the Force?—I make this suggestion, that in nearly all other Government departments the Government provide uniforms for their servants. I am in favour of uniforms being provided free.

406. Do you think the police would desire to have a pension if it was established at the cost of a deduction from their pay?—I would be quite satisfied. I think some provision should be made for the men in their old age, who have not thrift enough perhaps to keep themselves. I would suggest that the twelve days' leave granted to the police now should be cumulative. I do not think a fortnight is sufficient to enable a man to go from one end of New Zealand to the other, if he wanted to do so.

407. For how long should the leave be cumulative?—I would limit it to a month.

408. *Colonel Hume.*] You have got on fairly in the service?—I have.

409. Have you used in your service any political, masonic, or religious influences to get you on?—No.

410. Then, if anybody told you you had not got a ghost of a show of getting on in the service unless you had some of these influences behind you, would you be prepared to deny that so far as you are concerned?—I would be very doubtful.

411. Has it ever come to your knowledge that political or other influences have been used to get men on in the service?—I cannot mention a case.

MONDAY, 16TH MAY, 1898.

WILLIAM JOHN PARDY, examined on oath.

1. *The Chairman.*] What is your rank?—Second-class constable, stationed at Blenheim.

2. I understand that on behalf of the local police you wish to submit a statement to us?—Yes, as follows: That the annual leave be increased to fourteen days on full pay; that the annual leave be accumulative up to three years; that uniforms be supplied free of cost, or an allowance in lieu thereof; that free passes on Government railways be granted to members of the Force when on leave; that married constables be allowed house-rent allowance; that some recognition be given to members of the Force for good conduct (say every five years); that the travelling allowance be as formerly—to wit, 6s. per day; that when doing relieving duty at stations an allowance of 6s. per day be paid for first week, and 5s. per day afterwards; that police surgeons be appointed; that a pension fund be established for the benefit of members of the Force; that all rewards to members of the Force, and a moiety of all fines inflicted by Magistrates in police cases, be paid into the pension fund; that the present rate of pay is inadequate, and respectfully wish to call the attention of the Commissioners to sections 25, 26, and 28, page 6, Police Regulations, 1886; that the pay should be raised, and if so, would be willing to contribute to a pension fund; that pensions be made payable after fifteen, twenty, twenty-five, or thirty years' service; that in the event of any member of the Force dying, and entitled to draw a pension, leaving a widow and young children depending upon

her earnings for support, the widow should be entitled to draw her deceased husband's pension for a certain period, as the Police Commissioner shall deem meet; that all fines inflicted upon members of the Force for breaches of the Police Regulations be paid into the pension fund.

3. With regard to these suggestions, to what extent do you suggest the pay should be raised?—To, say, 7s. a day, as the lowest rate on joining.

4. And if raised to 7s. per day, do you think there would be a willingness to contribute to a pension fund, and to what extent?—We are leaving that to the consideration of whoever draws up a scheme, which we hope will be submitted to us for our consideration before it is approved of.

5. What should the maximum pay be for a constable?—Up to 10s. a day for a first-class constable.

6. You refer to a moiety of all fines inflicted by Magistrates. Do you mean in all cases?—Yes, where informations are laid by the police; I think the same as is done in Queensland.

7. I suppose you mean the rate of pension to depend on the period of service?—Certainly.

8. Have you any suggestion as to the proportion the pension should bear to the pay?—I think the pension should be three-fifths of the pay, according to the rank a man holds.

THOMAS HENRY PRICE, examined on oath.

9. *The Chairman.*] What is your rank?—Third-class constable, stationed at Blenheim.

10. You are Inspector of Weights and Measures?—Yes.

11. Where is your office?—At the police-station.

12. Do you make any periodical examination of the weights and scales?—At no stated times, but I go round occasionally to examine them.

13. I will read a letter I have received, as follows: "I beg respectfully to point out to you one way in which the police have been neglecting their duty, I refer to the utter neglect shown by them in the supervision of tradesmen's scales and weights. It is commonly known in Blenheim that short weight of the bread is being repeatedly sold, and any complaint made to the bakers is treated with contempt. Many of the loaves are sold with no proper marks of weights, &c., on them, and it is a common thing to find a loaf 2 oz. or 3 oz. short. Only recently I weighed four loaves and found only one the proper weight. Surely this sort of thing should be stopped, as it is very hard on poor people, especially as the price of bread is on the rise. A few prosecutions of bakers would have a most beneficial effect. In fact, the whole of the tradesmen's scales, &c., require a proper overhauling now and then, and I understand it is part of the duty of the police to see that it is done." Do you make any periodical visit to tradesmen's premises for the purpose of examining their scales?—Yes, I have done so.

14. When last?—I examined Adams's weights about a fortnight ago.

15. Do you do it systematically? Do you look into every man's premises in the town?—I cannot say into every shop.

16. How about bakers' shops?—I intended to do them, but there was a case on in Nelson and Auckland, and I wanted to wait a little time to see how they were decided.

17. That was a question of stamping the bread?—Yes.

18. I refer to testing weights and scales?—Yes, but that was short weight as well.

19. The writer says, "Short-weight bread is being repeatedly sold, and any complaint made to the bakers is treated with contempt. Many of the loaves are sold with no proper marks of weight, &c., on them, and it is a common thing to find a loaf 2 oz. or 3 oz. short"?—I tested the weights of Mr. Young, baker, quite recently, and found them correct.

20. Did you test the bread and scales?—Yes.

21. The writer also says: "In fact, the whole of the tradesmen's scales, &c., require a proper overhauling now and then, and I understand it is part of the duty of the police to see that it is done. Do you understand it to be your duty to make a periodical examination of the scales?—Yes.

22. You will understand that our attention has been called to this matter?—Yes. I intended going round the bakers' shops; but I have been very busy lately. Just recently I asked for a constable to accompany me, but we have been very busy.

23. How long have you been here?—A little over two years.

24. How long have you held the position of Inspector of Weights and Measures?—About twelve months.

25. What pay do you get?—Nothing. I left the matter stand over on account of the two cases in Nelson and Auckland. I go round on surprise visits.

26. *Mr. Tunbridge.*] From whom do you get instructions in your capacity as Inspector of Weights and Measures?—I have had no instructions whatever.

27. But the circulars are from the Colonial Secretary's Department?—Yes.

28. As Inspector of Weights and Measures you are not a police-officer at all?—No.

29. I have no control over you in that matter?—No.

30. It is not a police matter at all?—No.

31. And you say you are waiting for a constable to accompany you on the rounds?—Yes.

32. Have the police duties required the attention of the men to such an extent that one could not be spared?—We have been rather busy just recently.

33. If there has been any neglect on your part it has been because your police duties have kept you employed?—I believe it does interfere with my police duties.

34. You are also Inspector of Factories?—Yes.

35. And that takes up a great deal of your time?—Yes, it really does.

36. And police duties must necessarily interfere with the performance of your other duties?—Yes.

37. Your first and primary duties are police duties?—Yes, before everything else.

38. And your whole time is taken up with police duties?—Yes, and to the neglect of these other duties.

39. *Colonel Hume.*] Is there any charge made for the inspection of weights and measures?—Yes.

40. You say you have had no instructions from the Colonial Secretary's Department?—I have had no instructions since I have been here.

41. Does not the Act say that the owners of weights and measures are to make application to have their weights examined?—They are supposed to let me know.

42. *Mr. Tunbridge.*] Do you know to whom that fee goes?—It goes to the Borough Council.

43. They get all the benefits for the work the police do?—Yes.

CLARENCE HERBERT SNOW, examined on oath.

44. *Mr. McNab.*] What are you doing now?—Walking the country as a general dealer and hawker.

45. You were formerly a boardinghouse keeper in Blenheim?—Yes.

46. Do you remember the disappearance of Satherley?—I do not remember it.

47. Do you remember the time?—Yes.

48. Do you remember the time of the body being found?—Yes, I was on the inquest.

49. Between these two dates had you a conversation with Mr. Mills, M.H.R.?—I talked to him once or twice for a short time.

50. Do you remember having a conversation with him at the post-office corner here when a man named Porter was present?—I remember speaking to him at the post-office corner one morning when Porter and Sutherland were there.

51. Did Mr. Mills come up to you, or did you go up to him?—Mr. Mills came across the street from the direction of Adams's shop.

52. How did the proceedings commence?—He shook hands with Porter and myself.

53. What passed then?—We said a few words, and spoke for about ten minutes or a quarter of an hour.

54. Did you make any remark to Mr. Mills, or did he to you?—We spoke about the Satherley affair at first.

55. I believe you made some complaint to Mr. Mills about the Satherley affair?—Sutherland first mentioned the Satherley affair, and I said Mr. Mills was not making much of a stir about the matter.

56. What was Mr. Mills's reply?—As near as I can remember, he said Satherley was all right. He said he would soon turn up, or something to that effect; and said, "I am in a position to know more than you."

57. Did you see Mr. Shaw that morning, and Mr. Jellyman?—Mr. Shaw went into the post-office while we were speaking.

58. Did not Shaw and Jellyman come up and stop the conversation temporarily?—No, Mr. Jellyman came up and shook hands with Mr. Mills.

59. That stopped the conversation temporarily?—Yes.

60. After that did he stand talking with Mr. Jellyman for some time?—About two minutes, Yes; and then Shaw joined him.

61. Did Mr. Mills join you again?—Yes, and I spoke to him again.

62. Did Porter want you to leave?—Porter called me to go up the road.

63. Did you go?—No, I stopped to speak to Mr. Mills.

64. Why did you not go?—Because I wanted to speak to Mr. Mills.

65. And you renewed the conversation?—Yes.

66. What did you say?—I think I started it. I think I said that people did not seem satisfied about Jeffries.

67. What did Mr. Mills say?—He said he had had nothing to do with it. I do not say these are the exact words, but they were words to that effect.

68. Did you make any remark to that, or accept that as an explanation?—We had a few more words.

69. What did you say to Mr. Mills?—I said they did not seem to think so.

70. Did Mr. Mills make any reply to that?—Not much.

71. What did he say?—I cannot remember the exact words.

72. Well, the purport of them?—I think Mr. Mills said that Jeffries was taking the bread out of his mouth in Picton; and why should he not go to Wellington and take the bread out of Jeffries' mouth.

73. Did you accept that as an explanation, or did you make any remark to that?—I said, "You got in; and why do you not let the matter drop," or something to that effect.

74. Did Mr. Mills make any answer to that?—He said it might occur again.

75. Did any further conversation pass?—No, I do not think so.

76. What terminated the conversation?—While he was talking to me, Mr. Porter and Mr. Sutherland were there, and I think he left me to speak to somebody.

77. His last remarks were in answer to your objections: "You got in; why do you not let the matter drop?" And his own explanation was that it might occur again?—Yes.

78. You are quite clear that is all quite true as to what occurred between you and Mr. Mills?—Yes, as near as I can tell you. I do not think Mr. Mills knew me personally. I do not think he knew my name.

79. Were you not a prominent supporter of Mr. Mills?—No.

80. Practically, were you not a prominent supporter of Mr. Mills at that time?—I did not take much interest in it. I had only spoken to Mr. Mills once before the election.

81. *Mr. Mills.*] Do I understand you to say that Mr. Porter and Mr. Sutherland were present when the conversation occurred?—Porter was present, and Sutherland was alongside him.

82. At first?—Yes; he shook hands with both of us.

83. But according to your evidence we separated?—Yes.

84. You stated, as I understand, that you came to me the second time after we parted?—Yes.

85. And Sutherland and Porter were not present then?—Sutherland was not present, but Porter was alongside of me.

86. Are you quite sure you asked me this question, about taking the bread out of his mouth; because it is the first I have heard of it?—I never asked you the question at all. I said people were not very well satisfied with the way Jeffries was shifted. Jeffries was a man I did not know. I only knew him a month or so ago.

87. Then, practically, you and I were the only two persons present when this conversation occurred?—No, Jack Porter was present.

88. Is he about?—I do not know, I saw him this morning, and I know where he is working. He was working at the football ground a few days ago.

89. When this conversation ended where did you go?—I walked up High Street.

90. Then, who was the first person to whom you told anything about this conversation with me?—The first man who spoke to me about it was Jack Porter; he heard most of the conversation. We had talked over it going up the road.

91. He heard most of the conversation?—Yes.

92. After you had spoken about this to Mr. Porter, who else did you tell about this conversation?—Three men had been working with me and we were talking about the affair, and I mentioned something about it to them. I did not know there was anything like this coming up, though.

93. Are you positive that the conversation occurred in the way you have stated: that is, with regard to my expression, "Why should I not go to Wellington to take bread out of Jeffries's mouth?"—The words were, as far as I can remember, you said, "Look here, Snow, Jeffries was taking the bread out of my mouth in Picton; and why should I not go to Wellington to take the bread out of his mouth?" I said, "No, you got in; why not let it drop?" or words to that effect, and you said, "It might occur again?" During this conversation Mr. Porter was alongside of me. I have never spoken to Porter of the matter.

94. I cannot understand, in the way you put the conversation, how it was possible for me to say that Jeffries was taking the bread out of my mouth?—You said Jeffries was working against you, and taking the bread out of your mouth in Picton.

95. When did you say this conversation occurred, about the date?—It was between the time Satherley was missing and the time his body was found.

96. I want, if possible, to fix the date. Was it some time after this election?—It was after the election.

97. What date was it that Satherley was missing?—It was between July and September last year. I cannot swear to it positively.

98. Then, according to your statement, it would be actually some time after Constable Jeffries left Takaka?—I do not know where he was; he was away from Picton, I think.

99. It would be nine months after the election?—I cannot say; I know it was a very considerable time.

100. When was the last time you have been spoken to in reference to this matter, and about your giving evidence?—Mr. McNab told me this morning that I would be wanted this morning.

101. Mr. McNab has had a conversation with you since he came into Blenheim?—Yes.

102. Did Mr. McNab tell you then what evidence he required from you?—No. I got a subpoena and went into the Club Hotel last night. I saw Mr. McNab, and he jumped up and said, "I want to see you;" and I said, "I do not want to talk to you." After that we stood and spoke for a few minutes, but I cannot tell you exactly the conversation that took place. He asked me a few questions about you; but I do not exactly remember what I did say to him last night, to tell you the truth.

103. Has any one else, previous to Mr. McNab, written to you or said anything to you that you would be required here during the past month?—No, not a soul.

104. And in recollecting this conversation that occurred eight months ago, do you now say that you do not recollect what conversation took place between you and Mr. McNab only last night?—No, I do not. I cannot say for certain. I came a long journey yesterday, and we had a whiskey or two on the road, and nothing to eat, and I cannot remember the full words I said to Mr. McNab last night.

105. Whiskey very often sharpens a man's memory?—It does; but I do not know exactly what took place. I know we mentioned the case, but I said, "I do not want to talk to you."

106. In this conversation that you allege took place between you and I, can you positively swear that I did not use words of this kind, "Did Mr. Jeffries think that through his actions in the elections he might be taking the bread out of my family's mouth?"—No. The words you said were these: "Jeffries was taking the bread out of my mouth in Picton, why should I not go to Wellington and take the bread out of his mouth?" It was said quickly; you seemed to be in a hurry, and you spoke to two or three while speaking to me.

107. Do you say that Mr. Porter was there when this conversation took place?—Yes; he was standing alongside of me.

108. Did we not meet in Starborough and converse before?—Yes, once. I did not think you knew me.

109. Have we not met several times?—Yes.

110. Have I not met you many times in the town previous to this?—Yes.

- 110A. And spoken to you?—Yes; you always nodded to me.
111. Then, how can you say I did not know you?—I did not think you knew me.
112. And yet you told the Court that I came up to you in a most familiar manner?—I have seen you speak to plenty of people you did not know.
113. How did you know I did not know them?—People have told me you did not know them.
114. And this was eight months after the election?—It was after the election.
115. Then you have told the Court here that you were a stranger to me?—I said I did not think you knew me.
116. And you think that as I did not know you, I would come up to you and make use of the expression such as you said I did?—Of course, you talked; it did not matter who it was; even if it was a perfect stranger from the country, and he started to talk to you, you would talk back to him.
117. You cannot fix the date?—No, I cannot.
118. Did you ever tell Mr. Jellyman anything about this conversation?—No.
119. Did you tell Mr. Shaw about it?—No; not till this morning.
120. On your oath, did you ever tell Mr. Frank Shaw anything about this previous to this morning?—I have told him something about it, but not the same evidence that I have given here.
121. Have you not told him something of what you have spoken to me about this matter, and told him this reputed conversation?—No; I did not tell him the conversation.
122. Did you tell him anything about it at all?—Yes.
123. Tell us what he said.—I have often spoken to Shaw, and I think I said that Mills and I talked over the Satherley affair once, and that some time after we spoke about Mr. Jeffries.
124. Are there no means by which you can fix the date when we had this conversation?—No.
125. Within a week, can you?—No; nor within a month, because it was a conversation on the street.
126. Did you ever speak to me about it afterwards?—No.
127. You have not spoken to me! Has Mr. Shaw, or Mr. McNab, or Mr. Thomas Jeffries, or Mr. John Jeffries ever spoken to you?—You have spoken to me every time you met me.
128. Have you ever referred to this reputed conversation at any time to me?—No, not that I am aware of.
129. *Mr. McNab.*] After the conversation with Mr. Mills you walked up the road with Porter?—Yes; he stood alongside of me until we finished the conversation.
130. Did you discuss the conversation with Porter, there and then?—Yes.
131. At that time you did not know Constable Jeffries at all?—I did not know him personally; I knew him by sight. I had rented a paddock from him, but had it through a commission agent.
132. I think some two months ago you were in Nelson—Yes.
133. Did you tell Constable Jeffries about this matter then?—That is where I first made the acquaintance of Constable Jeffries.
134. Did you tell him anything about this matter then?—Yes.
135. The libel actions were then over?—Yes.
136. It was suggested by Mr. Mills that you had seen me about this matter. Was any suggestion made by me as to any evidence you were to give?—No; I told you I did not want to see you.
137. Mr. Mills practically admits, by cross-examination, that he said, “Jeffries, by his action, might be taking the bread out of my family’s mouth.” Are you quite clear that these were not the words, but that the words you have given are the true words that were used?—Yes; the words I have given are correct. I have thought of it so many times since, and these are the words I used then.
138. *Colonel Pitt.*] Can you remember anything you did on the day of this conversation that would lead you to fix this conversation afterwards?—No, I cannot. I have no record on my books; I looked at them this morning.
139. Not by any event that occurred on that day?—No.
140. Do you know where you went after you parted with Porter?—I think I went home.
141. *Mr. Mills.*] I understood you to say just now in answer to my question that you did not know Mr. Jeffries except by sight?—Yes.
142. Now I understand from the cross-examination of counsel that you did meet Jeffries in Nelson?—At the time of my conversation with you I did not know Jeffries.
143. Did you ever say anything to me about Constable Jeffries taking too active a part in the election?—No.
144. Did you take any part in the election?—No; I was in the country, and did not take much interest in it.
145. You never said anything to me in reference to Constable Jeffries taking too active a part in the election in the presence of anybody else?—No, I do not remember it. I may have done so, but I do not remember it.
- JOHN PORTER, examined on oath.
146. *Mr. McNab.*] You are a labourer, residing in Blenheim?—Yes.
147. Do you know a man named Clarence Herbert Snow?—I do.
148. Is he a traveller and general hawker, so far as you know?—Yes; I think so.
149. Do you remember the time of Satherley’s disappearance?—Yes.
150. Do you remember the finding of his body?—Yes; I cannot tell you the dates.
151. During that time do you remember yourself and Snow meeting Mr. Mills, M.H.R., at the corner of the post-office?—Yes; I think we shook hands with Mr. Mills one day.
152. Do you know a man named Mr. Sutherland?—Yes.

153. Was he present?—I cannot say; I think so. I do not know who was present, but it was out in the Square.
154. Do you remember Mr. Mills shaking hands with both yourself and Snow?—Yes.
155. From what direction did Mr. Mills come?—He came across from the corner, in the direction of Adams's shop.
156. After he had shaken hands with you, did any conversation take place?—Not much; I do not remember any.
157. Did you make any remark to Mr. Mills?—No; I just shook hands with him, and asked him how he was getting on.
158. Did Snow make any remarks, so far as you remember?—I do not remember; it is a long time ago. I cannot say that he said anything.
159. Did Snow make a remark about Satherley?—I think he said something about Satherley.
160. What was the remark he made, so far as you remember?—I think he said Mr. Mills was not taking much interest in the Satherley affair, or something like that.
161. What did Mr. Mills say?—I do not remember. Blackman was near there, and he called me away.
162. Did you see Mr. Shaw and Mr. Jellyman come over to the post-office?—No.
163. Did you see Mr. Mills speak to Mr. Snow again?—Yes; he was speaking to him a good while after I went away.
164. Did you see Mr. Mills leave him after you went away?—Yes.
165. Do you remember any break in the conversation; do you remember Mr. Mills going into the post-office?—He went to the post-office just as I went away, and then he came back again.
166. Then the conversation was renewed?—I went away on to the Square.
167. Did you see the conversation renewed?—I saw Mr. Mills going back to Snow. I do not know what they said to one another.
168. Did you hear any conversation then?—No.
169. Did you hear Jeffries's name mentioned?—No.
170. After the conversation between Mills and Snow was over, did you join Snow and walk up the road with him?—Yes; I think we went down to the Working-men's Club.
171. I suppose you had some conversation?—No, I do not remember; it was so long ago I cannot say; we were yarning about work, and one thing and another. I would not like to say what we said.
172. Where was Mr. Mills? Was Jeffries referred to?—I do not know.
173. *Mr. Mills.*] You have never heard any conversation between Mr. Snow and myself with reference to Constable Jeffries?—No.

WILLIAM GAMBLE, examined on oath.

174. *Mr. Tunbridge.*] You are an expressman, living in Blenheim?—Yes.
175. Do you remember the day that the late Mr. Satherley was reported as missing?—Yes.
176. On the 10th July did it come to your knowledge that Mr. Satherley was stated to have been missing since the previous night?—Yes.
177. In consequence of that statement coming to your knowledge, did you communicate to the police or to any other persons that you had seen him?—I was asked whether I seen Satherley on the Saturday by a man named Gillon, and I said, "Yes; I had seen him about ten minutes past 9 o'clock in the morning."
178. Had you seen him?—Yes.
179. Where?—Down a road leading off Manse Road and going into Customhouse Street.
180. Where were you?—I was in Customhouse Street going towards town.
181. How far away from you when you saw him was Satherley?—About forty yards.
182. It was daylight?—Yes.
183. Do you know Satherley well?—Yes.
184. Have you any doubt that the man you saw at that time was Satherley?—No doubt at all.
185. *The Chairman.*] Was he facing you?—Yes.
186. *Mr. Tunbridge.*] What time would it be since you saw Satherley until you first made this statement which you repeat here?—I saw Gillon on the evening of the same day.
187. Was it possible you could have confused that morning with the preceding morning?—No.
188. You are certain of that?—Certain of it.
189. Where were you on the Friday morning at the same time?—I was carting chaff from St. Leonards, about three miles away, to town.
190. What time did you get into town?—About 9 in the morning.
191. Were you in Customhouse Street with the chaff?—No.
192. In another part of the town altogether?—I did not go anywhere near Customhouse Street when I was carting chaff.
193. You made a statement to the police on the following Monday, the 12th July, to the effect you are now stating?—Yes.
194. Have you since repeated that statement on oath?—Yes, at the inquest.
195. Were you called at the trial?—No.
196. Have you told anybody, or led anybody to believe, that you had no doubt about the truthfulness of your statement?—No.
197. If any one suggests you have done so they are not speaking the truth?—That is right.
198. *The Chairman.*] You were within 40 yards of Satherley?—Yes; he was walking.
199. Was he walking as a sober man?—Yes.
200. Did he appear to be suffering from any injuries?—No; he had his head bent.

201. What sort of a street is this you saw him in: what are the character of the houses in it?—They are respectable houses. It is a large upstairs house, with a lot of fir-trees about it.
202. He was facing you, and walking as a sober man, with his head bent, and you have no doubt of his identity?—No doubt at all.
203. In the face of all the subsequent discoveries, have you any doubt about his identity?—None whatever.
204. Are you aware that on that day a search was being made for him?—Yes.
205. Did you take any part in the search?—I did not.
206. Did you inform the people who were engaged in the search that you had seen him?—Yes; I stated to some of them that I had seen him.
207. Did they believe you?—No.
208. Notwithstanding what you told them they continued the search?—Yes.
209. *Colonel Pitt.*] How did Gillon come to ask you if you had seen Satherley?—Gillon was coming towards town, and it had been reported that Satherley was missing, and he asked me if I had seen anything of Harry Satherley, as he had not been seen since last night.
210. It was a general inquiry?—Yes.
211. Are you aware it was said that Satherley had not been at home that Friday night?—Yes; Gillon told me.
212. Are you aware of any one who had stated where Satherley was that Friday night, after he had left the Marlborough Hotel?—No; I heard that one man had seen him an hour after me on the Saturday morning.
213. Do you know who that man is?—No.
214. How do you know that?—Detective Cox told me.
215. *The Chairman.*] Has that man ever been produced to give evidence?—To give private evidence; it was not taken in Court.
216. What did you know of Satherley previously: were you on intimate terms with him?—I had known him for some years.
217. Did you know him pretty well?—Yes; he used to ride to and fro with me. I used to pick him up when going towards his house.
218. Do you know what sort of a hat he had on?—He had a cap on.
219. Was he dressed in the same clothes you usually saw him in?—Yes.
220. *Mr. Poynton.*] How far would it be from the place you saw him to where the body was found?—It would be a distance of about a mile and a half.
221. And how far to where the notes were found?—It would not be many chains, just round the corner—about two minutes' walk.
222. Were you as positive in your statement to Sergeant Kiely on the Monday morning that you had seen him as you are now?—Yes.
223. *Mr. Tunbridge.*] You mean, when you say a mile and a half, by following the course of the river?—Yes.
224. But as a crow flies in a direct line?—It would hardly be a quarter of a mile if he went over in a boat straight across the country.
225. Was there a bridge near where you saw him?—No.
226. *Mr. Purser.*] You say you saw this individual, whom you assume to be Satherley, about ten minutes past 9 on the Saturday morning?—Yes.
227. Who else did you see in the same locality?—Nobody.
228. Which way was he going?—He was going straight towards the river.
229. Were you going from town or going to town?—I was going to town.
230. Where did you start from?—From home.
231. How far was that from where you thought you saw Satherley?—About a minute's walk.
232. You did not see anybody else at that time in the morning?—No.
233. Do you remember the first conversation I had with you?—Yes.
234. That was a day or two after the inquest?—It was while the inquest was going on.
235. Did I ask you then if you still persisted, knowing that Satherley had been found and an inquest held, in saying you saw him on the Saturday morning?—Yes; and I told you "Yes."
236. Now, did I not draw your attention to the injustice you were doing by persisting in what must have been a mistake, and say that in common justice to the widow you should openly admit it, by saying you now felt sure you were mistaken?—You told me the public would either think I was a lunatic or was screening the murderer.
237. *The Chairman.*] And you persisted in the statement?—Yes.
238. *Mr. Purser.*] Did you not at the latter part say, "I still believe it was Satherley I met, but I might have been mistaken?"—No, I did not.
239. Now, as a matter of fact, are you not pretty clear in your own mind that the man you think you saw on the Saturday was not Satherley, but no other than Andrew Watson?—No.
240. You know Andrew Watson?—Yes.
241. Is there any great resemblance between the two men?—I do not think so.
242. *The Chairman.*] You are certain it was not Andrew Watson?—Quite certain.
243. *Mr. Purser.*] You told us of some other man who gave information to Detective Cox that he had also seen Satherley?—Yes.
244. Do you know who he was?—No.
245. *Mr. Tunbridge.*] You knew Andrew Watson by sight long before this?—Yes.
246. And you have no hesitation in saying it was not Andrew Watson you saw, but Satherley?—It was Satherley.
247. And that has been your belief all the way through?—Yes.

248. *Mr. Poynton.*] You did not inform Sergeant Kiely you thought it might have been Watson?—No.

249. Did the name of Watson crop up at all?—No.

ARTHUR HUME, examined on oath.

250. *Mr. Purser.*] You heard the evidence of the last witness?—Yes.

251. And you remember that he said that another individual had told Detective Cox that he saw Satherley on the Saturday morning?—Yes.

252. Have you a record of that in your department in Wellington?—Yes; if it happened.

253. Is there any further amendment to that suggestion that this man whom Gamble referred to was not Satherley, but Andrew Watson?—I do not know. I can tell the Commission in Wellington.

254. I presume you have had pretty considerable experience in police matters?—A fair amount.

255. Is it in your experience that it sometimes happens that the police get hold of a wrong theory?—Yes, sometimes.

256. Is it not an admitted fact that they sometimes often stick to these theories and reject evidence rather than appear to have made a blunder?—No; that is not my experience.

257. You do not think there are any cases in which they would—at least, I may use the term—ignore evidence that would prove that their theory is wrong?—No, I do not think there are.

258. Is it not a fact that the department, from almost the disappearance of Satherley, have bolstered up the theory that he was lying low and still alive?—We thought that at one time; but at the same time we got all the information we could that would throw any light upon it in another direction.

259. Even up to the 12th August—that was more than a month after Satherley's disappearance—the police held that theory?—That is what they did think

260. Although there appeared to be every reason to look at the case from another point of view?—I do not admit that at all; if there was sufficient evidence to look at it from another point of view, I have no doubt that the detectives did look at it from another point of view.

261. Do you remember my visiting Wellington about the middle of August?—Yes.

262. Did you not tell me then you knew almost where to put your hand on him?—No, I did not tell you that.

263. Did you not tell me you were almost certain he was lying low, and that you could put your hands on him in forty-eight hours?—I did not say we could get him in forty-eight hours; I said I thought he was lying low, and that we could get him.

264. Had you the least grounds for making that statement?—I am not in the habit of telling a falsehood. I should not have said that if I had not had grounds for saying it.

265. About the 11th August did not the police hand in a paragraph to the *Marlborough Express* to the effect that Satherley had been seen in Christchurch?—I do not know. I do not think the police are in the habit of handing in statements to the newspapers.

EDWARD PURSER, further examined.

266. *The Chairman.*] Can you give us the contents or the essential part of the letter which suggested that Satherley had been seen in Christchurch?—Yes; this extract is a true copy of the original letter—namely, “What a way Mrs. Satherley would be in about her husband. If they have not heard any news of him, I can tell you where he was on the 24th July . . . I see by the morning paper that Satherley is not found yet, so I will tell you where I thought I saw him—I am almost sure it was Satherley. I was in Christchurch with little Charlie; we were walking down High Street, a street that leads to the station, when all at once Charlie said, ‘Look, mother, there is Mr. Satherley!’ I said, ‘So it is.’ I was going to speak to him, when he walked quickly past me, and looked at me as much as to say, ‘I don’t want you to recognise me’; but when he had passed me he raised his hat and smiled.”

267. *Mr. Tunbridge.*] This was a letter from Mrs. Campion?—I think so.

268. Mrs. Campion and family lived in Blenheim?—Yes.

269. Nearly opposite to Satherley?—Yes.

270. When she left Blenheim, Satherley took the house she vacated?—I believe so.

271. Mrs. Campion knew Satherley very well?—Yes.

272. And her little boy knew him well?—I believe so.

273. What is your complaint against the police in connection with making inquiry into the truth or otherwise of that letter?—Generally, I say, they started on a wrong theory, and have been endeavouring to uphold that theory, and ignored anything else that led off from that theory.

274. Do you wish to state that the police should have ignored that letter altogether?—Yes; they should have taken it for what it was worth. They should not have said they had seen him in Christchurch, and could put their hands on him. That letter does not justify them saying he was in Christchurch.

275. Do you suggest the police should have ignored that letter?—They had their own way of doing things; probably it would have been better if they had taken it for what it is worth.

276. Do you think the police did anything wrong in having Mrs. Campion interviewed?—No, they did perfectly right.

277. Then what part, what action of the police in connection with that letter do you object to?—I object to the police coming to the conclusion that he was absolutely in Christchurch when the woman said she only thought she saw him in Christchurch.

278. Do you know on what the police were acting at the time?—No.

279. At that time Satherley's body had not been found?—No.

280. So that it was not unreasonable for the police to attach some importance to that letter in the light of the fact that Satherley's body had not been found?—Yes.

281. A woman, who is admittedly known to have been well acquainted with Satherley, makes this statement, that on a certain date she saw him, that her little boy thought it was him, and that the man turned round and raised his hat to them?—That very fact ought to have assured them it was not him. Raising his hat was a thing he was not guilty of doing.

JOHN JEFFRIES, recalled.

282. *Mr. Mills.* Who instructed you to leave Picton and go down to Pelorus Sounds to adjust the roll?—Sergeant Möller, by written instructions.

283. You had no other instructions?—No.

284. Did you receive a telegram from Sergeant Möller when you were in Havelock?—No, I have no recollection of having received it.

285. Did Constable Egan, stationed at Havelock, convey the purport of a telegram in any way to you?—I have no recollection of Constable Egan speaking to me on the subject.

286. Did you receive any other instructions beyond written ones when you were in Havelock with regard to an alteration of the roll?—No, I have no recollection of it. If I had they would have been embodied with the others, copies of which I put in.

287. After you returned from Havelock to Picton did you receive any other instructions then from Sergeant Möller with regard to altering the names on the roll?—No.

288. I understand you to say, then, that you received no other instructions to those contained in this letter of the 21st October, 1896, and that you acted on them?—Yes, my instructions were as follows:—

Police-station, Blenheim, 21st October, 1896.

HEREWITH is a roll and claims of voters for you to correct where necessary. As it is reported that a number of names and claims have been sent in, and that Maoris not possessed of £25 worth of property are amongst them, please do your utmost to have them made correct. All persons on the western side of the Pelorus Sounds are outside the district. I think it is principally at Cullensville and part of the Sounds that the trouble will arise. As you know the district better than any other member of this Force, I have selected you, and you know, of course, the grounds of objections. Some of the claims are not witnessed by duly authorised persons, and a number of names are said to be on the roll which should not be there. There are two names "Talbot" on the roll at the Sounds. They used to be at Havelock, and the witness is not properly qualified. £10 has been authorised, chargeable to Colonial Secretary.

Constable Jeffries.

S. MÖLLER, First-class Sergeant, No. 33.

Police-station, Blenheim, 22nd October, 1896.

Re Electoral roll: I expected you here to-day. As you did not come, I saw Mr. Cawte from The Grove. He will assist you in every way, and so will Mr. Cullen and Coombe. There is no bother or doubts about the correctness of the roll anywhere but at Cullensville, The Grove, and the Sounds down from Havelock. You can get a steamer at Havelock for £2 a day, and it will not take more than two days from there down and back. Brownlees people will assist in every way. If you cannot go, let me know by wire to-night, and I will go myself *via* Kaituna to-morrow. If there is no better means of getting to Cullensville from Picton, you could come up to-night and go by coach to Havelock from here at 9 a.m. to-morrow, or come on Friday afternoon and go by Saturday's coach to Havelock, and telegraph to Egan to have the steamer ready that afternoon.

Constable Jeffries.

S. MÖLLER, First-class Sergeant, No. 33.

289. Your instructions are that every one on the western side of the Pelorus Sounds were outside of this district?—Yes, that is what I was informed by my instructions—that is from the mouth of the Sound up to the Wakamarina River.

290. You went down the Sounds to see that all these claims were either placed on the Wairau roll or the Nelson roll?—No, to see about the opposite side. Suppose a roll said, "Thomas Johnson, settler, Pelorus Sound, residential," and it did not say whether he was on the eastern side or the western side, I went down to rectify those on the eastern side. With regard to the western side I had no instructions. I went to find names on the eastern side, and had nothing to do with the western side whatever.

291. And what distance down the Sounds did you go?—I went down as far as Akaloa Bay.

292. And on that trip you made no inquiries with regard to these claims on the western side of Pelorus Sounds?—No.

293. How was it, then, that you gave information about Mr. Black and others being on the western side, and that they ought to be on the Nelson roll?—Mr. Black's name was down for Meadowbank, if I remember rightly.

294. Was it not a fact that you had to obtain correct information as to where these parties resided who were on the old Waimea-Picton roll, so that the new roll could be properly adjusted?—I had no other instructions than those conveyed to me by Sergeant Möller.

295. When you received the letter containing the paragraph you referred to on Saturday in connection with my request for further information about the electors, who sent it on to you?—Sergeant O'Malley, who was in charge of the Blenheim district at that time.

296. Was it the usual way for any correspondence to come to you?—Certainly.

297. Will you kindly explain what made you think that that paragraph was something of a hit, as you say, against you?—Because it was publicly rumoured that you were doing your utmost to get me shifted from Picton because I had worked against you, and had manipulated the roll in some way, and I suppose you had concluded I had done so, and hence you said, "Probably Constable Jeffries can explain."

298. I simply added—to convey to the Police Department—that you would be the best man to give the information; as you had been there?—I replied, and said I was unable to afford the desired information.

299. Could you not at that time have given me the information asked for in the letter, and said that you had literally obeyed instructions?—I said I was unable to give you the desired information, and you had these instructions at your disposal by asking Mr. Stoney for them.

300. Did you have anything in any way, direct or indirect, from me personally which would lead you to think I was doing what you supposed?—Not from you personally, nothing whatever, beyond what you said, which I took was a hint to the department that I could give the information.

301. How long have you known me?—From boyhood, you may say.

302. Do you recollect meeting me in Wellington when they removed you from the West Coast?—Yes.

303. Do you remember asking me to do what I possibly could to get you into a country station?—No, I do not recollect asking you that. I met you after I was transferred from the West Coast to Wellington, and was placed on street duty there. I was a very heavy man, and the work was positively killing me and killing others.

304. Did you not tell me that the work was really too heavy?—Yes, I did.

305. Did you not ask me to interest myself on your behalf?—I might have said if you could see your way to interest yourself I would be thankful.

306. I did so?—I am unaware of it.

307. Do you recollect writing to me a letter after you were in Picton?—I never wrote you a letter in my life, either before or after my removal to Picton.

308. Did you afterwards ask Mr. Card, in Picton, to write and ask me to try and get some additions and improvements to the buildings, which were too small for your family?—I do not recollect it, but, at the same time, I will not say I did not; it is quite likely, because, of later years, if we do not move members of Parliament we would get nothing done.

309. Were the additions ever made to the house?—They were. Inspector Pender came over, and he strongly urged the necessity of more accommodation, and an additional room was erected.

310. Did you ever ask Mr. Card to write me again about having you made a sergeant, a position you thought you were entitled to?—No, in matters of promotion I never asked for anything; all I have ever asked a member to do for me was to get me transferred from street duty in Wellington and get improvements for me. For promotion I do not care a rap, although I have been hardly treated in not obtaining it.

311. *The Chairman.*] On both these occasions was Mr. Mills the member through whom you operated?—I may have asked Mr. Mills in Wellington to do something for me, but I have no recollection of having done so then or subsequently.

312. Did you ask Mr. Card to do it for you?—I have no recollection of having done it. I scarcely think I did. I have no doubt but what Mr. Card did do it, because he is a friend of mine, and we had several talks on the subject; but I feel sure I never sanctioned his moving in the matter.

313. *Mr. Mills.*] Do you recollect Mr. Card showing you a letter from me—I think in September of 1896—in which I said that information had been sent to me saying that you had used threatening language to some publican to the effect that it would be bad for him if I were returned?—Yes, but it did not say anything about threatening language. Mr. Card showed me a letter in which Mr. Mills said he had been informed that I was using political influence against him, and that it was his intention to run the Wairau seat, and he had heard that Jeffries was working against him.

314. Did you not tell Mr. Card to write back and deny it outright?—Yes, I did.

315. Did you not ask Mr. Card the first time I came over to bring me along, and you would deny it to me?—I did.

316. The first time I saw you personally regarding that letter was in your office?—Yes, you and Mr. Card came in.

317. In your evidence before the Supreme Court here some time ago you said: “Mr. Mills never asked me to vote for him.” Is that correct?—You did not ask me to vote for you, but you asked me to support you.

318. What did you tell me with reference to voting?—I told you I was not going to vote at all.

319. What led to the conversation about voting?—I really forget the exact words. You told me you were going to run for the Wairau seat, and I had also seen it announced then.

320. Did you not ask then who was my informant in the letter which Card showed you?—Yes.

321. Did I not tell you that I was perfectly satisfied with your own assurance that it was untrue?—I will not say you did not, but I cannot say that you did. It is quite likely you did say so.

322. Did you not ask me then to give you the name?—Yes, I asked you before.

323. Did I not say then, “It is no use troubling any further about it; I am perfectly satisfied with what you have stated”?—Yes.

324. Did you say to me then it was your intention to take your name off the roll?—I was not aware I said so then, but I said so to others. I said to Mr. Card I would take my name off the roll, and he advised me not to.

325. Did I not laugh at the time and say, “What foolishness! Leave your name on the roll; vote as you jolly well like, but do not take any active part in the election”?—Yes, I recollect you saying a person had a right to vote as they liked. That is right.

326. We then parted on very friendly terms?—Yes.

327. *The Chairman.*] Was this prior to the election?—Yes, in the month of September.

328. *Mr. Mills.*] And personally I never gave you any reason to think that I would do anything like what is being imputed to me from the Press?—No, you did not.

329. *Mr. McNab.*] You did not get the name of the person who went to Mr. Mills in Wellington?—No, he said he had received it in confidence, and that it would be an “abuse” to divulge it, and he would not do so.

330. That was in September, 1896?—I believe so.

331. Was not September, 1896, the time you had this trouble with "Takapuna Tom"?—Yes.

332. And "Takapuna Tom" threatened you he would go to Mr. Mills and Colonel Hume?—Yes.

333. Of course, coupling Seward's threats with being told of the letter sent to Mr. Card, you had little doubt but what Seward had been at work against you?—I thought it was likely that Seward had been using some influence in the matter.

334. As a matter of fact, you did not vote, did you?—No.

335. It was quite true at that time you had taken no active part in the election, or at any time before you went down to Pelorus Sound? Did you take advice in Havelock as to the best way of getting down, and who to go to?—I did.

336. Who did you go to?—To Mr. Gustavus Mathieson and to Mr. Reynolds, who were leading supporters of Mr. Mills.

337. You thought that the words added to Mr. Mills's letter, to the effect that "probably Constable Jeffries can explain," were a slur upon you?—Yes, I did think so.

338. And that you had not carried out your duties properly?—Yes, it was decidedly a blow aimed at me.

JOHN JEFFRIES, further examined on oath.

339. *The Chairman.*] You are desirous of making certain suggestions which you have embodied in a written statement?—Yes. It is as follows:—

"Memorandum re Evidence.

"*Re fuel and light:* Constables in out-stations (so-called) are directed to provide themselves with these necessaries, which is deemed to be a hardship and an injustice.

"*Repairs and improvements to stations, &c.:* Constables occupying stations are directed that they must, when needed, repair and improve such stations at their own cost, which is particularly hard on constables, inasmuch as that, when effected, the probability is they receive orders of transfer to some other station, where similar work will have to be started—at least, that is my experience. The result is stations are to a considerable extent kept in repair and good order at the expense of the unfortunate constables, who can ill afford the outlay, and, to a more or less extent, it really means paying rent; but if it is not done, the stations in time become so dilapidated that they are unfit to live in. (State of the condition of the Port station on 28th July, 1897—cockroaches and rottenness.) But some policemen are quite satisfied to live in any hovel, while others bitterly grumble at their treatment, but endure it in consequence of being afraid to complain to their officers, as likely it would lead to a transfer, and perhaps to a worse station.

"Then, again, some constables are permitted to remain at one station for ten, fifteen, twenty, twenty-five, thirty, or thirty-five years, while others are removed every two or three years without having the slightest idea as to the cause of it, not being aware that they have done wrong in any way. Many transfers are certainly not in the public interest, whatever else may be said in support of them, but are merely the outcome of capriciousness and prejudice on the part of those who wield authority, and it is the cause of considerable complaints. I myself, since the abolition of the provinces in 1876, have been transferred six times, and during Colonel Hume's commissionership, lasting about seven years and three months, I have been transferred four times, being a transfer every year and a half. While in Picton, in consequence of this circular on the subject—and thinking I should be there at least from eight to ten years, and also that it would make things much more comfortable and add to the appearance of the place generally—I effected considerable improvements by clearing the police-station and Courthouse paddock (about 3 acres) of gorse, broom, and other noxious growths, by digging up and burning &c., and in picking up and wheeling out all surface stones and other rubbish; made a drain to lead away the waste and other water (drainage) from the water-supply tap, and bricked and concreted a platform under the tap; also fenced in a garden and planted it with fruit-trees. I also planted several fruit- and forest-trees about the place, raised the ground around the back part of the station some 12 in. or 15 in., erected a washhouse, wood- and coal-shed, varnished the unpapered rooms, put up hat-racks and clothes-hooks, shelving, and lamp-stand, and carried out other necessary improvements in order to make the place comfortable and homely. But upon my leaving there I was in no way recouped my outlay, or the actual money expenditure, although I was led to believe I should be, owing to my having made application for compensation, and in consequence of Sergeant O'Malley being instructed to value it on behalf of the department. I am therefore of opinion that the late Commissioner (Colonel Hume), by declining to allow me some monetary consideration, did not act fairly in the matter, and deprived me of what is justly due to me, but it is of no use going into this matter now.

"Another cause of discontent is that constables and their families who are shifted about have to travel steerage, no matter how small the vessel may be or how bad the accommodation, and are thus forced to herd with all sorts of dirty and questionable characters that may be travelling, including Hindoos, Afghans, Assyrians, Chinese, Maoris, and others, or otherwise pay the difference themselves in the cost of travelling in the saloon, or else place themselves under an obligation and humiliation by begging from the owners or agents of the boats a saloon passage; and I do not think it right such should be the case, as officials in other departments of the public service, such as the Postal and Telegraph, Customs, Railway, and others are allowed saloon fares.

"Another hardship on constables, and particularly upon those who are getting well up in age, and who are and have been members of friendly and benefit societies for upwards of forty years, as I have been, and who may have one or more of their family delicate and ailing, is that on occasions of transfers they are too frequently put to considerable inconvenience and expense for medical attendance, as, under the circumstances, stated they cannot call upon the doctors of other lodges to

attend either on themselves or their families other than in the ordinary way, and which, of course, has to be privately paid for. Even though a constable may be in the best of health himself when transferred, which is not always the case, if his wife or any of his children are ailing or in the least unwell, affiliation, or the right of receiving doctor's attendance, is refused, although quite willing to pay into the local lodges (if any) all medical pence.

“ Again, the system of advancement and promotion is most peculiar, and certainly not understood by the subordinate members of the Force, as it is not in all cases by a good many the reward of long and faithful service, accompanied by a good character for steadiness, sobriety, morality, and a general knowledge of police duties and ability to rightly carry them out, but is too frequently the result of influence. The fact cannot be ignored that too often the advancement of constables of merit, and who are from every point of view deserving, besides are entitled to it by seniority alone—other things being equal—are passed over from some cause, while juniors and less capable men receive the favours; and the reason of it is never explained or made known to those concerned or affected by it, which, I opine, ought to be done, as not doing so causes much dissatisfaction, and the idea prevails that ill-feeling exists towards them on the part of their immediate officers or the head of the department; and, although it is asserted that partiality and prejudice is not practised, it nevertheless looks a great deal like it. I see that Colonel Hume, in his evidence before the Police Commission of Inquiry, said that the practice of appointing juniors over the heads of seniors had been stopped. But such is not correct, as last January the practice was in force. I also think that constables having the longest service to their credit, and when fitted for it, ought to be transferred to stations where appointments may be accepted by them that carry emoluments, such as Clerks of Court, bailiffs, Court cleaning, Public Trust Office work, inspectors of factories, and other appointments at the disposal of the local bodies, and to which some small remuneration is attached. Although doing this duty for years until deprived of it, still I do not approve of it being done by the police, as it too frequently is the cause of considerable ill-feeling against them, and unquestionably often prevents them securing information relative to subjects that are strictly police matters and work. This would to some extent compensate them, and be a recompense for worthy conduct. But, as things are, that is not done. The whole thing appears to be one of favouritism, junior men being put in charge of ‘plum’ stations, while senior ones, often with large families, are kept at places where heavy house-rent has to be paid by them and no advantages are obtainable. Some constables have big benefits over others, who are dissimilarly situated, and are almost constantly being transferred; the one can save money, while the other, and particularly if with a family of half-a-dozen children or more, has all his work to do to live, and, although practising every care and economy, cannot always keep out of debt; and especially is it so when there is sickness in the family and doctors' bills to be paid; the one can save money while the other is kept poor. Then, as regards constables who become ill, I have often heard it stated that all are not treated alike, that favouritism is shown, and it is complained that some cannot always obtain the usual twelve days of yearly leave, it being stopped if the applicants had been unwell, and in consequence off duty for any time during the preceding twelve months. A return might well be called for; it would cost nothing, and would clear the question up, showing each member's illness yearly for the last five or six years, and what pay he received during the time, and whether it affected in any way his ordinary leave of absence. Then, again, concerning leave, the annual twelve days, of itself, is of very little use or benefit to the majority of constables, as it does not allow of sufficient time in most cases for members to visit their homes, parents, or friends, and remain with them any time if they reside far distant from where the constables are stationed. It would be greatly appreciated were it allowed to accumulate for five years, so as to give members sixty days' leave.

“ Then, again, touching constables' merits and defaulters' sheets, although office documents, every member on application ought to be shown them, as they contain so much of interest usually, either for or against them; still it is what they are never permitted to look at—at least, that is my experience—neither are they informed if anything is entered thereon to their credit, or of anything that may militate against them. On this subject complaints are many, as few only know what their records are, one way or the other. I think it would be but fair that members applying to see them should be permitted to do so, or otherwise furnished with a copy.

“ Another thing considered to be wrong is the practice of the department receiving anonymous and confidential communications, which are acted upon or not just as it may. The bulk of the officers are known, and men are frequently punished—as being transferred means severe punishment to a constable with a large family, some of whom may be in employment earning a few shillings—for what they are not guilty of doing, and they even remain ignorant of the cause of their removal. Although Circular No. 5/92 directs that any correspondence containing charges against any member of the Force, he, the person concerned, shall be made aware of it, it is not always done, and if statements made are true the circular is more honoured in its breach than in its observance. The circular is as follows:—

(Circular 5/92.)

Police Department, Wellington, 28th March, 1892.

As some misconception appears to exist in reference to confidential reports against non-commissioned officers and constables, the Hon. the Defence Minister has been pleased to direct that in future no confidential report is to be forwarded to this office containing charges against any member of the Force without such member having been made aware of such report, which is to be perused by him, with every facility given for a reply, and he will, after perusal, mark it as noted, and initial it. In all cases the non-commissioned officer or constable whose conduct is called into question shall, on application to the Inspector, have a right to copy such report against him, and shall be entitled to reply to it, which reply shall be forwarded with report to this office.

By order.

A. HUME, Commissioner.

“ Colonel Hume is reported by the papers to have said, when giving evidence before the Police Commission at Wellington, that he approved of confidential reports by Inspectors and others. In my humble opinion nothing could be more pernicious in practice and tend to subvert and destroy

confidence in the *bona fides* of police work generally and the purity of its administration, not only by its subordinate members, but by the public, as there are officers who are not above abusing their position and trust to attain their ends or carry their purpose, and the privilege of confidential reporting would be right into their hands. In fact, I am of opinion there are men in the ranks who, for nobility of character and disposition, are far in advance of them, and are their superiors in every way but by appointment. Yet from information furnished in a confidential communication by an Inspector, or by an official of some other department, or by somebody else, and forwarded on mere suspicion only, and perhaps obtained from a third person, and may be basely untrue, or the accusation or charge may be the outcome of an imaginative mind and quite groundless, yet it often results in the unfortunate constable against whom it is brought being punished in some way, perhaps by removal or dismissal, after years likely of honest and faithful service, and then most probably would be ruin to him, as but few old constables are fit for other occupations or pursuits. The suggesting and advocating of such a system is worthy of a Star Chamber, the Czar of Russia, or some other despotical potentate. If this thing is once approved and admitted it will do more to impair the service than anything else, as a practice of espionage will then obtain—the first step on a dirty road—and nearly every man will be doubtful of his fellows. Bad and all as things have been during the past few years such an introduction will not improve matters, but make them decidedly worse, and it is very questionable if any good men would remain, as malice, treachery, and mendacity may at any moment land them in trouble. Hence the better class men would leave as opportunity offered to them of getting into other employment, and the bad ones (those who, although afraid of and not trusting each other) would continue on. Such methods or usage may exist, and perhaps be necessary, in large gaols amongst downright criminal prisoners for the purpose of detecting conspiracies, attempts to escape, &c. But to usher it into the working of the Police Department, amongst a body of men who are supposed to be, and ought to be—even if some of them are not—upright, truthful, manly, and reasonably intelligent, in whom the public may have confidence and place reliance, would be monstrously wrong, according to the generally accepted ideas of what constitutes right, and, although doubtlessly some few persons possessing power, the nobler minded would not, and the public would soon lose trust in the service to a greater extent than prevails at present, and it could not be wondered at, when they—the police—would be invited and encouraged to act underhanded and deceitfully to each other. A great deal too much of that sort of thing is the case already, and the sooner steps are taken to stamp it out the better.”

CHARLES HOUGHTON MILLS, examined on oath.

340. *The Chairman.*] You are a member of the House of Representatives for the Wairau Electoral District?—Yes.

341. *Colonel Hume.*] This Wairau electorate was a new electorate?—Yes.

342. Now, this new electorate extends right down to the Sounds somewhere?—It takes in all the Sounds excepting the western portion of the Pelorus Sound.

343. You were not satisfied, or were you satisfied, with the way in which the rolls were prepared in the Sounds?—No, I was not.

344. Tell the Commissioners the action you took?—I had communications from various settlers asking me in which electorate they would now be placed when the last division of new electorates was authorised by the Commissioners, and I suggested to the Government that some steps should be taken to see that every elector was on the proper roll. The department authorised the police in Blenheim to send some one down the Sounds. Constable Jeffries, I believe, was sent to make the necessary alterations, and, as I understand, to make full inquiries and ascertain whether some who were then residing on the western side of Pelorus Sound were not then on the Wairau roll, or *vice versa*. During the time Constable Jeffries was in Havelock making these inquiries I received a telegram from Mr. Reynolds, schoolmaster at Havelock, stating that Constable Jeffries was giving instructions to move certain names off a portion of the Wairau electorate on to the Nelson roll, and that this ought not to be done. I waited on Mr. Stoney, the Registrar of Electors in Blenheim, and asked him if he had given instructions to the constable to do this. Mr. Stoney said no, and referred me to the police. I borrowed a map of the electorate, and went down and interviewed Sergeant Möller, explaining the true position to him satisfactorily, and in my presence he wrote a telegram, directed to Mr. Egan, constable in Havelock, saying: “Tell Jeffries not to remove off the roll the names of those residing in Bulwer Township and Admiralty Bay.” I understood then that the error mentioned by Mr. Reynolds had been put straight. Shortly after the election complaints reached me from the residents on the western side of this peninsula I will call it—from that portion of the western side within my district—that they were not allowed to vote for the Wairau election. I then wrote to the Registrar of Electors asking him if he would kindly make inquiries as to how this mistake arose, and he replied:—

DEAR SIR,—

Blenheim, 18th December, 1896.

In reply to your note of even date herewith, asking me to explain how it was that all the names of settlers living in Admiralty Bay were not enrolled in the Wairau electorate, I have to state that so far as this office is concerned I am unable to offer any explanation.

Yours truly,

C. H. Mills, Esq., Blenheim.

J. B. STONEY, Registrar of Electors, Wairau, Blenheim.

I then wrote to the officer in charge of the police-station, Sergeant O'Malley, as follows:—

DEAR SIR,—

Pelorus Guardian, Havelock, Marlborough, 19th December, 1896.

Will you kindly make inquiries how it was that all the names of settlers living in Admiralty Bay, Pelorus Sound, which is in the Wairau electorate, were either not enrolled when the applications were sent in, or otherwise struck off the Wairau roll and placed on the Nelson roll. Probably Constable Jeffries can explain.

Yours truly,

The Officer-in-charge, Police Department, Blenheim.

C. H. MILLS.

Forwarded to Constable Jeffries for his explanation—JAS. O'MALLEY, Sergeant.—21/12/96.

Sergeant O'Malley.—Am unable to furnish this desired information.—JOHN JEFFRIES, Constable.—22/12/96.

I was seeking for further information which could not be given me by the Registrar of Electors, and my only reason for putting the remark with reference to Constable Jeffries was from the fact of knowing that he had been down the Sounds, and, as I understood, to adjust the boundaries, or rather to adjust the names of the electors, and see that each of them was placed on the proper roll, and of course this was strengthened, in my opinion, by the telegram that was sent in my presence from Sergeant Möller telling Egan to tell Jeffries to do so. I was simply making an inquiry to clear up what at that time appeared to be somewhat of a mystery. There could not be a possible doubt that someone made a big blunder, and thus disfranchised a number of electors, who were unable to record their votes, and these electors residing in these isolated places look upon the member chiefly as the one who should look into these matters and ascertain why they were not able to vote. The reply received is on the back of this letter, sent by Sergeant O'Malley to Constable Jeffries, and the reply from Constable Jeffries is: "Am unable to furnish this desired information." It was, of course, impossible for me to allow the matter to rest at that point. I had to make further inquiries when neither the Registrar of Electors nor those who had been instructed to attend to this matter could give me this information, and I had to make inquiries from the Colonial Secretary's Department. I wrote to the Colonial Secretary's Department as follows:—

DEAR SIR,—

Havelock, 7th January, 1897.

You will recollect me, before leaving Wellington, urging the necessity of some responsible person being sent to the Sounds to see that, on the last alteration of boundaries of the electoral districts, no injustice was done to the electors.

Constable Jeffries, from Picton, was sent—I do not know why—as the constable here could have done all that was required at less expense, and very much better, as the enclosed names were in some cases omitted altogether, and in other cases placed on the Nelson electoral roll.

I wrote to the Registrar of Electors for an explanation, and enclose the reply. I then wrote to the officer in charge of the police, and enclose his reply, which is most unsatisfactory so far as Mr. Jeffries is concerned, because his instructions were very clear, and he actually went down the Sound in the steamer to make certain and satisfy himself about the claims to be enrolled. It is, therefore, quite evident that some one has blundered, and I shall be glad if you will make further inquiries.

The Hon. James Carroll, Wellington.

Yours, &c.,

C. H. MILLS.

N.B.—I send you copy of *Guardian*, with article referring to the matter.

Names of settlers who should have been on the Wairau Roll: James Steward, Ellen Steward, Elsie Steward, David Steward, James Elliott, Henry Hope, Elizabeth Hope, Edward Fear, William Turner, Mrs. Turner, Isaac Turner, Mr. Swarton, Mrs. Swarton.

SIR,—

Police Station, Blenheim, 21st December, 1896.

I am in receipt of your letter of the 19th instant, requesting me to make inquiries as to the reason the settlers in Admiralty Bay were not enrolled in the Wairau Electoral District.

I beg to inform you that I have searched the records of this office, and can find no instructions relative to the matter.

I will, however, send your letter to Constable Jeffries for his explanation, and when obtained will inform you the result.

C. H. Mills, Esq., M.H.R.

Yours, &c.,

JAMES O'MALLEY, First-class Sergeant.

SIR,—

Police Station, Blenheim, 23rd December, 1896.

Re attached memorandum: I have since seen Constable Jeffries personally in this matter. He states that he received written instructions from Sergeant Möller to adjust the names on the electoral roll between the boundaries and Wairau electorate from the Pelorus Sound to the Wakamarina. He proceeded there, and carried out the work. He states he did not interfere with the names on the roll in Admiralty Bay, Port Legean, Bulwer Town, or Pig Bay.

After returning he states that he furnished the Wairau Electoral Officer (Mr. Stoney) with a list of names that should be placed on the electoral roll of Nelson.

Constable Jeffries suggests that, if an application was made to Mr. Stoney, probably he would furnish him with a copy of the list.

C. H. Mills, Esq., M.H.R., Havelock.

Yours, &c.,

JAMES O'MALLEY, Sergeant of Police.

I may explain that in conversation with Sergeant Möller, when I went to him about the alteration of the boundaries, he told me that Constable Jeffries was sent down the Sounds to absolutely see that every one was on their true roll, and I was asking for further information to clear the whole matter up. I made no complaint to the police at all—none whatever. I wrote to the Colonial Secretary, asking him to get me some information that I could not get through Mr. Jeffries, or through Mr. Stoney. I may say that I sent in the names as given to me—thirteen of them—all those who felt aggrieved.

345. What did he reply?—It is as follows:—

SIR,—

Colonial Secretary's Office, Wellington, New Zealand, 11th January, 1897.

I have the honour to acknowledge the receipt of your letter of the 7th instant, requesting that inquiry may be made as to the omission from the Wairau electoral roll of names of certain settlers living in Admiralty Bay, and to inform you that inquiry shall be made.

C. H. Mills, Esq., M.H.R., Havelock, Blenheim.

I have, &c.,

W. C. WALKER, Acting Colonial Secretary.

The next letter on the file is from the Colonial Secretary's office:—

SIR,—

Colonial Secretary's Office, Wellington, 12th January, 1897.

I have the honour, by direction of the Acting Colonial Secretary, to enclose a list of persons living in Admiralty Bay, Pelorus Sound, whose names, it is asserted, should have been placed upon the Wairau electoral roll, but have not been so placed, and to request you to be good enough to inquire and report whether all or any of these names appeared on the general or supplementary roll of the late Waimea Sounds Electorate, or whether they had forwarded applications for enrolment.

The Registrar of Electors for Wairau, Blenheim.

I have, &c.,

HUGH POLLEN.

ENCLOSURE.—List attached to Mr. Mills's letter to Hon. J. Carroll, of 7th January, 1897.

I had no feeling against Constable Jeffries as far as he was concerned, but I wanted to know whether he had made a mistake or not.

346. *The Chairman.*] Our inquiry is how far your interference in the matter has led to the removal of which Constable Jeffries has complained. Did you take any further action in connection with the removal of Jeffries beyond the correspondence you have read?—No. I had no more idea that Constable Jeffries was going to Takaka than that I was going there myself.

347. Did you take any steps, by virtue of your position as member of the House, to bring about the transfer of Constable Jeffries?—No; In Nelson I received a private telegram from Mr. Card, of Picton, stating that Constable Jeffries was to be removed from there, and asking me if I would do what I could to prevent his being removed from Picton. I replied that I must decline to do anything interfering with the departmental arrangements; and I received other communications also from those who were interested in the matter. On the following day I sent a telegram to the Minister of Justice in Auckland, stating that many people in Picton were anxious that Constable Jeffries should remain there. I received no reply until I came to Blenheim, and I then wrote to Mr. Card, saying, "On my arrival here I found a reply to the letter I wrote to the Minister from Nelson, saying, "I have declined to alter my arrangements;" so I wired again to him, stating what the feeling was in Picton, and have no reply yet, but will let you know when it comes to hand. Tell others interested I have written Phillipotts." Three days afterwards I wrote to Mr. Card again, on the 19th February: "Late last night I received the following wire from the Minister in reply to mine, 'Unfortunately dissatisfaction exists in many places in regard to transfers; I regret I cannot please everybody, all my arrangements *re* transfers must stand. This applies both to O'Malley and Jeffries.'" That was the action so far as I was concerned with regard to Constable Jeffries; and, as he told the Commission on Saturday, he was removed subsequently. I was again asked if I would use some influence for Constable Jeffries to be removed from Takaka to Nelson, and I mentioned what I knew of the affair to the Minister of Justice, and I said if it did not interfere with the departmental arrangements Constable Jeffries would like to go to Nelson. To my astonishment, later on, I was accused through the Press of doing something very different with regard to Constable Jeffries.

348. You have now stated the real history of your connection with the transfer of Jeffries?—Yes.

349. Though you never in any way yourself urged it or applied for it; but you did represent to the Minister the fact that there was a desire that he should be retained?—That is so.

350. You have taken no steps whatever, beyond the correspondence which has been produced, which would tend to bring about the transfer?—No; I did try actually two or three times to get Jeffries promoted to sergeant.

351. *Colonel Pitt.*] When was that?—It would be in 1895 or 1896.

352. You evidently did not succeed?—No.

353. *The Chairman.*] Have you on any other occasion endeavoured to use your political position with a view to promote the advancement or degradation of any other member of the Police Force?—I have repeatedly, at the wish of my constituents, forwarded their petitions or otherwise with regard to retaining policemen; and if any of the constituents have written to me saying that any one in the Police Force ought to have a better position, and explained the reason, I have forwarded the letter simply as a member of the district.

354. Members of the Police Force are members of your constituency, and if an application comes from a member of your constituency who is a member of the Police Force, you endeavour to advance their interest. Have you done so?—I have forwarded communications at times—not from policemen, but from their friends, I presume.

355. Have your efforts in that way used as a politician been successful in any case or cases?—I think not that I can recollect. I forwarded from Blenheim, at the request of a large number here, a petition with reference to keeping Sergeant O'Malley.

356. But the reply came back, you say, that no alteration could be made?—I simply did my duty, as I thought, as representing my constituents, in forwarding their wishes.

357. Are you aware that it is contrary to the Police Regulations for any constable, either directly or indirectly, to solicit or secure outside influence to bear on the department with a view to bettering his position in the Force?—I have heard so.

358. And that any constable having resorted to such influences is liable to dismissal for so doing?—I was not aware of that.

359. *Colonel Hume.*] Can you tell the Commissioners when I first told you that Jeffries was to be removed from Picton?—I cannot recollect your saying anything about Constable Jeffries. In 1896, when I spoke to you in regard to the condition of the police building, you then said probably Constable Jeffries might be removed. That was in regard to my asking that further accommodation should be provided for Jeffries.

360. You stated you did not use any influence with the Minister to get Jeffries removed?—No.

361. Did you use any influence with me?—Not the slightest.

362. Do you know who succeeded him?—Constable Nash.

363. Did you know Constable Nash before that?—Not personally.

364. You never asked that Constable Nash should be sent to Picton?—No.

365. Neither the Minister nor myself?—No, I never knew he was being removed until I heard Constable Jeffries was going to Takaka.

366. *Mr. McNab.*] Have you ever applied to Colonel Hume to have Constable Jeffries made a sergeant?—I cannot recollect whether I spoke to Colonel Hume that time or to the Minister. It was Colonel Hume, I believe.

367. I want you to fix the date of that; was it before the election or after?—A long time before the election, quite two years before that.

368. Let me read to you Colonel Hume's evidence in the Supreme Court, namely: "After the transfer was ordered, Mills asked me to make Jeffries sergeant." Is that right?—I think it was a mistake on the part of Colonel Hume, I understood him to say it was before the election.

369. You are quite clear that it was in 1895 or 1896, and before the election, that you asked that Jeffries' rank should be raised?—Yes, I am quite clear about that; the application came from Picton.

370. In the first letter in the series which has been put in, you opened the ball by saying,

“Probably Jeffries can explain.” Then, in your letter of the 7th January, you say, “that the explanation is most unsatisfactory, so far as Jeffries is concerned, because his instructions were quite clear.” Now, do you not consider these two things, taken together, amount to a charge against Jeffries?—No, I do not think so; I am asking them to inquire from him. It is not a charge; I simply state facts.

371. Do you not, as a reasonable man, consider this a charge against Jeffries in your position as Government Whip?—Not at all; you overlook the fact that I had been a witness to the telegram sent by Sergeant Möeller to Constable Egan.

372. You have been a member of Parliament for years?—Yes.

373. Do you know how these rolls are compiled: is it by making claims and transfers?—Yes.

374. What was the date of Jeffries's transfer?—I do not know; I cannot tell you.

375. Your letter of the 7th January is followed by Jeffries's immediate transfer on the 3rd February; would not any reasonable person, putting two and two together, blame you for that?—No; because the correspondence was going on. I read just now a letter from the Colonial Secretary asking for further inquiry, and I thought they were not going to shift Constable Jeffries until this matter had been cleared up.

376. Your letter of the 7th January was followed on the 3rd February by the immediate removal of Jeffries; and you think your letter had nothing to do with it?—Certainly not.

377. Had you any private conversation with the Colonial Secretary yourself about your letter, and did you not emphasize in your conversation that Jeffries's explanation was unsatisfactory?—I cannot say that I emphasized it; I told him exactly what I wrote.

378. Did you not “rub it in”?—No; I asked him, and I could not get a reply from the department, and I have not got a reply until this day.

379. How could it be given?—Well, they acknowledge that five names were transferred by some one; that was quite enough to influence the election.

380. Do you think these continued complaints, taking your first letter, and the last one on the 7th January, backed up by your conversations with the Colonial Secretary, would have some effect?—I think they would have some effect in getting the matter cleared up.

381. Do you think the effect was to get Jeffries removed?—No, because the department have told you this move was contemplated months beforehand.

382. The gist of your complaints was as to the electors at Bulwer Town and Admiralty Bay?—Yes.

383. And both of these places are on the western side of Pelorus Sound?—Yes.

384. As to the telegram of Mr. Reynolds: he held a high position as one of your supporters in Havelock?—Yes.

385. And did he not tell you that telegram was sent to you through Constable Jeffries going to him?—Yes; and does that not convince you that Jeffries was sure there was a mistake?

386. Now, Mr. Mills, you have kept copies of these later letters to Mr. Card; have you got the copy of the letter that you wrote to Mr. Card in September, 1896?—These are the original letters I wrote.

387. Do you remember that you wrote to Mr. Card in 1896? In your cross-examination of Jeffries you asked him, “Do you recollect a letter written to Mr. Card in September, 1896, accusing you of threatening language to certain electors if they supported Mr. Mills?” Was there anything more in that letter; was that the gist of it?—That is so.

388. Who gave you the information that Jeffries was using undue influence with the electors and using threats?—I cannot tell you now, I would have to look back to ascertain who did so.

389. Do you know Mr. Holdsworth?—Yes.

390. Did not Holdsworth and Mrs. Seward see you in Wellington about Jeffries in September, 1896?—I do not recollect them seeing me; but I could tell you that neither Mr. Holdsworth nor Mrs. Seward ever said anything to me about trying to get Jeffries removed.

391. But they made complaints about him?—No, I do not recollect either of them waiting on me—at any rate I am very clear as far as my memory goes that nothing of the kind was ever brought before me.

392. In September, 1896, your seat was in danger; an election was pending?—Yes.

393. And you wrote to your friend, Mr. Card, complaining that you had received information that Constable Jeffries had been speaking to people in Picton and using threats if they should support you at the coming election. Do you mean to tell the Commissioners seriously that you thought it was a serious enough matter to write to Mr. Card about in Picton, and you do not remember the person who told you that?—I mean to tell the Commissioners that I do not remember with sufficient accuracy to tell who told me that; but neither Mr. nor Mrs. Seward were one of these. I told Mr. Card that I was perfectly satisfied with Constable Jeffries's explanation.

394. Of course, it was a matter of the Government in or the Government out in the coming December. Did you tell the Colonial Secretary or the Minister of Defence that Jeffries had been using threats in Picton to affect your seat?—No; if I wished to do anything I ought to have asked them to remove Constable Jeffries before the election, and not afterwards; that is, if I wanted to do anything so despicable as that.

395. He heard the evidence given by the man Snow this morning?—Yes.

396. In your cross-examination of him you said, “Did I not say, ‘Did not Mr. Jeffries think that by his action he might be taking the bread out of my family's mouth’”; did you make that remark to Snow?—No.

397. Why did you ask him that in cross-examination?—Simply to test his memory. I knew I had never said anything of the sort he suggested.

398. Is that the only explanation you can give?—That is so. I never said to Mr. Snow anything like what he has said there; it is quite a misapprehension on his part.

399. Then, why do you attempt to put such words in his mouth?—I wanted to find out if he was so positive about the exact words he alleged I used. I may ask a question as I please in cross-examination, the same as you do.

400. You did not say anything to Snow about Jeffries?—I did not.

401. Can you explain why you asked him such a question?—I can explain, but it refers to another circumstance altogether.

402. Then, was Jeffries mentioned by you to Snow?—To the best of my recollection Constable Jeffries' name was not mentioned at that time at all, and the other witness simply disproved what Snow said.

403. He does not remember?—So witness said. He was sure that Porter heard our conversation; and he said they went up the street together and conversed about it; and Porter, when called, said it never occurred.

404. *Colonel Hume.*] I take it that exception was taken to this very abrupt answer of Constable Jeffries, "Am unable to give the desired information"?—Yes.

405. At the time you did not know what the constable's instructions were, did you?—No, I had never seen those written instructions. I was only informed by the Sergeant of Police what instructions he had given to Constable Jeffries, but I had never seen the written instructions.

406. And had he taken the trouble to explain what he has explained to-day you would have been satisfied?—Quite so.

407. *The Chairman.*] When you interviewed Sergeant Möller did he produce or show to you the instructions under which Jeffries was acting?—No.

408. Did you ask him to produce them or to show them?—No, I simply explained to him that a mistake was being made, and he said they would rectify it.

409. Were you aware that Constable Jeffries was acting under written instructions?—No.

410. *Mr. Poynton.*] You also believed a telegram was sent to rectify the error?—Yes, I saw it sent.

411. You were not aware until some time afterwards that Constable Jeffries did not receive that telegram?—No, not till he told me so himself.

ARTHUR HUME, further examined on oath.

412. *Witness:* Early in February, 1897, in Wellington, Constable Jeffries came to my office and asked me why he was being transferred from Picton. I said, "Because it has been considered you have been in Picton long enough." He said, "I have only been there six years." I said I thought that was a pretty good innings, and I pointed out to him then that it was not usual for constables to come and ask why they had been transferred. He said, "The reason I came was because I understand I am being transferred for the part I took in the late general election." I said, "What part did you take in the general election?" He said, "I did not even record my vote, and took no part." I said, "Now, Constable Jeffries, you know Picton is a very small place; you must have talked about the election." "Well," he said, "I did talk about it, but I did not record my vote." I said, "What is this about some names being struck off the roll, or not being put on the roll, down in the Sounds somewhere?" He said, "It is not true, and I was wrongfully accused, and I want an inquiry." He said, "I only acted up to instructions; it is very hard to be accused of what you have not done, and I want an inquiry." I said, "If you want an inquiry you will know how to get it." He said, "Well, I shall always think I have been transferred on account of political reasons." I think that is how he put it. I said, "You can think what you like." Before that I also said to him, "I think you made two mistakes: I think you were foolish in not recording your vote, and very foolish in talking about it." Then I showed him a regulation which said constables were only to record their votes, and were to take no part in politics. Constable Jeffries' transfer from Picton was, as far as I was concerned, determined on the 24th May, 1896.

413. *The Chairman.*] What was the date of the election—December, 1896?—I think the 24th May, because it was a general holiday, and I had some time to myself that day and I went to fix up several transfers. So far as my memory serves me, the Minister was away at that time. When he came back, the House was about to assemble for session, and I spoke to him about these transfers, and he said, "Oh, you know I do not like to make transfers when the House is in session; let them stand over."

414. Did you make any record of them?—No, I made a record of the circumstance in my own mind; I must have written it down somewhere, but I could not find the memorandum.

415. Were the transfers submitted in writing when the House was sitting?—The House began about the 20th or 21st June. Then, immediately session was over, Ministers went away to their constituencies as a general election was pending. The general election came on, and I do not think my Minister returned to Wellington at all. I think he stayed in Auckland for the Christmas holidays; at any rate, if he did come down to Wellington it was only for a day or two; and then the Christmas holidays intervened, and my Minister did not return again from the Christmas holidays until the end of January, or somewhere late in January, and, on the 2nd February, I submitted a list of transfers, in which this transfer of Constable Jeffries from Picton to Takaka was one. I may mention, to show how these transfers had accumulated at this time, that there were over thirty on this list, and it is the usual thing to have no more than three or four on a list at a time; and this list of transfers was approved on the next day, the 3rd February, by the Minister.

416. You have no previously prepared list of transfers?—No. Then the usual number of petitions followed.

417. Was your mind influenced in any manner by pressure brought to bear by Mr. Mills, or any outside power?—No, I had made up my mind long before that; in fact, I had come to the conclusion that Constable Jeffries should never have been sent to Picton, that is where I made the mistake in the first place.

WELLINGTON.

WEDNESDAY, 18TH MAY, 1898.

JOHN BENNETT TUNBRIDGE, Commissioner of Police, examined on oath.

1. *Witness*: I was appointed to the position I now hold on the 13th October last. I had previously served upwards of twenty-six years in the London Metropolitan Police in all ranks—from constable of the lowest grade up to that of Chief Inspector of the Criminal Investigation Department. I retired from the Metropolitan Police, with the rank of Chief Inspector, on pension of two-thirds of my pay, on the 22nd September, 1895. I had served in the foot-branch as constable and sergeant, in the mounted branch as station-sergeant and Inspector, and in the Criminal Investigation Department from February, 1881, till the time of my retirement as Inspector and Chief Inspector. My duties in connection with the Criminal Investigation Department took me to many parts of the world, including the British colonies—Australasian and South African—which afforded me ample opportunities of studying the various police systems. Of course, since coming here, I have endeavoured to make myself acquainted with the New Zealand Force, and from my observation I wish to make various suggestions which, in my opinion, would improve the Force of this colony. The present system of enrolment, to begin there, appears to me to be capable of very considerable improvement. My opinion is that all candidates, before taken on in the Force, should be brought to Wellington and examined, firstly, by a medical officer, who should be appointed by the Government, and not at the expense of the men themselves; that they should then be called upon to pass an educational examination—simply reading, writing from dictation, and arithmetic—say, the first four rules. If they pass these examinations satisfactorily they should be taken into a depot as probationers only; should be kept in that depot under a sergeant—of course, one specially qualified for the work—who would instruct these probationers in the police regulations, the statutes regulating police work, such as the Police Offences Act, the Criminal Code, the Licensing Act, and, I think, the Justices of the Peace Act; and, also, instruction in drill, such as marching and forming fours. They would be examined from time to time while in the depot, and if it was found that these men did not display the necessary intelligence or aptitude to suppose that they would develop into intelligent police officers, their services should at once be dispensed with. If they passed the examinations successfully at the end of three months they should be drafted out to the stations where vacancies might have occurred.

2. *The Chairman.*] Three months—is that the time you suggest they should be kept in the depot?—Yes. My opinion is that is ample training to an ordinarily intelligent man. Part of the three months—say, during the last month of their probation—they should receive practical experience in police work by doing half a tour of duty each day or night with a constable on beat. The age of enrolment should be, in my opinion—minimum, twenty-one; maximum, thirty. At the present time it is forty, and that, I consider, too old. The recruiting should not be confined to any particular class, but should be spread over all classes of the community. My experience tells me that men from rural districts develop into better police officers than those who have been brought up in towns. Of course, there are exceptions to that, as to every other rule. The appointments should rest, in my opinion, with the Commissioner of Police.

3. Appointments to the Force?—Appointments to constables and sergeants should rest with the Commissioner of Police. In support of that I may say that it is the rule in all Forces that I am acquainted with, which include the Metropolitan Police, the City of London Police, the principal boroughs and cities of England, and the Royal Irish Constabulary. That I know of my own knowledge; and, in going through the papers, I find it is so so far as the Australasian Colonies are concerned. In Western Australia—

4. I understand you to refer to all the English Forces with which you are acquainted?—All the large Forces. In some of the smaller boroughs the watch-committees appoint, but in all the principal Forces the appointments rest with the head of the Force. The executive head of the Force has the power of appointment. That I know from my own knowledge, and I see from the reports of the various colonies it is so in Western Australia, Queensland, South Australia; but in South Australia the appointments are made by the Commissioner, subject to approval by the Colonial Secretary; in Victoria the appointments are made by the Commissioner, but subject to the veto of the Governor in Council to discharge or dismiss. The same practically applies to New South Wales, where the Inspector-General appoints, but subject to being disallowed by the Governor. That applies in each case, I may say, to sergeants and constables. The officers are invariably appointed by the Governor in Council.

5. In the English Forces, to which you have referred, is the power of the head of the police absolute, or is it subject to approval by any other authority?—In the London Metropolitan Police, the City of London Police, and in counties, the power of the chief is absolute, but with reference to some boroughs and cities there is the right of veto by the watch-committee. The watch-committee, I may say, in England is a committee of the Town Council or Corporation appointed to deal with police matters. The appointments are made by the head of the Force, subject, of course, to the approval of the watch-committee. That, I think, deals with the question of enrolment. I will now go on to deal with the men in the Force. I may say that I think the uniform should be provided by the Government, and, in support of that, I may say in every Police Force in England or the United Kingdom the uniform is provided by the police authorities. As regards the Australasian Colonies, the New South Wales Government provides the uniform, or gives an allowance in lieu thereof; in Victoria, the Government provides great-coats and helmets only, the men providing themselves with the rest of the uniform; in South Australia, I am not quite certain, but I find there is an item on the estimates of £3,700 for clothing and equipments, so from that I conclude that the Government provides the uniform; in Queensland there is no vote on the esti-

mates, and, therefore, I take it the men have to provide their own uniform; in Western Australia the uniform is provided by the Government—"uniform free to constables and sergeants, detectives and Sub-Inspectors." There are other reasons why I think Government should find the uniforms. At present the style of uniform in New Zealand varies somewhat, through being made up by local tailors in any part of the colony where a man may be stationed. That, I may say, is in addition to the general feeling that the Government should find the uniform. Again, the department is called upon continually to make good articles of clothing—which, of course, belong to the constable—which have been damaged. Then again, as there are no regular issues of clothing, you find one man wearing a very much worn suit, and another probably quite a new one, the difference being so noticeable that it is almost impossible to imagine that they were ever made from the same material.

6. The cloth is supplied to the men?—Yes; the cloth is supplied to the men from the depot here, at contract price.

7. Do you know what price that cloth is supplied to the men at?—I am not able to give that information. I believe it is at about 4s. 6d. a yard. As regards lodging-allowance, the present system of constables being in charge of stations causes a good deal of feeling among the men, owing to their getting free house-accommodation when they are placed in charge. I think that all constables not provided with quarters by the department, after they have been in the service, say three years, should be given an allowance at the rate of 1s. a day. I find that is the rule in some of the Australasian Colonies. I may say it would not be a very serious item if that suggestion were adopted in New Zealand.

8. You would apply the increase at the end of three years only to those who are not provided with quarters, and you suggest it as a lodging-allowance?—Yes. It would not be a very serious item of expenditure, because the single men at present are provided with lodgings in nearly every case, and all officers in charge of stations are also provided. The hardship falls more particularly upon married constables who are stationed in large towns. To have an efficient force in the large towns, it is necessary to keep a certain number of old and experienced constables; but, owing to the present system, these men cannot in justice be kept in the centres of population, as by keeping them there they are deprived of the free quarters which they would enjoy if sent out to the country districts.

9. You think it a desirable thing to keep married constables in towns?—A certain number, decidedly. As regards pay and classes, these two headings may be dealt with, I think, as one. I would abolish classes altogether in all ranks. In support of that, I may say that the class system years ago in the various forces that I am acquainted with was almost universal. That has now been superseded by what may be termed a system of increments. When a constable is taken on as a constable from a probationer, he is a constable to all intents and purposes. The public know no distinction between the constables, and I do not see the necessity of there being any distinction. The same applies to sergeants. In any other Force that I know, there is no distinction between one sergeant and another. When a man is a sergeant he should have three stripes, and he is known to the public as a sergeant. The pay, in my opinion, should be for this colony—a probationer, 6s a day so long as he is a probationer; immediately he is advanced to the rank of constable he should get 7s. a day; after serving four years, he should be advanced to 7s. 6d. a day, assuming he has not in the meantime misconducted himself and has been retarded for that misconduct; if he has been retarded that should be a part of the punishment awarded, and so recorded on his defaulter's sheet. Assuming that a man commits an offence, instead, perhaps of fining that man, you would retard him in his increment for twelve months.

10. That is, at the end of four years, the pay would be 7s. 6d.?—Four years, yes; eight years, 8s.; twelve years, 8s. 6d.; and then, as a reward for long service and good conduct, all well-conducted men of over twenty years' service, who have not attained promotion to the rank of sergeant, should be entitled to an additional 6d. a day, making the maximum pay 9s. a day for constables. As regards sergeants, they should start at 9s. 6d. a day, rising every three years up to 10s. 6d.—that is, after being three years in the rank of sergeant, the pay would be 10s. a day, and after six years 10s. 6d. The periods I make shorter in this case because, of course, the men are getting on in service, and unless the periods were reduced, in many cases a sergeant would not perhaps reach his maximum at the time of his retirement. As regards Inspectors, they now start at £300 a year and rise to £400—that is, a third-class Inspector receives £300 a year, a second-class £350, and a first-class £400. They should, in my opinion, rise by increments of £25 every two years.

11. *Mr. Poynton.*] You would abolish classes?—Altogether. After an Inspector had been appointed two years he should receive £325; after four years, £350; after six years, £375; after eight years, his maximum, £400. I have the same reason for reducing the period as I stated with respect to the sergeants. They at present receive £50 a year house-allowance, and I suggest that should continue.

12. The same applies to sergeants?—Yes, the 10s. a week allowance should remain. Before a man is promoted to the rank of sergeant he should be called upon to pass an examination. This examination should be an advanced educational one—that is, advanced from the examination to be passed when joining the Force—and should also include questions on practical police work, but not a competitive examination. The questions upon police work and practice should be prepared by a Stipendiary Magistrate, but the educational examination should be a fixed one.

13. *The Chairman.*] Do you propose a standard of examination?—Yes, I do.

14. What do you suggest?—Well, of course, there would be reading, writing from dictation—

15. You do not suggest any present recognised scholastic standard? I am not acquainted with your scholastic standards. It should be reading, writing from dictation—of course, the dictation

would be of a more difficult character than that given to the recruits—and arithmetic, going up to compound proportion; also, reporting upon some matters relating to police work, questions upon which would be given him: in fact, I may say, it should be *précis* writing, to bring out his knowledge of English composition, and his knowledge of police work. That would be in addition to the questions propounded by the Stipendiary Magistrate, which of course, would be of a legal nature.

16. *The Chairman.*] Half in jest I threw out a suggestion the other day, and on consideration I think there is something in it. I refer to training men in enunciation of their words, making them not only read a book, but reading it so as to make themselves distinctly heard from one end of a room to the other, as they do in the State schools?—That should be a part of the training of the probationer while in the depot. He would attend the Magistrate's Court in the morning—say, a couple of hours each morning—to observe the way constables gave their evidence, and give him a knowledge of the way to conduct a case in the Court, and that sort of thing. Promotion from the rank of constable to that of sergeant should be left to the Commissioner, and the main point to be observed should be efficiency. Seniority should, of course, receive attention, but efficiency should be the great point. Promotion from the rank of sergeant to that of the lowest grade of officer should be made by the Minister or the Governor in Council. I mention Governor in Council because in nearly all the Australasian Colonies the Governor in Council has the appointment. I have omitted the detectives on the question of pay; I would like to deal with them. So far as detectives are concerned, their classes should be abolished in the same way as the others, and they should rise by increments—from the minimum to the maximum—by periods similar to those in the case of sergeants, for the reason that the detectives by the time they attain that rank are men of considerable service, and three years would be quite sufficient time between each rise. I think the pay of detectives at the present time is ample. The men who are employed on plain-clothes duty should receive an allowance of 1s. per diem while so employed, and that should also, in my opinion, apply to men who are employed on clerical work in offices. In the case of plain-clothes men they are money out of pocket in pursuing their inquiries, which can only be made up by some such allowance as this; and in the case of clerks—men employed on clerical duties—they perform usually very many more hours' work than the ordinary constable. They are men, of course, of superior educational qualification, and in consequence they deserve some recognition. I would like now to go on to the question of pensions. A system of pensions and gratuities should, in my opinion, be started. I do not see how it is possible to maintain a really efficient Police Force without it. At the present time there are quite a number of men in the service who, owing to age and infirmity, are scarcely equal to the proper performance of police work. At the present moment there are in the Police Force six sergeants and three constables between the ages of sixty and sixty-five; one sergeant and two constables upwards of sixty-five. As to Inspectors—though I think it is hardly necessary to mention them at the present time—I may say there is one Inspector between fifty-five and sixty, three between sixty and sixty-five, one between sixty-five and seventy, and one upwards of seventy. My opinion is that constables and sergeants should retire at the age of sixty compulsorily. With reference to Inspectors, I am not prepared to recommend any retiring-age. As regards service as distinct from age, at the present time there are twenty-two of all ranks in the Force with upwards of thirty years' service. These men have given the best of their lives to the service of the country, and it would be a great hardship to compel them to leave the service with their present allowance—namely, one year's pay. This allowance of one year's pay the men are not able to demand. It is simply conditional: it may be granted them or it may not; though it is only fair to state that, as far as I know, it has never been refused, but the men have no claim to it. Unless there is a pension system adopted these men must sooner or later be sent out of the Force with the allowance I have named.

17. *Colonel Pitt.*] Suppose they die, is there anything for their widows at present?—Usually a similar allowance is made to the widow as would have been made to the officer had he retired during life. I would like to recommend a system of pensions and gratuities, and in doing that I may say that I am basing my recommendation upon what may be termed, I think, the minimum. The scale of pensions and gratuities I recommend is as follows: Any constable, with not less than five years' service or more than fifteen years' service, should, if he is compelled to leave the service through ill-health, receive a gratuity at the rate of one month's pay for each year of service. If he has completed fifteen years' service he should receive a pension for fifteen years at the rate of fifteen-fiftieths of his pay; that this pension should increase by one-fiftieth for each year of his service up to and including thirty years. That would give him, after thirty years' service, three-fifths of his pay as a pension, and that should be his maximum. No matter how long he remained in the service he should get no more than three-fifths of his pay—that is, the pay he is receiving at the time of his retirement. If he has completed twenty-five years' service, and is not under fifty-five years of age, he should be allowed to retire if he wishes with the pension that is due to him at the time of his retirement; but if he has less than twenty-five years' service he shall not retire on pension unless returned as medically unfit—I mean, he shall not have the option of retiring, but shall only be retired on medical certificate; but after twenty-five years' service he should be allowed to retire without medical certificate if he wishes, provided he is not less than fifty-five years of age. To provide for this pension fund deductions should be made from the men's pay, in the first place, at the rate of 4 per cent. from the time of their joining. I mention 4 per cent. because I find in some colonies a lower rate was fixed at the formation of the pension scheme, and it had to be increased. If a man dies in the service the whole amount of the deductions made from his pay during his service shall be paid over to his widow, or any person he may name to receive it—the next-of-kin, in fact—that is, assuming he dies not from injuries received in the execution of his duty. If he dies from injuries received in the execution of his duty his widow should receive a small pension so long as she remains a widow, and any children he may have left should receive a compassionate-allowance from this

pension fund until they attain the age of sixteen. Should a constable receive injuries in the execution of his duty which necessitated his retirement from the Force, each case should be taken into consideration with the view of assessing the pension he shall be entitled to. The scale I have laid down should not apply in that case. Men who voluntarily resign the service, who are compelled to resign or dismissed, should not receive back their contributions to the pension fund. In addition to the deductions from the men's pay, all fines and penalties imposed under the Licensing, Gaming, and Police Offences Acts should be paid into the police pension fund. The amount at present standing to the account of the Police Reward Fund should also be paid over to the Police Pension Fund. All salaries and emoluments received by constables in connection with offices they hold outside that of police constable should go to the pension fund. All Government departments for which the police at the present time perform work gratuitously, should pay over to the pension fund an annual sum commensurate with the work so performed by the police. I may say that at the present time the Justice Department pays something like £800 annually to Clerks of the Court who are policemen. My opinion is that if those suggestions I have made were carried out, it would need no very considerable annual grant from Government to meet the call on the pension fund—very little, if anything, more than is at present being paid in the way of retiring-allowances. The outside offices held by the police do in a measure hamper the discipline of the Force—hamper the action of the Commissioner in dealing with the discipline of the Force—but I am unable to see my way to recommend that constables should not carry out these duties. The cost to the country to employ other officers would be too great, more particularly with reference to the duties performed by constables for the Justice Department.

18. *The Chairman.*] That is the only ground for not making that recommendation?—Yes; it is on the ground of general economy to the colony that I recommend the retention of those offices by constables. I think a police surgeon should be appointed, certainly in every populous centre, and as many other places as it would be possible to get any number of men together under a surgeon. A contract should be made by the Government with a surgeon to attend these men. No man should be placed on the sick-list until certified unfit for duty by the police surgeon. When a man is on sick-list, unless it is owing to injuries received in the execution of his duty, a small stoppage should be made from his pay—about 1s. a day. These stoppages should also go to pension fund.

19. Is the 1s. a day to cover medical attendance?—No; it is not. It is so that men shall not get so much pay while not working as they are when working.

20. Are they to receive medical attendance gratuitously?—Yes.

21. That is the only stoppage you would make from their pay?—Yes.

22. A man would receive his full pay barring the 1s.?—Exactly. A medical officer would be appointed and paid by the Government, and would give his attendance similarly to that in the case of a friendly society—by contract.

23. Not limited to cases connected with duty—all illnesses?—All illnesses—every case of illness.

24. And his family?—Not his family; no. That is the system in vogue in many Forces I am acquainted with, and it is found to work well.

25. Do you go so far as to suggest that medical attendance should be provided for all constables when suffering from illness, whether connected with the discharge of their duty or not—I am referring to localities where there would not be a police medical officer?—I am afraid there would be some difficulty about appointing surgeons to deal with every case of illness; but certainly if a deduction is made from the constable's pay the medical expense should be paid by the department, and all certificates of unfitness for duty, whether by the authorised police surgeon or not, should be paid for by the department, not by the constable.

26. *Colonel Pitt.*] In a country district, for instance, you would deduct a shilling a day from a man's pay if he was sick?—No, not unless he was getting free medical attendance. In the cases of men belonging to benefit societies, when they are sick they are receiving probably 15s. a week more than when they are working, and in the case of an unscrupulous man, it is a premium on malingering. I am not saying it exists, but that is the position.

27. *The Chairman.*] Do you extend this to sergeants and other officers?—All ranks of the Force. I would like to deal now with the strength of the Force. The Force, as at present constituted, I think, is undermanned. The numbers might be sufficient, or nearly sufficient, providing the men were always available for beat duty, but unfortunately they are not, and never will be. Owing to absence from their beat duty through illness, leave, escort duty, and Court duties—attending the Supreme Court and so on—I think it might be taken that there is at least 5 per cent. of the men always absent from beat work. I say 5 per cent.: that is the very lowest; I think it is nearly 7½ to 10 per cent.; 5 per cent. is certainly the very lowest. Therefore, to fill the places of the men so absent it requires an augmentation of, in my opinion, fifty men. That is, to include the probationers who would be in the depot. I take it that each of the four centres of population require a reserve of five men to fill the places of those absent for the reasons I have named; that the headquarters of the other three districts would require two men each; then there should always be six men in the depot in training; and at the present moment there is need of opening new stations and strengthening other existing stations—that is, increasing the strength of the suburbs of the large towns—the number required being eighteen men, making in all about fifty men. For instance, the populous suburbs of Christchurch and Wellington require the Force to be increased every year.

28. Is this, then, for increasing the number and strength of the suburban stations?—It is for establishing a reserve at the headquarters of each district, the depot, and filling up what may be termed present needs owing to the increase of population. I also think that there should be an officer between the rank of sergeant and Inspector at the headquarters of the four principal centres—namely, Auckland, Wellington, Christchurch, and Dunedin. I think this officer should be classed

as a Sub-Inspector. The duties of this officer would be to have general control of the city where he is stationed, under the Inspector, to attend Magistrates' Courts, and in the absence of the Inspector from headquarters to take charge of the district.

29. *Colonel Pitt.*] Would you not let him inspect at all?—No. He should not go away from headquarters to inspect out-stations: that should be the work of the Inspector.

30. What about the rank of sergeant-major in the Force?—It should die out with the present two officers holding that rank. There are only two holding the rank, and immediately those men retire or are promoted I think the rank should die out. There is one acting sergeant-major: that merely carries an extra stripe and no extra pay. These Sub-Inspectors would be in training for the rank of Inspector. At the present time, in my opinion, the step from sergeant to Inspector is too great. A man who is promoted from sergeant to Inspector does not realise his position properly, except in very exceptional cases. Some men of course, would rise to the position right away, but only in a very few cases, the duties of an Inspector are so different to those that a man performs when he is a sergeant. Then, again, the Inspector in charge of the districts I have named would have more time at his disposal to visit the outlying stations of his district. At the present time I know that many of the out-stations are visited once a year only by the Inspector, and unless some such system as I have suggested be adopted I do not see how the Inspector is to visit them more often. His tours of inspection at present mean that he runs away for a day or two whenever he can get the opportunity. He is not able to go on any actual tour of inspection owing to the accumulation of work at his district station and the probability that something may happen that would necessitate his being recalled.

31. *The Chairman.*] In your opinion, how often should these out-stations be visited?—At least once a quarter, in my opinion. I think the men would be kept very much better to their work, and the public would be very much more satisfied, by a greater supervision over the men. I think the leave should be allowed to accumulate up to twenty-eight days for men who do not desire to leave the colony. In the case of men who have relatives residing in the other colonies, or who have business which they wish to attend to in the other colonies, it should be cumulative up to six weeks.

32. *Colonel Pitt.*] Would you alter the annual leave?—No; I think twelve days annually is a fair period.

33. *The Chairman.*] It would be rather awkward to have an accumulation of twenty-eight days for an annual twelve days' leave?—Well, if a man foregoes his leave for three years he should be allowed to take twenty-eight days.

34. And twenty-four days at the end of two years?—Yes; I think it is necessary to have some sort of restriction upon men piling up their leave, as it were. I think money rewards should be abolished, for this reason: it does not matter much how you reward the men some are sure to be dissatisfied. If a man specially distinguished himself by saving life where he endangers his own life, or in the detection of crime, there should be a record on his sheet, which would, of course, be taken into consideration when his name comes up for promotion.

35. *The Chairman.*] Would you class those side by side as of equal merit?—Of course, the officer who would take into consideration the man's merit-sheet would be able to form his opinion. I think it would be rather difficult if you were to make classes of merit.

36. Do you think a distinguishing mark, such as ribbons or medals, for saving life would be more satisfactory?—For saving life, of course, there are societies—the Royal Humane Society of Australasia, for instance—who grant medals. I do not think medals should be granted by the service for saving life.

37. What should be done with rewards paid by companies and private individuals for special police services?—At present there are no such payments.

38. *Colonel Pitt.*] Supposing a private individual gives £2 for services rendered by a constable at a fire?—Oh, that is a gratuity.

39. *The Chairman.*] What would you do with those gratuities?—I think the present regulations may stand. It is submitted to the Commissioner, and if the Commissioner approves the man receives it.

40. Do you think they rightly appear on the man's merit-sheet?—Oh, no. Gratuities are never entered, as far as I am concerned, unless they are paid by the Government. I think I am right in saying they have never been entered on the merit-sheets in recent years.

41. *Colonel Hume.*] We got £100 from the fire people in Nelson: what would you do with that?—If it was not for the special service of any individual constable or constables it should go to the pension fund. If it is for the special service of individuals, and not of the whole body, it should go to the individuals to whom it is given, but should not be entered on the merit-sheets, unless the circumstances are such as would justify a record being made on their merit-sheets independent of any money reward. The mere fact of the money being given should not be entered on the sheet. I would like to call attention to the licensing-laws. At present the fact of a person being found on licensed premises during prohibited hours is no offence at law as regards that particular person. This, I may say, makes it very difficult for the police to keep a check on breaches of the Licensing Act in the way of illegal trading. I would suggest that the first three paragraphs of section 25—or something equivalent to that—of "The Intoxicating Liquors Act, 1872" (35 and 36 Vict., chapter 94), be made the law of this colony. That section reads 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 was an inmate, servant, or a lodger on such premises, or a *bona fide* traveller, or that otherwise his presence on such premises was not in contravention of the provisions of this Act with respect to the closing of licensed premises, be liable to a penalty not exceeding forty shillings. 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 ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address or such evidence, apprehend him without warrant, and carry him, as soon as practicable, before a Justice. 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 five pounds." I think if the law were amended to include that, a good deal of the present outcry against illegal trading would be put a stop to.

42. *The Chairman.*] That statute provides for certain closing-hours on Sundays?—Yes.

43. Can you tell us what those hours are?—As regards Sunday, they vary. In some places they are open from 12.30 p.m. to 2.30 p.m., and from 6 p.m. till the hour of closing on Sunday in the particular district, wherever it may be, and in other places it is from 1 p.m. till 3 p.m., and again, of course, from 6 p.m. Those are the hours of Sunday opening in England. In Scotland and Wales there is no Sunday opening. The hours of closing on Sunday in London are 11 p.m.; on Saturdays at midnight, and other days of the week 12.30 a.m.

44. *Colonel Pitt.*] And reopened?—At 5 a.m. In the country districts the closing-hour is 10 p.m. every day. In the larger boroughs and cities it is 11 p.m.

45. In some parts of America they are open all night?—In South America they are open as long as the people like to keep them open. There are no closing restrictions in South America.

46. Are not the hotels in New York and San Francisco open all night?—I cannot say at present. I have been in New York, but I really could not tell you whether they are open all night or not. There is another slight amendment I think should be made in "The Alcoholic Liquors Sale Control Act Amendment Act, 1895." Section 22, subsection (5A), should be amended by inserting the words "or lodger" after the word "traveller" in the last line of that subsection. At present it reads: "It shall be lawful for, but not obligatory upon, a licensee to sell liquor at any time to any person being really a lodger living or staying in the licensed premises, or a *bonâ fide* traveller seeking refreshment on arriving from a journey: Provided that the liquor so sold is personally consumed on the premises by such traveller and by no other person." By inserting the words I have mentioned, it will read: "It shall be lawful for, but not obligatory upon, a licensee to sell liquor at any time to any person being really a lodger living or staying in the licensed premises, or a *bonâ fide* traveller seeking refreshment on arriving from a journey: Provided that the liquor so sold is personally consumed on the premises by such traveller or lodger and by no other person." The reason I make that suggestion is this: It frequently happens that persons who are neither lodgers nor *bonâ fide* travellers are found on licensed premises during prohibited hours. There are evidences of drink having been supplied them, and perhaps they are found with drink before them, or taking it. It is said that the drink has not been purchased by them, but that it has been provided by a lodger in the house. Well, in cases of unscrupulous licensees there is very little doubt at all that a convenient lodger is frequently kept on the premises—that is, a man is kept on the premises, or is there as a lodger, who is prepared to state that he has paid for the drink that those people are consuming. That has been the defence in many cases. The police are not able to prove that the drink has not been paid for by the lodger, consequently the charges have to be dismissed.

47. *The Chairman.*] You are suggesting that a lodger, and a lodger only, should be allowed to consume the drink he pays for, and must not provide it for his guest?—Well, he would be allowed to provide it under certain circumstances, but not in public bars and so on. If he could prove these people were his guests it might be held to be a reasonable defence.

48. The onus of proof would be on him?—The onus of proof would be on him. I do not go so far as to say a lodger should not be allowed to have a guest in the hotel with him—say, to take dinner with him. The thing is to place a restriction upon lodgers shouting for people who may come and stand at the bar and drink.

49. Of course, it is quite understood in making these suggestions you do so with a view to efficiency of administration of the licensing-law by the police?—Certainly; in order that the police may be able to check breaches of the law—evasions of the law. I may say the police get blamed in a great measure for abuses that they are unable to prevent owing to the ineffectiveness of the law. As to gambling, more particularly as to street-betting, at present the police are unable to deal with street-betting unless they can prove that it is betting on what is termed totalisator odds, or unless the persons who are betting in the streets cause an obstruction. That being the case, it is practically impossible for the police to deal with that evil. In London there is an Act, called the Traffic Regulations Metropolis Act, which gives the power to the police to arrest any two or more persons assembled in the street or any public place for the purpose of gambling. I would suggest that section 4 of "The Police Offences Act, 1884," be amended by the addition of the following new subsection: "(1.) 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 each of such persons shall be liable to a penalty not exceeding ten pounds, or in default of payment thereof to three months' imprisonment with hard labour. (2.) Any police constable may take into custody without warrant any person who may commit such offence in view of such constable." The foregoing is on the lines, although somewhat more drastic, of section 23, 30 and 31 Vict., c. 134, Traffic Regulations Metropolis. As an alternative proposal to the above, I suggest that the before-mentioned section (4 of the Police Offences Act 1884) be amended by the addition of the following new subsections: "Who shall be found frequenting any public place for the purpose of betting or wagering on any event or contingency of or relating to any horse-race, or other race, fight, game, sport, or exercise"; and "Any police constable may take into custody without warrant any person who may commit such offence in view of such constable." With respect to illegal totalisators, I suggest that section 3 of "The Gaming and Lotteries Act, 1881," No. 10 (45 Vict.), be amended by adding after the word "money,"

and before the words "found therein" in the first paragraph of that section, the following words, namely: "Books, letters, circulars, and other documents or papers," and that these words be added in the same manner to the second paragraph of the same section where power is given to seize; also, in second paragraph of section 4, forfeiting same to Her Majesty, upon conviction. I also suggest that section 13 of the above Act may be amended by adding thereto words to the following effect, namely: "It shall be deemed to be sufficient proof that the owner of any house, office, room, or any other place knowingly and wilfully permitted such place to be used as a common gaming-house if it shall be shown to the satisfaction of any Court of justice before which such owner may be brought that such owner had received due notice from the police that there was reasonable cause to suspect that such house, office, room, or any other place was being used for the purposes set forth in section 11 of the aforesaid Act." The latter suggestion is to make the owner more fully responsible for the conduct of any premises he may have, as well as the person who is using them. Of course, these suggestions I have made would need to be very carefully gone into by the law draftsman. They are only crude suggestions of my own, and they would require very careful scrutiny. I do not pledge myself to the actual wording of these suggestions, because they may be found to clash with some other law. With regard to the suggestions I have made as to the pay of the police, pension, &c., of course it would require increased expenditure, and in connection with that I would like to draw attention, although Colonel Hume has already drawn attention to it, to the cost of police in New Zealand as compared with the cost in the adjoining colonies. As regards New Zealand, the cost per head of population for 1896-97 was 2s. 7½d. This year—that is, up to the 31st March last—it will work out to about 1d. per head of population more, making it 2s. 8½d. I am not able to give you a forecast of what the cost would be if the suggestions I have put forward here were adopted, because that is impossible, but I think I may say, without fear of contradiction, that if the whole of them were adopted it would not raise the cost per head of population more than 1s., or, I may say, not 1s. 1s. would be above the mark. But, assuming it would be raised 1s., it would then be 3s. 8½d. per head of population. Now, in the sister colonies the cost is as follows: Victoria, 4s. 2½d.; New South Wales, 5s. 1½d.; South Australia, 4s. 3d.

50. *The Chairman.*] What year are you quoting from?—1896-97 in each case. Queensland, 6s. 9d.; Western Australia, 11s. 3d. At the present moment the police to the population run: In New Zealand, one policeman to every 1,461 of the inhabitants. I have not worked out the figures, but by increasing the Force by fifty men it would practically mean adding on to the Force one-twelfth, which would come to about one policeman to every 1,400. The sister colonies run: Victoria, one policeman to every 832 of the population; New South Wales, one to 692; South Australia, one to 1,041; Queensland, one to 579; Western Australia, one to 349.54. The figures as regards Western Australia are for last year, a year later than the others. If the suggestions I have made were adopted the New Zealand Police Force would then be very considerably cheaper than any other Force in the sister colonies, and would also be much lower in proportion to the inhabitants than any other; in some cases it would still be very little more than 50 per cent. of the strength of the Forces in the sister colonies. With respect to some of the other colonies New Zealand is rather unfavourably placed with respect to police supervision. In New Zealand there are four centres of about equal importance as regards population. The means in New Zealand of ingress and egress are almost innumerable. In the other colonies they have, with the exception of the capital, very few towns of any importance, or, at least, but very few towns in any way approaching the capital. With respect to Victoria, South Australia, and Western Australia, they have really but one port of any importance by which criminals can either get in or out of the colony by water. Of course, in New South Wales they have more ports, and there is land-communication between the colonies in Australia which does not exist here. So far as police supervision goes, I consider New Zealand is placed at a disadvantage, for the reasons I have stated, as compared with many of the other colonies. In support of some of the suggestions I have already made I would be glad to quote from the other colonies. In reference to pensions I wish to say that in New South Wales they have pensions, the rate being half-pay for a man who has been from fifteen to twenty years in the service, two-thirds pay for a man who has been above twenty years and less than twenty-five, three-fourths pay for a man who has been above twenty-five and less than thirty, and not exceeding full pay for a man who has been above thirty years in the service. If a man is under sixty years of age it is not lawful to grant a pension unless it is certified to by two medical men appointed by the Government that the man is incapable in mind or body to discharge the duties of office. In Victoria they have pensions. They commence from ten years' service. After ten years' service a man gets ten-fiftieths of his pay, and rises one-fiftieth per annum up to thirty years' service. In South Australia they have no pension system, but an allowance is given of one month's pay for a man over twenty years in the service, unless it is on abolition of office or retirement on the ground of ill-health. In Western Australia they have no pension system, but they have what is termed a Police Benefit Fund, to which the whole of the men subscribe and the Government contribute.

51. *The Chairman.*] How is that fund distributed?—Principally by gratuities, apparently, of one month's pay for each year's service. In Queensland they have a pension system. After fifteen years' service a man is entitled to one-fourth of his pay, with an addition of one-sixtieth of his pay for each additional year's service, but the superannuation allowance in no case exceeds two-thirds.

52. *Colonel Pitt.*] How much do the police contribute?—In Queensland they contribute 4 per cent. In Western Australia it is not on a percentage of pay that the men contribute, but the various ranks contribute differently. For instance, a Sub-Inspector subscribes 6s. a month and a sergeant 5s. a month.

53. But in places where they have a pension scheme, what do the men contribute?—In Victoria 2½ per cent., in New South Wales 3 per cent., and in Queensland 4 per cent.

54. *The Chairman.*] Do you gather that that 4 per cent. supports the fund?—No; there is an annual grant from Parliament. As regards lodging-allowance, in New South Wales all unprovided with quarters are allowed 1s. a day. In Victoria 1s. per day is allowed to the men in Melbourne, and 6d. per day elsewhere. In South Australia no allowance is made. In Western Australia lodgings are provided or an allowance in lieu thereof. In Queensland 1s. a day is allowed to men with over five years' service not provided with quarters. From Tasmania I have no information on the point. As regards pay, in New South Wales probationary constables receive 6s. per day; ordinary, 7s; first-class, 7s. 6d.; and senior, 8s. Respecting the Victorian police, I may say that a few years ago their pay was very much reduced. It stands now at 6s. per day when they join, and a senior constable receives 7s. 6d., but in addition the constables receive 6d. per day extra after six years' service, and 1s. a day extra after ten years' service, which means, briefly, that after ten years' service the constable is receiving 8s. 6d. per day. In South Australia the pay of the constables ranges from 7s. to 8s. In Western Australia the pay ranges from probationers at 6s. a day to first-class constables at 8s. 6d. In Queensland they have supernumerary constables at 3s. per day, and the pay of the constables is given annually in the papers I have before me, the minimum being £122 and the maximum £132. Then, as to additional pay, sergeants and constables with over four years' service get £4 extra, with over eight years an additional £4, and with over twelve years a further addition of £4. In addition, all constables with over five years' service get 1s. a day, also an allowance to meet the increased cost of living in outside districts. Some of the rates I have given might appear less than the scale I have suggested for the New Zealand Force, but the wages to labourers and others in New Zealand are considerably higher, and the hours of labour shorter, than is the case with labourers in the other Australasian Colonies; consequently I think the police should be paid in proportion to the pay the labourer receives:

55. *Mr. Poynton.*] How does the pay of the Home constables contrast with the pay of the class of persons from whom he is usually recruited?—It is a considerable advance. I should think that, roughly, it would be an increase of from 30 to 50 per cent. on the wages of the labouring-class. I may say that at least 80 per cent. of the Police Force at Home are recruited from the labouring-class, not from mechanics.

56. Many of them, I suppose, were agricultural labourers?—Yes.

57. And the increase they get encourages good men to apply?—Yes. In connection with the question of the pay of a policeman as compared with the pay of the class from which he is drawn, I may say that a police constable is not allowed to engage in any other business or profession, nor is his wife allowed to do so.

58. *The Chairman.*] That applies in all countries I suppose?—Yes. Here, as in other countries, that shows that the men are in many cases placed at a disadvantage when compared with the class from which they are drawn. The wife, for instance, might be in a position to earn something. The police also have to reside wherever they are directed to live, which in some cases may be at a rather expensive part of the city. They are also compelled to live in a respectable neighbourhood and to have respectable neighbours. I now put in, for the information of the Commissioners, the reports I have obtained from the other Australasian Colonies.

59. *Colonel Pitt.*] What do you think of the sufficiency of the present districts in the colony?—I think that if there were four Sub-Inspectors appointed there would be no necessity to break up the present districts. The boundaries of the districts might in one or two cases be revised, and perhaps the headquarters of the district, more particularly what is now called the Wanganui and West Coast district, the headquarters of which are at New Plymouth. I think the headquarters should be at Wanganui, and part of the Wellington district, including Palmerston North, which is very large, should be transferred to the Wanganui district.

60. *The Chairman.*] What about the district of Blenheim?—Is it conveniently attached to the Wellington district?—Geographically it looks as if it was not properly attached. The only thing to be said in favour of Blenheim being attached to Wellington is that the Inspector from Wellington can get to Blenheim and Picton in a shorter time than the Inspector from the West Coast, who is at present stationed at Greymouth.

61. Or even if he was stationed at Nelson?—Yes, he could still get from Wellington in a little less time than from Nelson. Nelson is the most populous place on the West Coast, and if made the headquarters of the West Coast district, then Blenheim and Picton should be transferred to that district.

62. Is there any advantage at all in having the Inspector at Greymouth?—No. As a general rule, I think every Inspector should be stationed in the principal town of his district.

63. *Mr. Poynton.*] That would be Nelson?—Yes. There may be exceptions if the town is at the extreme end of the district, but on no other grounds should the towns of less population be made the headquarters. The Auckland district is a very large one, but it is not large enough to justify dividing it into two districts. It is so situated that it is impossible to transfer any portion of it to any other district, and therefore, unless two districts were made of it, I do not see how it could be altered. If a Sub-Inspector were appointed there it would meet all requirements.

64. *Colonel Pitt.*] What about Otago and Southland?—I think it could be worked very well in the same way, provided there was a Sub-Inspector at Dunedin to relieve the Inspector, who would then have more time to devote to the outlying parts of his district. With the exception of Central Otago, there is very little of the present district that it is not possible to get at within a period of twelve hours by rail.

65. Does your scale deal with the men who at present have long-service pay?—If the scale of pay I have suggested were adopted, the men with over twenty years' service would be receiving an equivalent to the men who are now receiving long-service pay.

66. *The Chairman.*] It would be practically long-service pay?—Yes.

67. *Colonel Pitt.*] But I was referring to those who have got it now?—I would not take it from

them, but they would not be increased, and men would not be placed over them as regards pay. The present system of classes and the long-service pay are the causes of a very great deal of dissatisfaction in the Force, and I am sure that so long as it is allowed to continue it will be a source of dissatisfaction. For instance, there are men in the Force now who have been in it ten years or thereabouts without receiving any rise at all. Again, there are men with sixteen or eighteen years' service who are only second-class constables. My knowledge of police system tells me that if a man does not make himself a good constable by the time he has been seven or eight years in the service he never will be one.

68. Do you not think it would be wise that an age should be fixed for the Inspectors retiring?—I do not think it is necessary to fix any age; at any rate, if an age is fixed it should be a mature one. I would not fix any age less than seventy. I may say that at present the oldest Inspector I have in the Force I look on as second to no other. It bars promotion, no doubt, but if the pension system were adopted these men would retire voluntarily, and would be very glad to do so. If this increment system I have suggested were adopted, it would, I think, strike a blow at what is now termed "political influence." In saying that I do not wish to admit that there is political influence. I only say there is a feeling abroad that some men do use influence to get advancement. Beyond the rumour I have heard I have nothing to substantiate it. It has not come under my notice since I have been in New Zealand; at any rate, it has not been used to forward a man's interest.

69. What about the transfer of the police?—I think the Commissioner should have a free hand to transfer the men. I would not recommend that the Inspectors should transfer the men themselves, but they should recommend transfers to the Commissioner.

70. *The Chairman.*] What is your view with regard to the desirability of frequent transfers?—I think it should be guided entirely by circumstances. If a constable gives general satisfaction and carries out the law, he should be let alone; and if he does not do his duty it will soon come to the notice of his superiors. I am a believer in letting well enough alone.

71. You do not suggest any hard-and-fast rule for periodical transfers?—No, for this reason: The men who perform their duty best in a district are those who know the people best among whom they are living, and if you are going to transfer men about very quickly, it is impossible for those men to get a knowledge of the people in a short time, and thereby you are likely to destroy the efficiency of the Force. On the other hand, it can soon be ascertained, with proper supervision, whether a man is doing his duty properly, and if it is found he is not, he should be transferred immediately. Years ago, in the Royal Irish Constabulary, the men were transferred periodically, but that system had been gradually altered, more especially in the populous districts. For instance, in cities like Belfast and other places, the men are not transferred as they were in former years, as it was found they were not in touch with the people, and were not able to give such good results as were the older men—the men who knew the people better.

72. But looking at the peculiar position in which constables in remote districts are placed, do you think the circumstances are such as to render transfers desirable?—I think if there is anything radically wrong going on it will come to the ears of the authorities, and the man could then be transferred; but if he is giving satisfaction all round it is proof that he is doing his duty satisfactorily.

73. *Colonel Pitt.*] And what about the undesirable stations?—They would require special consideration. You mean in the goldfields?

74. Such a place as Clyde?—A man should certainly not be kept long in a district like that. It is punishment to keep him there long.

75. *The Chairman.*] You recognise, then, that there are certain stations in which frequent transfer should take place?—Yes, where the cost of living is much higher than it is in a great many parts of the colony. Constables should not be kept there long.

76. What is your opinion with regard to special allowance for those special stations?—It is difficult to estimate an allowance for all cases, and the best way to deal with it would be to, as far as possible, allow the men to take the stations in rotation. It is not possible to have a fixed rota laid down, but as far as possible the men should go to those stations for a short period (for three years, say), and then be transferred to a cheaper district.

77. We have heard a good deal of evidence as to the extra cost of living in the goldfield stations. Should that be the ground of a special allowance?—I see a great difficulty in giving any allowance that would meet all cases.

78. Could not an allowance be made attachable to a particular station? Say that A, B, and C stations are recognised to be expensive for a man's maintenance, should the men there not receive a special allowance?—I am afraid it would create a great difficulty. If you give it to one man the man on the adjoining station might maintain that his station was equally costly, and it would be difficult to draw the line. Those on the West Coast would say that the cost of provisions was quite as high as in Central Otago.

79. *Colonel Pitt.*] What is your opinion as to a man's good conduct entitling him to have the entries on his defaulter's sheet expunged?—I do not think it would be a good policy. It would not be a proper thing to do, for this reason: that a man who had never had any entries on his defaulter's sheet would be in no better position than the man who perhaps for years had been a badly conducted man. Therefore, there would be little, if any, encouragement to the man who had been well conducted from first going into the service. On the question of retarding, I think that if a man is to be retarded in any way it should be done at the time the fault is being dealt with, and should be considered as part of the punishment.

80. *The Chairman.*] And having been entered on his defaulter's sheet it should not debar him from future promotion?—No; unless it is so stated.

81. *Colonel Pitt.*] Supposing there are two men of equal attainments, the man who has the entry on his sheet, and for which he has been punished, would find that it stood against him in his promotion?—His record would stand against him in his promotion to the rank of sergeant.

82. *The Chairman.*] Is it just or reasonable that for a technical police offence a mark should be a permanent bar to a man's progress?—Not a technical one, but a serious one should.

83. Then you say it should only be serious?—Yes.

84. We have heard, for instance, of men being barred because they were late on parade?—Yes; that was years ago, I think, when they were looking round for reasons for not promoting a man.

85. Looking at your police experience, do you tell us that the best men in the Force are the men who have the cleanest sheets?—No; as a rule, it is not so. Very often the man who has been unfortunate enough to get a bad sheet is a very good constable.

86. So that you would not accept the clean sheet as the passport to promotion?—From the rank of constable to sergeant, you mean?

87. Yes?—Distinctly not.

88. And you would not allow a mark on the constable's sheet, unless it was of a serious character, to debar his promotion to sergeant?—No. In making promotion from rank to rank, which is the only promotion that I consider should be so designated—I do not think an advance in pay in a rank should be considered promotion at all—you should be guided mainly by merit. Seniority should be considered, but merit is the principal thing. A man may have a good merit-sheet and a bad defaulter's sheet, and I think the merit-sheet outweighs the other. The defaulter's sheet may go to show that a man has broken some of the regulations, but the merit-sheet, on the other hand, may prove that he is a good man, and he should be looked on as fit for promotion if the marks against him are not of a serious nature.

89. You think that seniority should be considered when other things are equal?—Yes.

90. These marks would not in any way affect the man's right to increase of pay except so far as his progress had been retarded by your system?—That is so. What I mean is this: A man has completed, we will say, four years' service. He is then entitled to his first increment. His defaulter's sheet should not in any way be considered, except to ascertain if he has been retarded; if not, then he is entitled to his rise.

91. Do you consider that instruction in first aid to the injured should be given to the men at the depot?—Decidedly. It should form part of the instruction received by the men at the depot; and the police surgeon would, of course, give that instruction.

92. With regard to the state of the quarters and lock-ups, some of them that we visited certainly require improvement of some kind?—Improvements and repairs are being made continually.

93. Some of the lock-ups appeared to me to need improvement in the way of ventilation. Have you formed any opinion on that subject?—No, I have not. The lock-up accommodation requires to be increased at some places, and as it is increased more modern cells will be erected. Of course, safe custody has to be considered as well as other things, but where there is need of ventilation the remedy should be effected at once.

94. Do you suggest that men should be rewarded for special police service—special efficiency in any particular case—I am referring to the system which has prevailed of giving money rewards for arrests?—Where a man has shown great merit I think that, if it is necessary to consider the case further than by giving him a record of merit, a man should be advanced a year towards his particular increment; or, if it is a very extraordinary case, it might be that the man should be given an increment at once. That would not be done to the prejudice of other men. At the present time, owing to the number in each of the classes being a fixed number, if you promote a man out of his turn you do it to the prejudice of every senior man to him in the same class, and thereby you create dissatisfaction among those men; whereas if men are advanced periodically you may advance one man for meritorious conduct, and it does not prejudice any of the others who get their promotion in the ordinary turn.

95. You would use the reverse, then, of the retarding power?—Yes, exactly; but it would be used only in extraordinary cases.

96. Witnesses have told us of the dissatisfaction in the Force caused by working side by side with men who are getting higher pay. Do you think that feeling would continue to exist under the system you now suggest?—I do not. Of course, there would be men working side by side receiving different rates of pay under any system; it must necessarily be so whatever system you work under; but I think a great deal of the dissatisfaction that has been spoken of is owing to the long-service pay having been abolished. It may happen that there are two second-class constables working side by side, one receiving the long-service pay while the other does not get it, and can never get it, and therefore this man is dissatisfied.

97. Under your scheme one man may have it, and the other man will get it when his turn comes?—Yes.

98. *Mr. Poynton.*] A constable increases in efficiency after a few years' service?—Yes. I think that until a man has been seven years in the Force he does not attain the height of his efficiency.

99. Where there is no difference in rank, and two constables were together on duty, would the senior be in charge?—If a man is reported for neglect of duty he might be so considered. There is no such thing as one man giving orders to another in the street. It is understood that if two constables were together, and both were in default, the senior would be looked on as more to blame than the junior. They are both constables, and they should know how to act.

100. How would you deal with the present ranks—abolish them or allow the system to apply to future recruits?—Abolish them at present, and apply the system at once.

101. Would that not cause dissatisfaction?—No; because no man would lose. The present first-class constables with long-service pay would be no better than they are at the present time.

102. You know there is no other service in New Zealand getting pensions now?—I believe not.

103. You recognise that policemen are specially exposed to danger?—Yes. In the Civil Service

men may serve until they are old men, and, although old men, they can still go on and perform their duties as clerks; but a constable has to tackle roughs and is supposed to be able to walk his beat for eight hours, and therefore a man in the police must necessarily be more active than in the Civil Service.

104. He is exposed to greater danger—attacks by burglars, robbers, and lunatics?—Yes; and he is out in all weathers and at night.

105. Speaking from your experience as a London policeman of all ranks, have you known anything of illicit Sunday trading there; is complaint as rife there as here?—There is very little of it now, and once it becomes known to the police it is easily dealt with.

106. The English people drink beer at their dinners, and it is necessary that the hotels should be open so that they may get fresh beer?—I do not know about the necessity. It is the law, and I suppose they do not consider there is any evil attached to it. The community appear to recognise it.

107. The custom of drinking beer for dinner is more universal than here?—Yes.

108. If that was an argument for keeping the hotels open on Sunday in England it would not apply here?—No. Beer-drinking is a national habit in England, more particularly at meals.

109. You know that many hotels in New Zealand are well conducted, and do not trade on Sundays?—Undoubtedly; and my opinion about the illegal trading is that the great majority of the hotelkeepers would be only too glad to conform to the law, for this reason: Their argument is this, "My customers come to me on a Sunday, and if I refuse them drink they go to another house where the landlord is not so scrupulous, and they get it there. The consequence is that they go there during the week as well, and, unless I am prepared to run the risk and supply them with drink on Sunday, I will probably lose their custom altogether." They would be very pleased if the law were observed all round.

110. This reform you suggest would only be felt by the unscrupulous to be harsh?—Yes.

111. It would give to the policeman a power to deal with the unscrupulous publican that he has not now?—Yes. My opinion is that the community generally, knowing that by going on to licensed premises they were amenable to the law, would refrain from going, and only the unscrupulous would go.

112. Do you not think that a person prohibited from drinking liquor should be punished if found under the influence of drink?—I am not prepared to go that distance, but any measure that would prevent a prohibited person from getting drink I would like to see strengthened if possible.

113. *The Chairman.*] With regard to Sunday trading generally, apart from the liquor trade, is there much of it in the colony, as far as you know?—I think there is very little; I think that Sunday is very well observed.

114. How does it compare with Sunday as observed in England?—There is a great deal more general trading done in England. For instance, the tobacconists' shops and the fruit shops are open all day in England, and in the low neighbourhoods the butcher and the greengrocer are open till 11 o'clock on Sunday morning.

115. Here we have only the oyster-houses and the restaurants open on Sunday?—Yes; I do not see how you can very well close them. People who come into the towns require food and refreshment.

116. *Mr. Poynton.*] Do you think that the person who buys liquor in an illegal manner should be punished as well as the man who sells?—He should be made equally amenable to the law. As it stands at present the law is one-sided.

117. *The Chairman.*] What is your opinion on the question of appeals from the decisions of Inspectors regarding complaints made against constables?—At present the men have the right of appeal to the Commissioner, and personally that is all I think they can reasonably ask for, for this reason: The Police Force is something like an army, in that you have to maintain discipline, and if the authority of the head of the Force, who is responsible for the discipline, is in any way interfered with it would be practically impossible for that officer to carry out the discipline of his Force. The present system of inquiring into complaints is such that the constable or any officer against whom the report is made is present when the evidence is taken, and he has the power to cross-examine and also call witnesses in his defence. If the officer conducting the inquiry had power to administer the oath it would materially assist the department in getting to the bottom of complaints. I do not think that any one would suggest that the commanding officer of a regiment or the captain of a ship should not have the power to deal with the men under him.

118. Is not an Inspector of Police a Justice of the Peace *ex officio*?—All Inspectors of Police are Justices of the Peace, not *ex officio* but appointed in the ordinary manner.

119. And why cannot he administer the oath?—The Police Act gives him no authority to do so. There are cases, no doubt, which it would be better for a Board to inquire into. It might be better if the constable had the right to appeal to such a Board. I do not recommend such a course, but in the Royal Irish Constabulary the men have the right to appeal to a Board, which is composed of officers, and that Board has the right to take evidence on oath. There is no appeal beyond it. My objections to outside appeal are twofold—(1) that it would undermine the authority of the Commissioner; and (2) that an outside authority such as a Magistrate does not seem to appreciate the difficulty of maintaining discipline in the Force. He is too liable to look at the legal aspects of the case only.

120. Would a Board of officers not be derogatory to the position of the Commissioner?—No, not a Board of the police-officers; but I am afraid it would be impracticable in New Zealand.

121. It would be difficult to gather them together?—Yes. We will say that a complaint arises at Christchurch: the officer at Christchurch could not sit on the Board, and it would therefore be necessary to call the Inspectors from Dunedin and Wellington to go to Christchurch and sit on the Board.

122. Would it do to make any one below the rank of Inspector a member of the Board?—If there were Sub-Inspectors they might act.

123. *Colonel Pitt.*] You object to inquiries by Stipendiary Magistrates altogether?—Yes. A Magistrate might form a member of a Board provided police-officers were also on the Board. If the Board were set up it would be necessary to place some restrictions on the men bringing appeals, inasmuch as a man might appeal for a very trivial matter, and in that case the cost of the appeal should be borne by the man if it was held to be frivolous.

124. *The Chairman.*] Summarising your remarks then, you say that you think the only practicable and proper appeal is from the Inspector to the Commissioner?—Exactly.

125. If that were so, how do you suggest the Commissioner should hear the appeal?—The evidence taken should be submitted to him.

126. He would decide on the documents transmitted by the Inspector?—Yes.

127. And there would be no further evidence taken by him?—No. If the person against whom the charge is laid has any evidence to bring forward he has the opportunity.

THURSDAY, 19TH MAY, 1898.

PETER PENDER, examined on oath.

1. *The Chairman.*] You are Inspector of Police in charge of the Wellington District?—Yes.

2. We wish to examine you in reference to Constable Pratt's complaint. You know Inspector Buckley?—Yes, I have known him for over fifty years.

3. Did he serve under you?—We served as sergeants together in the Irish Constabulary for some years, and for a short time he served under me as sergeant.

4. Did he serve under you in New Zealand?—Yes.

5. In what capacity?—I was Inspector and he was sergeant and sergeant-major. He was subsequently appointed Inspector in Canterbury.

6. Can you tell us anything about the mode of administration of his duties? It is alleged that he was very severe and tyrannical and partial. Have you any reason to believe there is anything in these charges?—I would never believe he was anything but a thorough disciplinarian; he was well up in discipline and training from his youth; he was an honourable and straightforward man, and in my opinion he was quite incapable of any undue severity or harshness towards any man; he was thoroughly impartial and conscientious and anxious to perform his duty properly.

7. Any general accusations of severity appear to you to be unfounded?—I would not believe them.

8. It is suggested, I suppose, in reading his letter, that he was influenced as a Mason in his conduct towards other members of the Police Force who belonged to that body. Have you any reason to believe there is anything in that?—I know he is a Freemason, but I am quite confident that the fact never influenced him in any way in the discharge of his police duties.

9. Your opportunities for observation enable you to express a decided opinion?—Yes. I knew him well in Ireland and Victoria and Canterbury.

ARTHUR HOBBS WRIGHT, examined on oath.

10. *The Chairman.*] You are Clerk in the District Office, Wellington?—Yes.

11. Were you Clerk at Invercargill under Inspector Buckley?—Yes; from 1882 to 1888.

12. Do you remember Constable Pratt, who was at Wyndham?—Yes; he was at Gore when I first went down.

13. Do you remember any complaints being made against him by Mr. Winter?—Yes. Mr. Winter was a saddler, at Wyndham.

14. Are you aware whether any inquiry was held by Inspector Buckley into that complaint?—I can hardly speak from memory, as it is such a long time ago. Of course, there was an inquiry made, but in what way I cannot say at the present time. I know a lot of complaints were made against Constable Pratt by different people.

15. Are you in a position to express any opinion as to the manner in which Inspector Buckley conducted his inquiries?—I think so; I used to know everything he did pretty well. Of course, I was in a confidential position there, and he used to tell me things. I always found him very fair and straightforward in his dealings with the men. He was strict, and if a man did what was wrong he had to bear the consequences. I never knew him to excuse any one. He was thoroughly impartial, and treated them all alike. At the same time he was a good-hearted man, and used to make allowances if it was an honest mistake. If a man neglected his duty and was careless he had to suffer.

16. You believe he was impartial?—Yes, thoroughly impartial and fair; one of the most straightforward men I ever had any dealings with at all. I wish to refer to a personal matter: I noticed in some of the southern papers that a constable down South, reflected on the promotion I got some years ago. He said he was a second-class constable when I joined as a third-class, and that I was afterwards placed over him, inferring, I suppose, that I got promotion by some under-hand means. I think Constable Remer, at Balclutha, made the statement. I would like to put in the *Police Gazette* of 1890, page 38, to show the reason for my promotion. I came out top on the list of the first examination with 179 marks, and Commissioner Gudgeon gave the first four on the list a step up. Constable Remer was eleventh on the list, with 130 marks. I only mention this to show I used no influence.

ARTHUR HUME, examined on oath.

17. *Witness.* I produce the papers in reference to a complaint made by a man named Winter, a saddler, against Constable Pratt; it is dated, Wyndham, 26th April, 1887. Winter complains

that this constable does not look after the district, and that a considerable amount of larceny has been committed, and that the constable goes to people he suspects and speaks to them before making an arrest. This is directed to the Minister of Justice. Major Gudgeon tells Inspector Buckley to report on this matter; he says: "Of course, if the constable is inefficient to the extent mentioned herein he must leave, as the idea to foist him on to some other district is absurd." (The saddler wanted him transferred to some other district). Inspector Buckley sends in a long report dated, Invercargill, 31st May, 1887, in which he says he does not think there is much in the saddler's complaint, but he says: "I had occasion to transfer Constable Pratt from Gore to Wyndham on the 13th December, 1883, on account of his not being able to carry out the duties of the Gore sub-district satisfactorily. Since then, police duties at Wyndham have been steadily increasing, and, latterly, the constable does not appear to be able to cope with them, and he is not giving satisfaction either to myself or the public, and I therefore think he is not fit to have charge of a station or to do mounted duty." Inspector Buckley further goes on to say: "Constable Pratt is a very steady man, and, after his length of service of twelve years, I would be sorry to say he is wholly incompetent for any position in the Force. I believe he would make a very good foot-constable for beat duty." On that, Major Gudgeon minutes: "I hope to see you within a month, and will settle this on the ground.—W. E. GUDGEON.—7/6/87." Then there is the following minute: "The Commissioner dealt with this case at Wyndham on the 4th ultimo.—BUCKLEY.—8/8/87." And the final minute: "Ordered to be transferred to Invercargill.—W. E. GUDGEON.—29/9/87."

18. *The Chairman.*] Have you any memorandum from Major Gudgeon in connection with the petition praying for the retention of Constable Pratt at Wyndham?—Yes, as follows: "Inspector Buckley, please inform Constable Pratt that I did not remove him without due cause; that he is not the best possible judge of his own fitness for any position; and that if I find that he uses outside influence in matters connected with the discipline of the Force, I will recommend his discharge.—W. E. GUDGEON.—29/9/87."

19. Constable Pratt said that at Invercargill he was in some remarkable manner called out of the ranks and offered a station. Is there anything to show that he got a station?—Here is a telegram dated 17th April, 1888: "Inspector Weldon, Dunedin—Please transfer Sergeant Green to Lawrence, where he will be appointed gaoler, and send Constable Bowman to Invercargill, *vice* Pratt, who has been ordered to Balclutha.—JAMES G. FOX." Mr. Weldon writes, on the 27th March, 1888: "I beg to submit for your approval that the strength of Lawrence Station should consist of one sergeant and two constables, instead of three constables as at present. The transfer of Sergeant Green to Lawrence and a married man sent to Balclutha would meet the case." That would be the reason why that was done. Commissioner Gudgeon sends to the Under-Secretary of the Justice Department on the 28th April, 1888: "Constable James Pratt has been ordered to proceed to Balclutha, and can be appointed Clerk of the Resident Magistrate's Courts at that place and Kaitangata, *vice* Sergeant Henry Green, transferred." Here is another telegram from Commissioner Gudgeon to Inspector Moore, Invercargill: "Please send Constable Pratt to Balclutha. He will be replaced by Constable Bowman." The date of it is 28th April, 1888.

20. *Mr. Poynton.*] There is nothing on the papers to show why Pratt was selected in view of the fact that he was previously reported as being unfit for a station?—No.

21. *The Chairman.*] You cannot give any explanation of that?—No; I can only say when I was Commissioner I have done the same sort of thing. I have brought a man in, and if I have thought he has pulled himself together, I have given him another chance.

22. But all this was within six months?—I cannot account for that.

ALFRED HAMMOND, examined on oath.

23. *The Chairman.*] What is your rank?—Third-class constable, stationed at Wellington.

24. You appear with Constable Cameron, as delegates from the local Force, to bring under the notice of the Commission, what?—We appear simply as delegates from the men who have joined since 1895, and who receive only £10 per month. We wish to make the following representations; namely: About three years ago the pay of a third-class constable was reduced from £127 15s. to £120 per year, a still greater reduction being that constables joining within this last three years are compelled to insure in the Government Life Office for the sum of £200, to be drawn at the age of sixty years, or payable at death. A constable joining at the age of twenty-three years, his premium costs him 8s. 4d. per month, which leaves him only £115 per year to live on, and has to find himself in uniform, and it is necessary for him to keep himself neatly clad at all times. The present pay is not sufficient. This system in reality makes a fourth-class constable, and the only real difference is the scale of pay, and has a tendency to cause jealousy and dissatisfaction amongst the men, as they are both termed third-class constables and doing the same duty. Whilst one receives £127 15s., the other receives only £115 per annum, being £12 15s. per annum less than the former. We respectfully suggest that the scale of pay be as follows: First year, 7s. per day; second year, 8s. per day; at the end of five years' service with good conduct to be further increased by 6d. per day, and at ten years by another 6d. Promotions to be made by merit, combined with seniority—that is, any member of the Force being at the head of the seniority-list who has a good-conduct record, and who is a person fit to perform the duties required by the place vacant, that he be promoted; but if he is senior on the list and is not considered competent enough to perform the duties required that he be passed and the next suitable man promoted to the vacancy. We respectfully ask that the police pension scheme be adopted, and then the scheme could take over the policies of the men that have been compelled to insure, and have their premiums refunded to them, as a constable could not afford to pay up his premiums and pay into the pension scheme the proposed 5-per-cent. reduction on his pay. It is a great draw on constables to have to provide themselves with uniform. At times we have to per-

form very disagreeable duty, and in the course of which our clothes get damaged to some extent. Uniforms cost about £10 per year. We respectfully suggest that an allowance be made for uniforms, so that constables may be measured by the tailor who has the contract. They would then be sure of a perfect fit, and it is much nicer to see a man dressed in a neatly fitting uniform. We respectfully suggest that annual leave be increased to fourteen days, whereas at present it is only twelve; also, that, if a member of the Force wishes, his annual leave be allowed to accumulate for three years, in order that it gives any member of the Force who has relatives in any of the sister colonies an opportunity of visiting them occasionally, whereas at present if a member allows his leave to go over the twelve months he loses it altogether; also, that when on leave members of the Force be allowed a free pass on all Government railways within New Zealand. When on leave a police officer is liable to be called on to do duty at any time."

ALLAN CAMERON, examined on oath.

25. *The Chairman.*] What is your rank?—Third-class constable, stationed at Wellington.

26. You have heard the recommendations put in by Constable Hammond: do you agree with them?—Yes; in addition, I think we require the service of a police-surgeon, and that the Government should find such. We have to pay always for a certificate when on sick-leave, and in many cases we have to get a doctor's certificate where it is only a cold which prevents us from doing duty, and in many such cases with the money we pay for the certificate we could get sufficient medicine from the chemist to cure us.

ALFRED HAMMOND was further examined on oath.

27. *The Chairman.*] What is the matter you wish to bring before us?—I was transferred from the Permanent Artillery to the Police Force on the 1st May, 1895. At that time I had not been informed, nor was I aware, that the police pay had been reduced, and it was not until I had done a month's duty, and I went to sign the pay-sheet, that I became aware of the fact that I was only to receive £10 per month. I refused to sign the pay-sheet at the time, but ultimately I did so.

28. When did the reduction take place?—I believe from the 1st April, or was supposed to, but it was contradicted in the different newspapers.

29. You knew nothing about it until you went to sign your first pay-sheet?—That is so. I am now in the Police Force just three years, and am still receiving £10 per month, out of which I have to pay 9s. 2d. for insurance, besides finding my own uniform, &c. I believe that on all transfers from the Artillery to the Police Force prior to mine, and since mine, it is stated on the transfer the amount of pay to be received. In my case it was not done; there was nothing whatever on my transfer as regards pay. My transfer came to the depot just about the 25th April. At that time there had been rumours about the reduction of the police pay, and the following paragraph appeared in the *Evening Post* of the 22nd April, 1895: "The Defence Minister has issued instructions that in future all men who may be transferred from the Permanent Artillery to the Police Force shall sign the monthly pay-sheet for the receipt of £10 per calendar month. Recruits up to the present have received 7s. per diem, with a rise of wages as time progresses, but the new regulations means to recruits a reduction of 6d. per day. It is rumoured the Government intend issuing a revised rate of pay for the Force which will prove slightly beneficial to the good-conduct men who have served as constables for a certain number of years. In the *New Zealand Times* of the following morning (23rd April, 1895) appeared this paragraph: "It is not correct, as our evening contemporary asserts, that the Defence Minister has issued instructions that in future all men who may be transferred from the Permanent Artillery to the Police Force shall sign the monthly pay-sheet for the receipt of £10 per calendar month. Our contemporary is a trifle too previous in the matter. Lieut.-Colonel Hume has been engaged drafting new regulations, but they have not yet been submitted to the Defence Minister, and, as a matter of fact, as he has issued no instructions whatever of the kind referred to, the Government have not yet considered its intentions." I made exhaustive inquiries from all whom I thought could give me information on the subject, with the result that I came to the conclusion that it was only a rumour, and that there had been no reduction, and that I would receive 7s. per day. Before being sworn in in the district office I asked the district clerk what pay I was to receive, and he said he had received no instructions as to what pay I was to receive, and that he supposed I would get the ordinary pay. I made inquiries from Major Messenger and Sergeant-Major Richardson, and they could give me no information. Sergeant-Major Richardson said there had been rumours, but he believed there was nothing in them, and that the best thing to do was to go and get into the police and get 7s. a day before the reduction came on. I may say there is only one man in the Force senior to me who is receiving this £10 per month, and that is Constable Hay, of Napier. We joined about the same date. Had I known the rate of pay I would certainly have remained in the Artillery, and if I had done so I would be better off now. I believe, when the clerks were making up the pay-sheets for the month of May they really did not know what amount of pay I was to receive, and had to wait for further instructions. I respectfully ask the Commissioners, if they will think fit, to recommend that the men who have joined since 1895 may be refunded the amount of back pay. I submit that, under the circumstances, my appointment to the police was under a misrepresentation, as my rate of pay was irregular, and I joined under a misrepresentation. I respectfully ask to be placed on the same footing as men of the same rank as myself who only joined a few days prior to me, and the amount of back pay refunded to me. I think if my transfer was produced there would be found no mention of pay on it; in all other cases the amount of pay was mentioned.

30. *Colonel Hume.*] Who did you ask for information in the Police Department, anybody besides Sergeant Wright?—Not directly.

31. Well, you got a communication about the 25th April?—Yes, about the 25th or 26th of April.

32. And you joined on the 1st May?—Yes, I was sworn in then.
33. Then, in that five days you asked Major Messenger and Sergeant-Major Richardson for information? Did you ask anybody belonging to the Police Department as to the amount of pay?—I made inquiries indirectly from men.
34. Why did you make inquiries?—Because of the rumours going on that the pay had been reduced.
35. Though you did not think of going to the police office and asking?—I made inquiries from the police office in an indirect manner.
36. Who did you ask?—I certainly say I should not like to divulge my informants in the matter.
37. It must have been either Mr. Tasker or Mr. Evans?—Not through them personally.
38. You did not come to me?—No.
39. Did you go to Inspector Pender?—No. I did intend to ask Inspector Pender before being sworn in that morning, but I did not.
40. Then, you believed the district office did not know how to make out the pay-sheets?—I am of that opinion.
41. Are you aware that there is a telephone from that room to my room?—Yes, a telephone from the police-station.
42. Does it not strike you that if there was any doubt about the pay they would ring up the telephone and ask?—I think they did consult you afterwards about my pay. When they went to make up the pay-sheet Sergeant Wright told me that he had no instructions whatever as to my pay; that was the morning before I was sworn in.
43. At the end of the first month you protested before you signed the pay-sheet?—I did.
44. Who to?—Sergeant Wright.
45. Did you ask to see Inspector Pender?—Yes, I did.
46. Were you enabled to see him?—He was not at the station; he was out of town.
47. You never asked to see me about it?—To tell you the truth, I was afraid it would lead to serious consequences if I made too many inquiries, as I had no influence behind me, and I was led to believe that a new scheme was being drafted that would leave me in a better position.
48. How did you think it would tell against you if you asked to see me?—I thought it would have told against me. I did not know exactly how to approach you in the matter, but I thought it would not do to make a great deal of it.
49. But did you try to see me?—No, I did not.
50. Although you were much aggrieved at this rate of pay you never saw Inspector Pender, nor asked to see me?—No; I did not think it would be any good.
51. Why?—I supposed he would have referred me to you.
52. Would that have been useless?—I supposed the answer would have been, “You can take it or leave it.”
53. When these months elapsed and you found this new scheme had not come out, did you not think it was worth while saying anything about it?—No; simply because I had no influence to back me up. I was only “on my own.” I did not think I could have done anything in the matter, as other men had joined at the same rate of pay, and there appeared to be plenty of men willing to take it.
54. *Colonel Pitt.*] You made no application to be transferred to the Permanent Artillery?—No.
55. Have you done any gun-drill since you have been in the police?—No.

WILLIAM THOMAS MASON, examined on oath.

56. *The Chairman.*] You are sergeant-major of police, stationed at Wellington?—Yes.
57. We wish to examine you with reference to evidence given by Mrs. Thompson, one of the witnesses called by Mr. Taylor in Christchurch. I will read you my notes of the evidence given by Mrs. Thompson, as follows: A little after 11 p.m. I had occasion to go from my home to my place of business in Colombo Street to use the telephone. I saw a constable standing at the A1 corner. As I crossed from Lonargan's corner to my shop a constable came and asked me, “What are you doing out at this time of night?” I told him he was a disreputable low blackguard and scoundrel to speak to a woman like that. I knocked his hat off. He said he would lock me up. I told him to go with me and they would see he was drunk. I went next morning to the station and described to Sergeant Mason what had happened. He said the man must have been drunk or mad; he was a married man, and he would get into trouble.—I have a general recollection of such a complaint by Mrs. Thompson some three years ago, but whether the complaint was made to me personally or not I cannot say. From my knowledge of Mrs. Thompson I should say she did not complain to me directly.
58. How would a knowledge of the complaint come to you if it was not made to you?—It would come to me, necessarily, in writing.
59. If you have any recollection of the matter referred to by Mrs. Thompson, can you say how the constable who acted in this matter was dealt with?—My recollection in the matter is this: that the constable reported all the circumstances, that the matter was investigated, and that the constable was completely exonerated—in fact, it was admitted he had done nothing but his duty.
60. Are you aware that the matter went up to the Inspector?—I cannot say. I have known Mrs. Thompson for years, and I know her disposition, and I know that if the Inspector was present she would not report to me, and that if the Commissioner was present she would not report to the Inspector: she was bound to see the head person on the station. From what I remember of the case the general circumstances were these, and she must have explained these particulars to me fully, but whether she reported the matter in the first instance to me I cannot say: Mrs. Thompson lives on Cambridge Terrace, and her shop is in Colombo Street. She had a sick child, and had

nothing in the house to meet the requirements of the case, and she hurried across to the shop, knowing she had some remedies there. She was running across the road to enter the shop when she was stopped by a constable, whether on the road or near her door I cannot remember. The constable asked who she was, and when she explained she was the proprietress of the shop the constable took no further action.

61. What about her knocking his hat off and calling him names?—That is the first I have heard of the matter. If she had knocked his hat off I think he would have brought her to the lock-up.

62. Her suggestion was that the constable was drunk, and that she challenged him to take her to the lock-up, as the officer in charge would see that he was drunk?—That is not the position. The question of drunkenness would be impossible. She never reported that the constable's hat had been knocked off, or that he was drunk. The sergeant brings the relief in at 5 o'clock in the morning, and of course he would report as to the men's sobriety; and no question of this kind was raised.

63. You cannot recall the man against whom this was alleged?—No, I can only recall the general circumstances.

64. Do you know whether there was any inquiry?—I cannot say positively, but I think it is very probable such a thing could not pass unnoticed.

65. If there was an inquiry the district clerk ought to know of it?—He ought to know of it.

66. And if the district clerk says there is no record of any inquiry, or any papers about the matter in the office, what do you say then?—It would be absolute evidence that there was no inquiry. There may have been no inquiry beyond the ordinary report from the constable and explanation.

67. Would there be any inquiry if Mrs. Thompson did not make a charge, but simply a report of the circumstance?—If she did not insist upon the inquiry there would be no inquiry except the general explanations. I may say that just about that time constables were reported under the most trivial circumstances. It was about the time that there was a charge against Constable Fitzgerald for nearly killing a man, of which the constable at the trial was completely exonerated; but about that time the public mind was excited, and a number of trivial complaints were lodged against the police, and unless one were to keep an actual diary it would be impossible to remember every case.

68. Were these trivial complaints, as you call them, inquired into?—Always. Such a thing could not pass me; I would have no interest in shielding the man.

69. The question is that you did shield this man. Is that so?—No.

70. Have you no recollection of telling Mrs. Thompson that the constable was a married man and that he might get into trouble if she pushed the matter?—I never did.

71. *Mr. Tunbridge.*] Assuming Mrs. Thompson came to the police-station and made complaints against the constable, would that not be entered in the diary as an occurrence?—It would not be entered in the diary, but it would be taken down in writing.

72. Then it would be referred to the Inspector?—Yes.

73. Would there be no record kept in the Inspector's office of these papers?—It might be recorded in the record-book of the district office.

74. But surely there is a system in vogue in connection with all papers passing through the district office, and there is a record of what becomes of them?—Invariably.

74A. How would it be possible to trace any papers assuming there was no record kept of them?—As a rule, every document was recorded.

75. Would you not expect to find some entry in the record-book in Christchurch of this particular matter?—There should be a record.

75A. Assuming there is no record, and we have been told there is no record, what is your explanation of that?—Without being on the spot I cannot give an explanation.

76. *Colonel Pitt.*] Suppose the charge was made, would there be a record?—Not at all.

77. *Mr. Tunbridge.*] If she came to you and made a complaint, and you got a knowledge of it in that way, or she made a complaint to somebody else, and the complaint was reduced to writing and submitted to you?—Yes.

78. If she had gone to the Inspector and made a complaint, and it was taken down in writing and referred to you, would there not be some record of that in the district office?—I should expect to find it.

79. Failing that record, does it not appear that the Inspector had nothing to do with it at all, and that you must have gained your knowledge from some other source than the Inspector's office?—I do not think I could be so definite about it if it was a matter that came to me as a trivial matter; I would have no recollection of it except as a merely immaterial matter.

80. How do you think you got your knowledge?—I think it must have been by writing.

81. Would there be any papers in your office in Christchurch that would not pass through the Inspector's office?—Not of that character; the only record I can think of would be a record on the back of the sergeant's sheet of the occurrence.

82. If she came to you, do you feel convinced you made a report?—Yes, unless she made a request that it should not go further.

83. Then, if she did make such a request you think there would be no papers?—If she made a request I certainly would not have reported it.

84. Can you give the approximate date?—No; it was about three years ago. There is one matter I should like to bring before the Commission. I do not wish to ventilate any grievances. I have read a good deal about the discipline and manner in which the service is being conducted. As I personally and all the senior non-commissioned officers are really more concerned in the matter than the Inspectors I should like to explain how the discipline has been carried out, and then, perhaps, the Commission would be able to see whether or not it is carried out on a basis worth considering and worth keeping up. I may say that the system of lectures has been carried on ever since the circular which was issued by Colonel Hume.

85. *Colonel Pitt.*] Where?—Under me here, and in Christchurch during the whole of the time I was there, on a basis of my own. There is no particular instruction as to the instructions to be given, but I conducted mine on a system that I think will commend itself to the Commission. Whether such a system is carried on elsewhere I cannot say. I produce a draft of my own lectures for the information and perusal of the Commissioners, and you will be able to see on what system the lectures were carried on, and how the men are instructed in police duties. In addition to this, and to show that there are no idle men in the service here, I produce drafts of every statute of the colony, condensed and codified, so that a police constable can see at a glance what the special duties are and the provisions of any particular Act.

86. Who prepared them?—I prepared them, and they have mostly been written by young constables who had never done police duties, and who copied them out at my suggestion. I will give the Commissioners an instance. A constable is sent down for a day to the Nelson district to try and detect fish-poaching. There are very few acquainted with the Fisheries Act. I simply put this codification of the Acts in the constable's hands, and he is thoroughly acquainted with every branch of the Fisheries Act, from 1877 to the present day. It shows all repeals and all sections of the Acts which constables actually have to deal with.

87. When did you do this?—This is the work of months and months. I have been working on them for a lengthened period.

88. Who did the writing?—Some was done by me and some by constables, by which means they have been gradually taught the statutes.

89. Do you wish us to understand that all young constables joining the Force and passing through your hands have been instructed in the matters you now lay before us?—Generally; as regards the lectures, particularly.

90. How many lectures have you got there?—Four, but these four actual lectures mean several weeks' work. I am not putting these things before the Commission for any object of my own, but to show that a system of work is carried on which the Commissioners are really not aware of. They have been perused by Magistrates before, and I have not the slightest hesitation in placing them before you.

91. You have condensed the Acts by extracting what is useful and essential for the police?—Yes, what is absolutely useful and necessary for the police. I may quote that I have dealt with here the Criminal Code Act, Indictable Offences Summary Jurisdiction Act, Stamp Act, Animals Protection Act, Licensing Acts, Gaming and Lotteries Acts, Adulteration Acts, Customs Act, Shipping and Seamen's Acts, and all the other important Acts, the object being that I can put my hand in a minute on any particular section of any particular Act that is required.

92. These are the laws in which the men coming under your care have been instructed?—Yes, they can always get the assistance of these papers if they want them. Lectures are given upon general police duties and upon any statute asked for. In addition to the statutes, instruction is given in the execution of warrants, and upon all duties appertaining to a constable in the street. When the young men who are being instructed come to the statutes they can go through them section by section and have them explained to them. This I explain, because if a constable is ignorant of his duties it is not through the fault of those above him.

93. Is there any work known to the police that gives sergeants or Inspectors material for their lectures to the men?—No; it entirely devolves upon the person who gives the lectures. Of course, every non-commissioned officer is not fit to lecture the men, and then he only reads the statutes and tries to explain them as far as he can. Even that is very great help.

94. *Colonel Hume.*] Were these documents in writing before the Commission assembled?—They have been written over two years; they were begun almost simultaneously with the lectures. When I saw the value of the lectures I compiled these statutes, and have gone on since.

95. Then, have the constables here been instructed in the city by-laws and Harbour Board laws?—Yes, they are constantly being instructed in the by-laws. If a constable acquaints himself with the Police Offences Act he pretty well has all the by-laws at his finger's end, because the by-laws are framed on the Police Offences Act, as a rule.

96. Then, in your opinion, if a constable here is ignorant of his duties it is his own fault?—Yes.

JOHN O'DONOVAN, examined on oath.

97. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Wellington.

98. I understand you have embodied the matters you wish to bring under our notice in a statement?—Yes. I have read the evidence that the Commissioner gave yesterday, and I approve of all he has said, and I think it is necessary that his recommendation should be carried out. I wish to state as follows: With regard to the compassionate allowance to the families of members of the Force who lose their lives while in execution of duty, I desire to say that better provision for compensation for the loss of life than now exists should be provided. At present the only provision made is such a sum of money as the Minister in charge of the department, guided by precedent and the circumstances of the case, is pleased to submit to Parliament for approval. First of all, the widow and family should be entitled to compensation as a matter of right, and not by way of gratuity or compassionate allowance. The greatest allowance hitherto granted, as far as I am aware, has been a sum equal to the pay of deceased for a year and a half. This is very little more than what is granted in the case of men dying from ordinary illness. In order to induce men to obey orders of their superior officers involving imminent danger to life it is necessary that they should be conscious that in the event of their lives being lost their wives and families would be generously provided for by the Government, and be placed as nearly as possible in the same circumstances as they would have been in had loss of life not occurred. Provision should be made for the reasonable and decent support of the widow, and the children should be maintained and educated until they attain a certain age. Special facilities and assist-

ance to obtain employment in the public service should also be given them. It is generally understood that political influence has been exercised for a long time, either for good or evil. When resorted to by members of the Force it has in a great measure been induced by the harsh, discourteous, and overbearing attitude of many of the former Inspectors of the Force. Favouritism by Inspectors was also believed to prevail to a great extent, and men in many cases found that the only way to counterbalance it was to resort to political or personal influence. The inequalities in the nature of the duties and in the advantages of service in the country as compared with the city led to a good deal of discontent and heartburnings, and to political influence. As long as these inequalities exist, so long will they be a source of contention and jealousy. The only way to even partially equalise the two positions is to charge members of the Force in charge of country stations a rent about equal to what they would pay in the city, or to grant free residences to all members of the Force. One of the great causes which have contributed to the discontent prevailing in the Force was the relation of the Armed Constabulary Force proper to the Police Force. Here we had two distinct branches of one nominal Force. Many joined the Armed Constabulary for service in the Field Force alone, and others for service in the Police Force only. It so happened that owing to the greater numbers in the Field Force, the nature of service, &c., promotion was much more rapid than in the Police Force; but from time to time men who had got their promotion in the Field Force were transferred to the Police branch with the full rank attained in the former. They thereby became the seniors, without one day's police service, of men who were their seniors by enrolment and service in the Police Force. About the time it was rumoured that the Armed Constabulary Field Force was about to be disbanded, many of them took refuge in this way in the Police Force, to the serious dislocation of the seniority and other rights of members of the latter body. In addition to this, I have known many instances of Armed Constabulary men being placed in charge of stations, while married members of the Police Force who had done years of service in the cities looked in vain for charge of country stations. Further, almost all clerical or lucrative positions in the Police Force were filled by Armed Constabulary men. These things were due to the circumstance that the Police Force was to a great extent controlled at headquarters by Armed Constabulary officers. Since 1870 the Police Force has had at its head a military man having control over or connection with the Field Force. With regard to the duties of Clerk of Court, only constables who are fairly qualified by education, intelligence, and training should be appointed to stations where such duties devolve upon them. I say this from a police point of view only; how the matter affects the Justice Department does not concern me. If such constables are not so qualified a great part of their time is necessarily spent in blundering through Acts of Parliament, official records, and departmental returns, in attempts to do and master the duties. The result is that both the police-work and the Court-work are done badly. Further, it is to be remarked that the Department of Justice makes no effort to assist and instruct beginners. There should be a limit placed upon the number of plaintiffs to which a constable should be allowed to attend as Clerk of Court. This limit should be somewhere between one hundred and fifty and two hundred and fifty plaintiffs. Above that limit the duties should be taken over by an officer of the Justice Department. In all cases the Inspector of the district should be allowed to inspect the Court-work, in order that he might satisfy himself as to the duties done by the constable. A record should be made in the police diary of all time spent in Court or bailiff's work, and in the latter case of the particular duty. In my opinion, the abolition of the police examinations in 1890 has been detrimental to the efficiency of the Force, more especially as no substitute, such as a training depot, has been provided. Many members of the Force hailed the examination as a means whereby they could independently and creditably advance themselves and overcome the advantages gained by others by improper means. The examinations rendered it necessary to be well informed in police-law and police duties, and though numbers of men might fail in passing them, the fact itself shows the necessity of reading for them. If these examinations had been kept up nearly every man in the service would now have very fair instructions in his duties. The long-service pay allowed to men on certain terms of service has been the mainstay of the Force. It is safe to say that, in the absence of a pension, and the almost absolute stoppage of promotion, numbers of the best men in the service have been induced to remain in it by the long-service pay. With regard to travelling on the Government railways when on leave, I think some concession should be made to members of the Police Force if free passes are not allowed. At the very seasons when reduced or excursion rates are granted to the general public the police are absolutely debarred from availing themselves of the privilege, owing to the fact that they cannot then get leave. It should be borne in mind that whether on or off duty the police are bound to attend to any disorder occurring on the railways and to assist the railway officials. Some concession should also be granted to members of the Force on night duty who are required to attend Court. In many instances the charge against a prisoner is only one of simple drunkenness, and the prisoner usually pleads Guilty. In such a case the prisoner might be called upon in Court to plead, and if he plead Not guilty, to adjourn his case for evidence until, say, 2 p.m. With regard to the disposal of members of the Force of advanced years, perhaps provision for some could be made by the extension of the suburban-station system in the large cities. By this means the beats could be lessened and contracted to the strictly business part of the city, and the loss of police protection could be made up by patrol-men on bicycles. With regard to men on night duty, something should be done to relieve them. The long hours of duty without any means of obtaining refreshment throughout the night is a severe strain upon the physical resources of the men. I do not think I am betraying any secret when I say, from my own experience for years in this city, that about 2.30 a.m. or 3 a.m. the night-duty men are exhausted and worthless for the purpose of police protection. Some means should be devised whereby the men on night duty would commence duty at 11 p.m. or 12 p.m., and be released at 5 a.m. or 6 a.m. At the principal stations in the cities there is need for one extra sergeant to take up the duties of

such sergeant as may be on leave, sick, absent on duty, &c. It has frequently happened that for weeks at a time sections of men have been under the charge of the senior constable of the relief. At the principal stations, also, some provision should be made for office-cleaning. At present the watchhouse-keeper on early morning relief is obliged to do the office-cleaning as well as look after prisoners in the lock-up. It has often happened, when the watchhouse-keeper was stripped to the singlet, and reeking with perspiration while engaged in deck-washing the floors, that respectable women have had to make their complaints or reports to him on receiving his assurance that he was the constable on duty. I do not think that the extension of the franchise to the police has been detrimental to police discipline and efficiency in the large centres, or that any improper means have been resorted to to secure the police vote. With regard to the police in country stations, however, the possession of this privilege is certainly a questionable boon to the police. Here individual members of the Force are called upon in a small community to actively come into contact or collision with the public about election times. He may have to interfere to preserve or restore order at public meetings, and the manner in which he does so is subject to favourable or unfavourable criticism according to the political views of the persons affected. Either the police in rural districts should be disfranchised or the soliciting of their votes by any means whatever should be made penal. Some alteration is necessary in the make, material, and colour of uniform for police in the country. Owing to the various nature and circumstances of their duties it is impossible to keep the uniform as at present supplied clean and respectable.

99. *Mr. Tumbidge.*] Before you were promoted last January, I believe, you were in charge of the Stratford Station?—Yes.

100. You were Clerk of Court there?—Yes.

101. Can you give the Commissioners a brief outline of the work you had to do at Stratford as Clerk of Court?—The year I went there, terminating the 31st December, 1894, there were 297 complaints in the Court; in 1895 there were 435 complaints. There were no exceptional cases at all. In 1895 there were 547 complaints, and in 1897 there were 541. The average of criminal cases was about 108 or 110 for each year. They did not fluctuate much. The number of judgment summonses in 1895 were about fifty; in 1896 about sixty, and in 1897 there were ninety-one or ninety-two.

102. Well, now, while you were there you performed the duties of Clerk of Court entirely yourself?—Yes, as well as the police duties and numerous other duties; I had it also up to the 13th February last year, and then another constable was sent there.

103. What other offices did you hold?—I was Clerk of the Licensing Committee and Inspector of Weights and Measures, Inspector of Factories, and bailiff.

104. That left you very little time for actual police-work?—Very little time; on many occasions I had to neglect either one or the other.

105. As regards the duties of Clerk of Court, you were paid £10 a year for the work you did?—Yes.

106. What did you get as Licensing Clerk?—£25 a year.

106a. What is your opinion of these emoluments going to the pension fund?—I say, considering the hard work I had to do, I should be very sorry to see another man getting the benefit of all my work. I think it would be quite unfair in a case like that, where the Court-work is so heavy, and where a man had to carry all the burden on his own shoulders. The police-work was quite sufficient to keep a man going, and the Court-work would give another man a decent number of hours' work a day, and the bailiff-work would be almost enough to keep another man going.

107. That is the groundwork of your recommendation, that constables should not be made Clerks of Courts where there are more than 150 complaints a year?—That is so.

108. How often does the Court sit there?—Once a week; formerly it sat once a fortnight, now once a week.

109. Speaking of other places where the work of the Clerk of Court is not nearly so heavy, what is your opinion about the emoluments going to the pension fund?—My opinion is that in many country districts the constables would be almost unoccupied were it not for the Court duties, and in such cases as that they are only doing a fair amount of work.

110. And you think in such cases as that the salaries as Clerk of Court should come to a general fund for the benefit of the Force?—That is my opinion.

111. That is only in places that you have described where there is very little work to do that you would recommend that police officers should fulfil the duties of Clerk of Court, and you think in those cases it is only reasonable to suggest that the pay from the Justice Department should go for the benefit of the whole Force, and not for the benefit of the individual?—I think it is only reasonable, because constables are only too glad to get country stations in order to get free quarters.

112. *Colonel Hume.*] What do you mean by the statement that it is generally understood political influence has been exercised for a long time either for good or evil?—Well, it has been understood.

113. By whom?—By the Police Force.

114. Are you speaking generally for the Police Force or from your own personal knowledge?—I am speaking from the opinions I gathered from the men themselves.

115. It is not from your own personal knowledge you have made this statement?—I cannot state any particular case.

116. You cannot state any particular case; in your own instance have you worked political influence at all?—I have never gained anything by political influence so far as I am aware.

117. Have you tried it?—I have.

118. And failed?—I do not know whether I failed or not. I am not aware I gained anything by political influence.

119. But you tried?—I certainly did.

120. In your case it had not the desired effect?—I say I do not know whether it did or not. At the time the Stratford Station was vacant I applied to political friends to get me that station. I got the station, but I do not know whether it was due to that fact or not, but being the senior constable in Wellington and Taranaki at that time I was entitled to it, I considered.

121. Had you any reason to suppose you would not have got it, though you were the senior constable in those districts?—I had every reason to believe from what had happened many years previously. I have already stated that Armed Constabulary men were promoted to country stations when men doing duty in the city for years were debarred from getting that privilege.

122. Have you found that has been going on for the last five years?—I cannot say. I have been for the last three years and a half completely removed from political influence. I have had absolutely nothing to do with it, and have not been in any way in touch with it.

123. You were transferred to Stratford three years and a half ago?—Yes.

124. Take a couple of years before that. Had you any reason to suppose that you, being the senior constable in the district, would have been passed over?—I thought it was very doubtful in regard to my getting it, and that was the reason I sought aid, because personally I am entirely against seeking political aid. I believe in a man standing on his own merits: he should sink or stand on them.

125. If I were to tell you that the seniors entitled to country stations always got them in my time, would you deny it?—I would not deny it. I cannot say.

126. I suppose you knew when you were trying to work this political influence you were disobeying the regulations?—I knew perfectly well that I was.

127. You say that when this political influence has been resorted to by members of the Force it has in a great measure been induced by the harsh discourteousness and overbearing attitude of many of the former Inspectors in the Force. Is that your own experience or what the man in the street, or, rather, the man in the police barracks, has said?—I may say some instances have come under my own knowledge.

128. I want to know something about those instances: will you state them?—In the year 1881 the Police Force at the central station here were catered for by a contractor. There was great dissatisfaction amongst the men about the manner in which the mess was supplied and carried out, and they made representations to the then Inspector requesting him to allow the men themselves to carry on the control of the mess. These representations were not successful, and the trouble went on for some time afterwards, and eventually several of the men jointly signed their names to a requisition to the Inspector that the men should be granted the privilege of controlling the mess themselves. That was done for the purpose of showing the unanimity of the men on that particular point. The result of it was, I believe—I am not absolutely certain—that Detective Chrystal and Constable Collerton were charged with improperly combining against the regulations. There was a regulation forbidding men to combine for any purpose whatever: They were charged with a breach of that regulation and fined, as far as I am aware. The mess has since been managed by the men themselves. I consider that a tyrannical exercise of authority by the Inspector, and the controlling of the mess by the men themselves has worked satisfactorily ever since the Inspector in 1884 allowed them to control it themselves.

129. Was that due to political or personal influence?—There was no political influence. It was simply this: the mess gave the Inspector so much trouble that he was glad in the end to allow the men to carry it on themselves.

130. Can you give us a case in which it was necessary to resort to political influence in support of this statement of yours?—All I can say is this: I have met numbers of men from other districts in Wellington who would not serve in certain districts if they could possibly avoid it, such was the reputation of the Inspectors in those districts for overbearing and discourteous conduct towards the men.

131. Then, are the Commissioners to understand that this statement of yours is based entirely on what other people have told you?—It is based principally on statements made to me by other members of the Force who served in other districts. I simply state that that was the reputation of the Inspectors. I am not responsible for the institution of that reputation. I know these men have told me themselves that they would resort to political influence in order to overcome it.

132. *The Chairman.*] Overcome what?—To avoid serving under some of the Inspectors.

133. *Colonel Hume.*] Now, how long ago are you talking about?—I am going back to the time when Inspector Broham said that the powers of Inspectors began to be taken away from them.

134. When was that?—He said eighteen years ago—somewhere about 1881 or 1882.

135. I suppose you know who the Inspectors were?—Yes. If you want another instance I will give you the instance of Inspector Bullen, whom I served under. If you look up the records you will see the steps I took to leave his district.

136. Is Inspector Bullen in the Force now?—No, he is not in the Force. He died in an asylum.

137. Did any of these others die in an asylum?—No, as far as I am aware.

138. That would be quite an exceptional case, then?—It is an exceptional case as far as the lunacy part of it is concerned.

139. Have you the names of those Inspectors: are they still in the Force?—Some of them are dead.

140. *The Chairman.*] Are there any in the Force now in the position of Inspector?—Yes, there is one. I cannot give any instances myself. I am only speaking as to reputation. I never served under him.

141. *Colonel Hume.*] You say that the inequalities in the nature of the duties and in the advantages of service in the country as compared with the city led to a good deal of discontent. I suppose you will agree with me in thinking that seniors should get the first chance of going to the

country, should they not?—I do not say that. I say the man that is most fitted to fill any particular station should be sent to it, not necessarily the senior man.

142. Then, you think that in country stations a rent ought to be charged against the men?—I say this: I do not say it ought to be charged against the men. I say inequalities ought to be removed in order to avoid jealousy, because discontent and jealousy arise through the difference in the two positions. My argument is in favour of free rents for the men in cities.

143. But could not that difficulty be got over by transferring men from the country after they had been a certain time in the good stations and letting others fill their places?—Yes, that might be done; but it seems to me the men in the country stations seem to have a lease of them, and it is only by misconduct or some chance that one of them ever becomes vacant.

144. Are you not speaking somewhat feelingly, having been brought in from a country station to the town?—No. I may say I came into the city at my own request.

145. *The Chairman.*] You found the work of the station too heavy?—No, it was not that, but owing to some private circumstances. I may say the Commissioner, when he was inspecting Hawera Station, gave me the choice of coming to the city if I desired to come, owing to some remark that fell from me, and that choice I accepted.

146. What is this discontent that you talk about prevailing in the Force?—There is a great deal of discontent owing to want of promotion. For instance, in Wellington City there has not been a single promotion from 1882 to 1898—not a single promotion at this station.

147. Is this discontent confined to want of promotion?—No, it is not. There has been a great deal of discontent owing to some of the causes I have mentioned, such as the difficulty in getting country stations when the right to have them had accrued.

148. But according to your account discontent could only prevail amongst men who thought they were better fitted than those who were sent to country stations?—There has been a good deal of real cause for discontent, and some of those reasons have been pointed out by me, such as not sending seniors to country stations who were entitled to them.

149. What period are you talking about?—I am talking of the time of the disbandment of the Armed Constabulary Force.

150. Do you think during the last seven or eight years that the men have had cause for discontent as to the distribution of country stations?—No, I do not. I have not one word to say about your administration. I believe the Commissioner himself has been very fair and very kind—in fact, courtesy itself—to the men when he was in charge.

151. And is not the fact of the Armed Constabulary being absorbed into the police the main cause of the want of promotion?—It has had a good deal to do with it. I am not posted up with figures. I have not the means of supplying figures, but I remember a good many cases. I remember the case of several Armed Constabulary men being transferred from the depot and the Field Force and put in stations in localities where they were camped.

152. And another cause was the number of sergeants they had of all ranks in the provincial police?—The most of the provincial police were in the service when I joined it.

153. Retaining the ranks they had at the abolition of the provinces?—Oh, yes.

154. I gather from what you have said that latterly the discontent arises from want of promotion only, and not from the selection of men for country stations?—Latterly the chief cause of discontent was the want of promotion—of course, taking into account the discontent engendered before that.

155. Prior to doing away with the Armed Constabulary Force in 1886 men coming from the Armed Constabulary Force to the police retained their seniority in the police which they brought from the Armed Constabulary?—In some cases they did. In some cases they came in with a slight reduction, such as a reduction of one degree in rank. One first-class constable came in as a second-class constable, but that is the only one, as far as I can remember.

156. After the Armed Constabulary Force was done away—after 1886—a man counted his date as constable from the date of enrolment in the police?—Yes.

157. I suppose you admit that was fair?—That remedied a great cause of discontent. The police were simply swamped by the Armed Constabulary men coming in, and had every prospect of being still further swamped until the Armed Constabulary Force was disbanded.

158. You say you have known cases of Armed Constabulary men being placed in charge of country stations, while men who had been doing duty in the city for years were passed over: what do you mean by Armed Constabulary men?—Men who served as Armed Constabulary men. Some men joined the Armed Constabulary Force alone, and despised police-work.

159. These men who came straight from the Armed Constabulary Force to charge of country stations were men who had not been doing beat duty while in the Armed Constabulary Force?—Yes. The trouble caused by that still continues in the Force.

160. With regard to the duties of Clerks of Court, you say that only constables who are fairly qualified by education, intelligence, and training should be appointed to stations where such duties devolve upon them: do you know a case where a man has been appointed Clerk of the Court who was not fit to do the duty?—Perhaps it would be improper for me to point out specific cases. I would suggest the examination of a Stipendiary Magistrate who has had anything to do with constables as Clerks of the Court, and you will find what his answer will be.

161. That is a matter that rests with the Justice Department, and I suppose the Justice Department would very soon complain if it had a Clerk of the Court who could not do the work?—I do not think so. The Justice Department does not make complaints about the way the police do their work. It is entirely in the hands of the Stipendiary Magistrate, and the Stipendiary Magistrate does not like to hamper the police in any way. A constable must be very bad before a Stipendiary Magistrate would make a complaint about him.

162. Do you think so?—Yes, I am certain of it.

163. I do not quite follow you about these suburban stations. If I understand you rightly you would make a lot of suburban stations to provide billets for men whom you would not consider fit for beat duty?—I say this: numbers of men have been brought in from the country and sent on beat duty in the town, and they are worse than useless, because they are physically unfit to do night duty—to tackle rough drunks, or to do any of the heavy work incidental to the Police Force.

164. You suggest they should be given suburban stations?—They would be useful for beat duty in suburban stations, where they would still be under the direct control of the Inspector. I would not necessarily give those men suburban stations who misconducted themselves.

165. The work suddenly increased very much at Stratford while you were there?—Yes.

166. And you were sent a second constable to assist you?—I was sent a second constable in February, 1897.

167. The two of you were able to manage the work?—Yes, we were able to manage the work up to the time I left.

168. You told us you had several billets at Stratford, and amongst others you were Clerk of the Licensing Bench?—Yes.

169. Why did you take that billet?—It is incidental to the position of Clerk of the Court.

170. Why do you say that?—Clerks of Court are appointed Clerks of Licensing Committees. I was simply appointed as a matter of course. I was paid by the County Council which had the administration of the affairs of the licensing district.

171. It is a County Council appointment then?—No, it is not. I may say county clerks and others had done the work before, but the Justice Department found it necessary, owing to the leakage in stamps and things of that sort, to have the Licensing Court in charge of the Clerk of the Court.

172. You did not make any protest against accepting it?—I never represented that I had too much to do. I was always willing to do what I could.

173. As to police examinations, did you go up for that examination?—Yes.

174. And passed?—Yes.

175. And you think had those examinations been continued it would have been a good thing?—Yes.

176. Were you asked the question how much lace a sub-lieutenant in the navy wears on his sleeve?—No, I never saw the question. I never got that question.

177. Do you think questions of that sort would do much good in educating constables for their duties?—I do not think so; but that is entirely the fault of the examiner, and the appointment of the examiner, I understand, is entirely in the hands of the Commissioner. If the examiner is not a proper one he should be superseded.

178. Does it not give constables in charge of small stations where there is not much work a very unfair advantage over men at stations where there is plenty of work?—Perhaps it would. I suppose there would be always some little inequality. I certainly would say those men would not have the same advantage, but not necessarily a great advantage. The constable at a larger station necessarily ought to be better qualified in any case than the man at a small one. He ought to be a better educated man at a large station.

179. *The Chairman.*] Do you think he has more opportunities of acquiring a knowledge of his business?—I say the duties at any country station should not be so great as to debar a man from getting the time to study for an examination.

180. *Colonel Hume.*] I take it you had no complaint to make during the time I was Commissioner?—I had not a single complaint.

181. *Mr. Tunbridge.*] Do you not think it is a mistake that all the senior men should be taken away from towns like Wellington?—All should not be taken away.

182. At the present moment, if they are retained in Wellington, according to the conditions of the service, they have no chance of getting house-allowance, or a house to live in?—That is so.

183. If you are going to keep the senior men here in a place like Wellington you must necessarily do these men an injustice?—Yes.

184. Therefore it means large towns are denuded of well-trained and senior constables unless the constables happen to be single men?—I do not know that the vacancies are fast enough in the country to strip the town.

185. For instance, in Wellington, with the exception of two or three men who have been brought in here for misconduct, is there a married man who is fit for a country station over seven years in the service?—I do not know. I have been out of Wellington for some time.

186. But your knowledge of the men here is sufficient to tell you that all the young men, or nearly all, are kept in a place like Wellington?—Yes. My own belief is this: only young men should be employed in the city to a great extent.

187. Why?—For the simple reason that the alternations of night and day duty are too severe altogether upon men who are at all advanced in years.

188. What you mean to say is, it is very hard on the old men that they should be called upon to perform that duty, or men of experience?—Yes.

189. Do you not think it is very hard on the ratepayers in big cities like Wellington that they should always have to trust to young men?—I say no man should be sent out on police duty until he has received proper training.

190. He can only get that training in cities like this?—Yes; but he should get training in a depot also. I think after a course of six months' instruction in a depot, and a little experience from time to time on the streets, he is fit to do almost any duty on the street.

191. *Colonel Pitt.*] How many beats are there in the City of Wellington?—There were eight or nine night beats when I was here before, and about five day-duty beats.

192. Do you know how many men were available for beat duty in Wellington?—On the night relief when I was here before it varied from seven to ten, according to the men on leave, sick, and so forth.

193. How would you arrange the duties so that the night duty should only last from 11 p.m. to 5 a.m., as you suggest?—My own experience is this: it is no hardship on any man to remain out at night until 12 o'clock.

194. But how would you arrange the duties?—It can be altered in this way: send the night-duty men out at 11 o'clock and let them off at 5 a.m.; then a beat goes on from 5 a.m. to 9 a.m.; then 9 to 1; then I would get half the night-duty men out from 1 to 3; then from 3 to 7 and 7 to 11. By that means the night-duty men would be two hours on on alternate days. I say there is a great loss of police protection owing to the length of the night-duty shift.

195. *Mr. Tunbridge.*] The night-duty relief would be arranged in this way: one-half would perform eight hours one day and the other half six hours?—Yes.

196. At that rate, you would have the day-duty men on the streets till 11 o'clock at night?—I said a moment ago it is no hardship for a man to remain on duty till 11 o'clock at night.

197. The day-duty relief is about half the number of the night relief?—Yes.

198. You would continue that half-number, as it were, into the night, till 11 o'clock?—Yes.

199. Do you not think it would be an improper thing to do to keep the town with, we will say, five men till 11 o'clock at night?—No, I do not. The city would be lighted up and the suburban-station men would be on duty.

200. Do you not find that the majority of drunks are brought in from 9 to 12 at night?—Yes.

201. How are you going to deal with drunkenness and disorder in the streets if you have only got five men out in the whole city?—Of course, there would be some difficulty about that. That might be met by assistance from the detective department in the way of patrolling the streets.

202. Do you know that some years ago they tried the system of dividing the night duty into four hours and a half?—I do not know. I do not agree with dividing the night duty into two periods of four hours.

203. What you think is the eight hours should be reduced?—Yes, and the result in the way of protection to the public and relief to the police would be far better.

204. *The Chairman.*] Supposing the men who go on at 5 p.m. could be kept on duty till 11 p.m., giving them six hours, and the men who go on at 11 p.m. were kept on till 5 a.m., giving them six hours, how would that work?—The difficulty would be this: you would have one lot of men doing ten hours and the others six hours.

205. *Mr. Tunbridge.*] Do you know of any Police Force where they do not do eight hours' duty at night?—No, I do not. I say this from my own knowledge of the Police Force: at 3 o'clock in the morning the Police Force is utterly demoralised.

206. Do you think if constables can do eight hours' night duty in London they can do it here?—I may say men who have been in the Irish Police Force have told me they found it easier to work in Belfast, where their beards were frozen with icicles, than in New Zealand. I have heard them say that.

207. You think the duty here is harder to perform than in England?—Not the duty. I do not know what may be the cause of it, but the men who have served in both countries say they can stand the winter at Home far better than they can here. It may be owing to frequent changes of climate here.

208. *Mr. Poynton.*] In addition to your having passed the police examination, you have also passed the solicitors' law examination?—Yes.

209. Do you find your knowledge of law of advantage to you as a police officer?—I may say it has been of the greatest advantage, since I went to the country especially, both as Clerk of the Court and in police-work. I have had some very difficult cases to deal with in the country.

210. Speaking with your knowledge of law, do you think there should be a pass-examination before a man attains the rank of sergeant?—I certainly say there should be some standard whereby a man's qualifications could be tested. The only way to do this would be by examination, and, of course, his general conduct, character, and efficiency, and so forth, should also be taken into account. Some men might pass an examination and be worthless. I wish to explain with regard to my remarks about the night relief: as things are arranged now the men coming off at 11 o'clock would come on duty at 5 o'clock. That is rather a short period, but the other relief ought to go on at 5 in the morning—the relief that got off at 7.

211. *Mr. Tunbridge.*] Do you think it would be acceptable to the day-duty men to perform nine hours' work a day?—I believe that would be a good thing, but the trouble is to make the hours fit in with meal-times.

ARTHUR HUME, examined on oath.

212. *Mr. McNab.*] During your administration, Colonel Hume, would there be any book kept which would show a man's transfer?—Yes, there is a register which shows where all the men have been.

213. When you make up your mind to transfer a man, would you enter that in a book?—Not until it had been approved by the Minister.

214. You said you made up your mind on Queen's Birthday, 1896, to transfer Jeffries; there is no entry whatever of that?—No. If I had happened to have kept my memorandum of it I could have produced that. I put it on a piece of paper along with other proposed transfers. I looked for it, but I could not find it.

215. You are quite clear it was on the Queen's Birthday?—Yes; because the next holiday was when the House was in session, and I know it was before the House was in session.

216. What time of day was it when you made up your mind?—I cannot say. I went down to my office and did it.

217. As a matter of fact, were you not at the Otaki races on the 24th May, 1896?—No; I have never been to the Otaki races in my life.

218. In the Supreme Court, I think, you swore that, as far as your knowledge was concerned, no charge of having interfered in the election was made to your department against Jeffries?—That is so.

219. Why was it, Colonel Hume, you said to him, “What is this about some names being struck off the roll”? How came you to ask him that question when no complaint had been made?—Because Mr. Pollen, the Under-Secretary in the Colonial Secretary’s Office, came to me one day and said, “Where is Jeffries now?” I said, “What do you want to know for?” He said, “There is something here about preparation of the rolls.” I said, “Leave me the papers, and I will let you know by-and-by.” I looked over the papers.

220. You had the papers?—Yes.

221. You saw that letter of Mr. Mills of the 7th January—the last letter?—Yes; I saw all the papers on the file.

222. Did you not, when you read that letter of Mr. Mills of the 7th January, consider that was a complaint against Jeffries?—No, I did not think so; because I understood from Mr. Pollen that he was not to blame—that he could not make out that he was to blame—and I certainly would not have said the man was to blame unless it was proved against him.

223. At all events, you had the reading of those letters?—Oh, yes. I asked Mr. Pollen to leave the file with me. He left the papers with me for two or three hours, if I remember aright.

224. You said you had come to the conclusion it was a mistake appointing Jeffries at all to Picton?—Yes; because he had so many relatives there.

225. Did it take you six years to find out it was a mistake?—Oh, no. I found out long before; but you cannot shift a man immediately you transfer him to a place. He was not incapable of performing the duties, but, unfortunately, he was sent amongst his relatives. He seemed to be related to people in Picton, Blenheim, and so on, and it is the rule not to send men to places where their relatives are.

226. How was it that Jeffries got transferred four times within six years?—He was sent from the West Coast to Wellington. I had orders to transfer men from the West Coast who had been there a long time. He was brought to Wellington until a place could be found for him. It was not intended to keep him on the streets in Wellington, and Picton becoming vacant he was sent there. I did not know he had relatives there or he would not have gone there. Then he was transferred from Picton to Takaka, and a mutual friend, I understood, of everybody concerned came and asked me if I could arrange a transfer for him; that Jeffries did not like Takaka, and would like to get to Port Nelson. I sent him to Port Nelson to oblige him and the other man that was there.

227. About these improvements: If you thought that he had no just claim for these improvements at Picton, why did you direct O’Malley to make a valuation of them?—I do not know. I suppose I wanted to see what the value of them was. Perhaps the Minister told me to. Naturally, if a man makes a claim of that kind you would ask what the value of the improvements were. I imagine that is the reason.

228. Why did you not raise the point at once which finally settled the matter—that it was a breach of the regulations to make additions or improvements without the sanction of the department?—I cannot say now. The probability is if it had been a matter of half a sovereign I would have passed it.

229. Is it not a fact you saw these improvements being made and you rather commended Jeffries for doing them?—Quite so.

230. Do you not think those improvements ought to be paid for?—I do not think so.

231. Has not the department got the benefit of those improvements?—Quite so; but my contention is, where is it to stop? You would never know how you would stand at all. I have no doubt if he had asked me for a washhouse he would have got it, or a coalshed, but you must draw the line. There is the regulation. I would not sanction constables putting up buildings of their own. He might have got the material if he applied for it, and have been allowed to put the building up himself. I have done that in many cases.

232. You refused to allow Jeffries to remove anything?—Yes.

233. In your evidence in the Supreme Court you referred to Mr. Mills having asked you to make Jeffries a sergeant: was there not some slight mistake about the date?—No. I am under the impression he asked me more than once. I am under the impression he asked me some time before the election, and I am under the impression he asked me afterwards. He certainly asked me more than once, and I am under the impression it was both before and after the election.

234. And, so far as you are concerned, there was no political influence in the matter at all?—Not a bit.

235. You shifted Jeffries of your own motion?—Quite so. There is another thing, I may state, which also helped me to make up my mind—that was, the lawn-tennis business in Picton.

236. Neither Mrs. Seaward nor a man named Holdsworth approached you?—Neither of them; no.

FRANCIS RUMSEY, examined on oath.

237. *The Chairman.*] Where do you live?—Otaki.

238. What are you?—Splitter.

239. What is your complaint against Constable O’Rourke?—I prosecuted Hancock at Otaki, at great trouble and expense, for larceny. He was ordered to pay the value of the stolen goods and a fine. Some time was allowed him to get the money. After that time had expired I went to O’Rourke and inquired from him whether the money was paid, or how was it the man was not arrested. He told me the money was not paid, so I asked him whose duty it was to look into it,

his or mine. He made some short answer, so I said I would send down to the Inspector to see whether he would move in the matter. I went to the telegraph-office with that intention, and the officer in charge said I would have to put it in writing and send it down that way as the telegram would do no good. I waited on that, and O'Rourke, I believe, then looked after Hancock and hunted him up. Hancock paid the fine only. He then showed me the books, and showed me it was an error of the Justices of the Peace, that they had omitted to put down the cost of the article that was stolen. I saw the Justices about it, and they told me it was their judgment, and if they gave the judgment in mistake they would see about rectifying it. I afterwards saw O'Rourke about the matter, and he told me if I had not been in such a hurry and bustle, talking about writing to the Inspector, he would have put it all right. His reason for not putting it right was on account of my threatening to write to the Inspector. Mr. Small, one of the Justices, promised to see the other one and they would make it right out of their own pockets, and since then he has told me he would do nothing of the sort. The other man has gone away and left the colony.

240. Has it ever been put right?—No.
241. Have you ever been paid for the value of the goods that were stolen?—No.
242. The Justices have done nothing to correct their error?—No.
243. *Colonel Pitt.*] What was the value of the goods?—£1 10s., but they gave judgment for 15s.
244. When was it?—Last September twelve months.
245. *The Chairman.*] Who was the other Justice that has gone away?—Frederick Browne.
246. *Constable O'Rourke.*] When you came to me to ascertain if the money had been paid, what did I tell you?—You told me that it had not been paid.
247. Did I tell you any more?—Not that I recollect till I asked you whose duty it was, yours or mine.
248. What did I tell you then?—You told me it was yours.
249. Did I tell you any more?—When I spoke about writing to the Inspector you told me the Inspector had nothing to do with it—that he had nothing to do with the Clerk of the Court. I said he had something to do with policemen.
250. Did I tell you the order of the Court was that it was to be paid weekly?—No. This was some three or four weeks after the time had expired.
251. You said I gave you a short answer?—Yes.
252. What was the short answer?—That was the short answer—when I spoke about writing to the Inspector you said, “The Inspector has no authority over the Clerk of the Court.”
253. I told you it was through an error of the Justices?—Yes.
254. Are you quite clear on that point?—I am quite clear you told me that was all they had put down.
255. I did not say, then, it was an error of the Justices?—Not at that time, but you told me afterwards.
256. You say the Justices ordered the value of the goods stolen to be refunded to you?—Well, to be paid into Court for me.
257. Did they make that order?—They made the order verbally in Court. I could not say what they wrote down.
258. You are of opinion it was my duty to rectify that error, if it was an error?—You told me you would have done so had it not been for my talking about writing to the Inspector.
259. When you came to me, did I show you the book in which the entry was made?—I would not take the money until I saw the book, because I could not understand it.
260. *The Chairman.*] You refused to take the money offered to you?—I refused to take the money offered to me because it was not sufficient until he showed me the book.
261. How much money was offered to you by the constable?—It was 15s. short of the verbal judgment.
262. He tendered you all your costs?—Yes, but no expenses for my witnesses.
263. *Constable O'Rourke.*] When did you write to the Inspector?—I never wrote to the Inspector in my life, because I was told by the time I got an answer back from the Inspector O'Rourke would have hunted him up and got the matter settled before he would have to reply to the Inspector.
264. What was the order of the Court with respect to the witnesses?—I do not know. There were two witnesses—two farmers named Jones and Taylor—two respectable men.
265. *The Chairman.*] Did the constable offer to pay you the money for the Court costs?—Yes.
266. *Colonel Pitt.*] And your own expenses?—No, not my own expenses. My own expenses were what I paid for the subpoenas.
267. *The Chairman.*] You refused to take that?—Until he showed me the book. He told me I could have no further ground of action in the matter, that I could have only summoned the Justices.
268. Have you received your costs out of pocket up to the present time?—Yes, I have received costs.
269. When did you get them?—I got them the same day that I saw the book.
270. Then subsequently you took the money?—Yes.
271. What you complain of now is that you have not had your 15s.?—I have not had the 15s., and Hancock is really in pocket by stealing.
272. What is your complaint against the constable?—My complaint is not rectifying it, neglecting to point out the error. When they gave judgment they did not make any alternative, so they came and made the alternative afterwards. He knew this mistake had been made, and as Clerk of the Court he should have rectified it, but he would not rectify it on account of the spite he had against me. I was told the man wanted to pay the 15s., and went in to pay it, but he told him he had given too much.

273. *Constable O'Rourke.*] How do you know they came back and made an alternative?—Hancock's son-in-law told me.

274. *The Chairman.*] Now, with regard to your complaint as to administration of the licensing-laws?—At the hotels on last licensing-day there were no less than two waitresses under sixteen years of age. One was pregnant, and the other was not, although it was not her fault it was not so. I have seen O'Rourke playing cards up to 10 o'clock at night in the publichouse—at the Jubilee Hotel—and he knows positively drink is carried out of that bar into the adjoining place night after night up to 12 o'clock, and on Sundays when people are going backward and forwards to church people are drinking in all the passages looking right fair on the main road.

275. With regard to your complaint as to the management by the constable of a deceased person's estate?—There was an old lady died. She was receiving charitable aid at the time. There was a leasehold property, and it was for sale by O'Rourke. He was the officer under the Intestate Persons Act, or something of that sort. I complain of the way that property was sold.

276. What was the neglect?—In not getting its fair value. He offered it for sale to me. He asked for an offer. I offered £5 for the lease, and the lease only, with two years and a half to run, and a two-roomed cottage on it. I asked him if there was any necessity to put it in writing, and he said a verbal offer would do. Some time afterwards I heard he had sold at the price I had offered, and he had sold not only the lease but the two-roomed house at the price. The house has since been removed by the man he sold it to. The house was worth £15.

277. *Constable O'Rourke.*] How do you know I sold that house?—You told me yourself. You told me it was Cockerell's. I said, "What did he give for it?" You said, "£5."

278. You have no knowledge of the facts?—I have no knowledge other than what the party himself told me.

279. *The Chairman.*] You say, as regards prohibited persons in hotels, there is a neglect of duty?—This man was named Brennan. O'Rourke got the man prohibited. He was a hard-working man, and was hanging about hotels that long, and was such a nuisance, that he got him prohibited. After he was prohibited the man was continually drunk about the street, selling the clothes off his back to obtain drink. Any child under thirteen years of age can be supplied with drink for prohibited people at Otaki, and he knows it well enough.

280. *The Chairman.*] Can you give us any particular instance?—This man has been particularly supplied. I have seen children going and bringing, and the children have told me, although I have never asked who it has been for, because I knew I should get into fights and rows.

281. What were the ages of these children?—About eleven. I have told O'Rourke myself of it—that while he was sitting and watching people playing cards children were in the bar to get a billy of beer.

282. You said a little while ago you saw the constable in a hotel at night, playing what?—Playing cribbage, and in more than one hotel. I have seen him playing at three different hotels.

283. What about fighting in the public road that you refer to in your letter?—I was attacked by a man in the street. I endeavoured to keep the peace until I was accused of being a coward, and then I started to fight too, and Cockerell sent for O'Rourke. I was standing outside a fruiterer's shop, and O'Rourke says to me, "I heard you have been fighting." I said, "I look like a fighting man, don't I?" I was advised to get out of the way.

284. Do you suggest O'Rourke saw you and this man fighting?—No. He was sent for, and when he came the fight was over.

285. What did you want him to do then?—Summon the two of us.

286. Were not either of you summoned?—No; he only threatened. I went for a summons to the Court, but he would not summon me, because I was not in fault, he said. The law had been broken, and I had a right to be either punished or protected.

287. *Colonel Pitt.*] Was the other man summoned?—No, because he was in fault. That is where his neglect of duty came in.

288. *Constable O'Rourke.*] Are you aware how Brennan obtained drink?—Yes; by sending children.

289. Did you tell me that?—I do not know that I told you, because you know very well how things go on if you are about the place at all.

290. Do you claim I did not do my best to prevent him getting drunk?—You did not do your best.

291. I took out a prohibition order and did not enforce it?—Exactly. If you had arrested that man for drunkenness that man would have told you, for he is a thorough coward, who supplied him. I have seen you shoving him about when he was drunk because he was making a public show—wanted to have a yarn with you.

292. How often have you seen me playing cards in hotels?—If I kept account I suppose it would have amounted to between a hundred and two hundred times during the whole time you have been there.

293. And about these youngsters that have been supplied with drink to my knowledge?—You know that I told you of that child. When you see a child going along with a bottle or billy you know where that child is going, and it is easy to see where they go. You were watching them playing cards in the publichouse when that child of Wallis's was served with a pint of beer in a bottle.

294. So you are a respectable man that is looking after the benefit of things generally in Otaki?—I attend church and put sixpence in the plate, and I hope to go to heaven.

295. Do you think the colony would be better without a Police Force?—I do not. I believe it would be a good deal better with policemen that did their duty.

296. Has any policeman that you have come across in Otaki done his duty yet?—No, not one.

297. And not likely to get one?—I do not know. If they shifted them a little oftener they might, so long as they are not paid by the publicans and do not get their hands greased occasionally.

298. You are a man of good character?—Better than yours.

299. Have you ever been convicted?—Of what?

300. Of any offence?—Misdemeanours I have. I am the only man in the British Empire that any Government has paid £3 1s. to get me fined 5s.

301. *The Chairman.*] What were you fined 5s. for?—The charge was a trumped-up one of drunkenness to get me out of the place so as I should not give evidence against another party. The expense of the Government was £3 1s.

302. *Constable O'Rourke.*] Were you convicted besides that at all?—Of petty misdemeanours every time you can get me in front of a Justice of the Peace, and every time I get in front of a Magistrate I am not convicted.

303. *The Chairman.*] Following is a list of convictions and charges against you at Otaki, handed to me by Constable O'Rourke:—26th April, 1880: Drunkenness, &c., fined 10s., or forty-eight hours' imprisonment; obscene language, discharged; drunk and disorderly, fined 10s., or forty-eight hours' imprisonment. 27th April, 1880: Assault, fined £5 and 5s. costs, or one month's hard labour; malicious damage to property, fined £1 and 5s. costs and £1 damages. 29th April, 1880: Drunk and disorderly, fined £1, or forty-eight hours' imprisonment; obscene language, fined £1 and 5s. costs, or forty-eight hours' imprisonment. 8th June, 1880: Escaping from legal custody, withdrawn. 9th August, 1880: Rescuing a prisoner, committed for trial. 14th September, 1880: Obstructing police, dismissed; wilful damage to property, dismissed. 27th October, 1880: Attempting to murder, committed for trial. 2nd March, 1881: Drunk and disorderly, fined 5s. and costs £3 11s., or nine days; assaulting police, fined £5 and 7s. costs, or one month. 4th February, 1882: Contempt of Court, apology accepted. 25th August, 1886: Obscene language, dismissed. 28th February, 1887: Abusive language, discharged. 11th July, 1887: Insulting language, dismissed; obscene language, two months' hard labour. 21st September, 1887: Insulting language, bound to keep peace for three months. 8th July, 1889: Drunk and disorderly, three months' imprisonment. 18th February, 1891: Contempt of Court, fourteen days' imprisonment. 27th April, 1891: Disturbing a public meeting, fined £5, or one month's hard labour, and sureties for twelve months of £25 each and self £25.

304. Do you say that the list of convictions is correct?—Yes, but I say that every case before a Magistrate or Judge was dismissed.

305. When you were committed for trial you were always discharged?—Yes.

306. *Constable O'Rourke.*] Long before I arrived in Otaki the police and yourself had various differences?—Yes, through the publicans. All my offences commenced through the publicans.

307. You are not friendly with the publicans up there?—I allow no one to take liberties with me. I am an independent working-man, and I expect to be treated as one.

308. You do not drink?—I get on the sober for a couple of years and then have a month or two's bursts. I have periodical fits of spree and periodical fits of sober.

309. Besides that, you are otherwise a good living man?—Yes.

310. Are you a married man?—My Mrs. was in the hospital when I was sentenced to three months on the trumpery charge of drunkenness.

311. Was she your wife then?—She was a deserted wife, and we lived together for seventeen years until death parted us.

312. Have you been living with anybody since?—No.

313. Did not you take a house with anybody since?—There was a woman I was paying my addresses to, and I gave her £5. She was cook at the publichouse, and she took bad with *la grippe*, and I rented a house for her. As regards other immorality, there was nothing of the sort.

314. *Mr. Tunbridge.*] When did you last see Constable O'Rourke in a publichouse playing cards?—Somewhere about two months ago.

315. What house was that?—At the Jubilee Hotel. The men he was playing with were Mr. Browne, Mr. Toomath, of the dairy, and Mr. McBeath, the publican.

316. Was he in uniform?—No; he was in plain clothes.

317. What time was it?—They pulled out their watches to see whether it was 10 o'clock or not—it would be about 10 o'clock.

318. On what other occasion have you seen him playing cards?—I have seen him playing cards when Tommy King kept the other house. He was continually playing there. When I am on the sober I do not go to the hotels, and so I would not see him.

319. How long ago was that?—About two years ago.

320. What hotel was that?—The Family Hotel. I have seen him playing with a man named Webber, who drives the coach, and others often.

321. Were you drunk when you saw him playing on these occasions?—I never get drunk. I get on the spree, but I never get drunk.

322. How long ago is it since you say this child was served with drink while O'Rourke was watching them playing cards?—Last October twelve months.

323. Was he in uniform then, or plain clothes?—Plain clothes. He is never in uniform unless it is Court day. It is a very rare thing to see him in uniform. A stranger would not know there was a constable in Otaki as regards uniform.

324. You say that drink is continually carried away from the publichouse between 10 and 12 at night: where is it carried to?—Into the next place; they call it a club-room.

325. What hotel is that?—The Jubilee.

326. Do you know that of your own knowledge?—Certainly. I have seen it.

327. When?—On Saturday nights I have sat and played cards till 11 o'clock, and I have seen drink carried through the passage, and you can hear where the drinks are going to.

328. How long ago since it was carried there?—About two months ago.
329. Who are the people in this club-room?—There is Morgan, Carkeek, and Bennett.
330. People residing in Otaki?—Yes.
331. You say you have been playing cards till 11 o'clock in this hotel?—Yes, it is nothing unusual.
332. Playing for money?—No; only for boozes.
333. Play for drinks and pay for them?—Of course; you bet.
334. You have done it up till how recent a time?—I have got on the sober again; about two months ago.
335. Who were playing with you: can you give the names of any?—Bob Lee, Tommy Roache, and McBeath. We are good "stickers" when we are on the booze a bit. There are often other strangers in.
336. These men you have mentioned are residents of Otaki?—Yes; that I have played with myself often. I have lost and won—both.
337. Would you be prepared to swear that before a Magistrate up at Otaki?—Yes, before half a dozen Magistrates.
338. You suggest O'Rourke is friendly with McBeath?—Yes; because he must know it. It is impossible for a man to live in the place without knowing it.
339. *Inspector Pender.*] Is the club-room a separate building, or is it on the premises?—It is another building, but it is joined to it by a little passage.
340. They are under the same roof?—There is a passage connects the two buildings.
341. Do you know whether or not it is part of the licensed premises?—No, I do not know whether it is part of the licensed premises or not.
342. What communication is there between the publichouse proper and the club-room?—A short passage.

FRIDAY, 20TH MAY, 1898.

JAMES O'MALLEY, examined on oath.

1. *Mr. McNab.*] You are sergeant of police, stationed at Masterton?—Yes.
2. *Colonel Pitt.*] What class are you?—First class.
3. *Mr. McNab.*] You succeeded Sergeant Møller in Blenheim?—Temporarily—for about three months.
4. At the time of your removal from Blenheim, was there not an agitation on behalf of the Borough Council to keep you there?—I believe so; I heard of it.
5. Was not Mr. Mills, M.H.R., also anxious to keep you there?—I have heard so.
6. Did you not have a conversation with Mr. Mills on the subject?—He said he would see and keep me there.
7. And you objected to being kept on political grounds?—I objected, and said I would rather go.
8. You objected to be under an obligation to Mr. Mills or any other politician?—After a time I said to him that I would rather go.
9. At the same time, did Mr. Mills make any objection, written or verbal, to you about Constable Jeffries' conduct in relation to the electoral rolls?—About the middle of December I received a letter from Mr. Mills, who had been residing at Havelock.
10. Did he make complaint of the preparation of the rolls for the district of Pelorus Sound?—The complaint was to the effect that Constable Jeffries was sent there to put voters on the roll at Admiralty Bay, and that he put some voters on the Nelson roll who should have been on the Wairau roll.
11. Did you inquire into that yourself?—No. I met Mr. Mills two or three days later, and I told him that before I could take any steps in a matter like that I would like my instructions to come from headquarters.
12. Mr. Mills communicated with you directly instead of through the department?—Yes. I returned Mr. Mills's letter subsequently with an indorsement to the effect I have stated.
13. When you had that conversation with Mr. Mills, was he not on his way to Wellington?—I believe he was.
14. Did he not say that his object in going to Wellington was to keep you at Blenheim and to shift Constable Jeffries from Picton?—He said, "I am going over to Wellington and will see about keeping you here," but I do not remember that he referred to Constable Jeffries.
15. Did he not allude to Constable Jeffries at all?—Nothing more than what I have stated in his letter to me.
16. Did you understand that he would also see the department about Jeffries' case and the roll?—He did not say so, but that was the impression he left on my mind.
17. You have not any reasonable doubt that that was his object?—It is a hard thing to say that.
18. *Colonel Pitt.*] Do you say that you gathered from Mr. Mills that he was coming to Wellington to see the department about the roll, and also about the removal of Constable Jeffries?—No, about retaining me in Blenheim.
19. Did you not say to Mr. McNab that Mr. Mills was going to see the department about the rolls, and, as I understood you, also about Jeffries?—He did not say so.
20. What was he going to see the department about Jeffries for? For not having made the rolls up properly, or was it about moving him?—About not making the rolls up properly. He said nothing personally to me about getting Constable Jeffries removed.

21. *Colonel Hume.*] In your case political or other influence failed to keep you in Blenheim?—It appears so. The fact is that I did not want to stop there after a fuss had been made about keeping me there.

22. But political influence was at work to keep you there, and failed?—I inferred from Mr. Mills that he was going to keep me there, but he did not do so.

23. *The Chairman.*] What did you do when you found that political influence was at work?—I saw Mr. Mills and told him that I would rather be in a place where my hands would be free.

24. *Colonel Hume.*] You understood that the arrangement that you should go to Blenheim was only a temporary one?—There was nothing said about it.

25. You did not take your family over?—No.

26. It was because of the sudden illness of Sergeant Möller that you were sent there?—Yes.

27. Did you tell any one that Mr. Mills told you that he was going to get Constable Jeffries removed?—Not that I am aware of. I have no recollection of it.

28. You could not give him any satisfaction about the roll?—No. I saw Constable Jeffries, who took a copy of the letter Mr. Mills had written to me, and I think he wrote to the effect that he was unable to explain it. I sent the letter to Mr. Mills at Havelock. I also told Mr. Mills that if he wanted the matter to be inquired into by me I would have to get instructions from headquarters.

29. But nothing was said, directly or indirectly, about the removal of Constable Jeffries at that interview?—No.

TIMOTHY O'ROURKE, examined on oath.

30. *Colonel Pitt.*] Your name?—Timothy O'Rourke.

31. What rank do you hold?—I am a first-class constable, stationed at Otaki.

32. *The Chairman.*] You heard the evidence given here by Mr. Rumsey yesterday. What do you wish to say about it?—I will reply to the charges he made separately. The first is that I assisted J. Hancox, when found guilty of theft, to evade justice through an error of the Justice. I wish to say that I did not assist Hancox to evade justice. The order of the Court was complied with. The information against Hancox for theft was laid on the 2nd September, 1896, and the summons was duly served by me, and he appeared before the Court at its first sitting on the 30th September, when he was fined 15s. and costs, to be paid monthly. The costs were not stated in the conviction, but by implication they would be the costs the complainant was out of pocket. I served notice of the order of the Court, and the fine and costs were paid into Court on the 27th October, twenty-seven days later. The fine was fixed in stamps, which have since been cancelled, and the accounts duly audited, and the costs were paid over to Rumsey on the 31st October, 1896. The costs were 13s. My accuser says that I would have liked to rectify the order of the Court, but that is not true, because I would be ignorant of my duty to think I possessed such power. I told him no such thing, and made him no promise of any kind. The second charge is that I abused my office when acting for the Public Trustee in the estate of Mrs. Freland. I have asked for the correspondence in this case, and I ask that it be put in.

33. You are not an officer of the Public Trustee's department?—No, although I perform the duties as they are required in my district. I took an inventory of the property possessed by Mrs. Freland at the time of her death. On her death she held a parole lease. I sent an inventory to the Public Trust Office, asking what should be done with the property, and in due course I was instructed to sell it. When I got that instruction I communicated with the Clerk of Intestate Estates, and pointed out that I did not know how I, as a seller, could convey a title to the purchaser. The matter was referred to some person in authority, and as a result I was instructed to interview Mrs. Webber, the landlady of the property, and ascertain what she would give for the interest Mrs. Freland had possessed in the estate. I was told to accept £5. I am speaking of all this from memory. I interviewed Mrs. Webber, and she offered to give £6 to the estate of the deceased in consideration of her relinquishing all claim (if any) to the interest in the tenement. I accepted that amount, and got her certificate for the payment of that £6. I hold in my hands the receipts, signed by the purchaser, of all Mrs. Freland's worldly goods when she died.

34. You did not sell to S. H. Cockerell?—No.

35. Were you offered £5 by Rumsey?—Yes, but I did not accept it, holding as I did that I could not sell. Everything that Rumsey has sworn in connection with this case is deliberately false, because I informed Rumsey some time ago of what had been done. The next charge is with regard to prohibited persons—a general charge, and I have to go into it. There were some people in Otaki who were in the habit of frequenting the township and remaining there a long time, and I took upon myself to take out prohibition orders against them.

36. Did you take out all the prohibition orders that are now in force in the district?—Not all, but in the cases in which the men had no friends I did. I did my best to enforce the orders, and my zeal was so great that complaint was made to the Justice Department that the persons were unable to follow their calling. There is a record of that in the Justice Department.

37. Who informed you of that complaint?—Benjamin Pepper, one of the prohibited persons, told me. I understood from him that my zeal was so great that my conduct was complained of, as I was hampering his business. I tried my best to prevent John Brennan being supplied with drink, and I am not aware that he was supplied with drink, but my moral belief is that he was supplied with drink while the order was in force against him.

38. Have you seen him drunk?—No.

39. Have you seen any of these other persons in a state of drunkenness?—I could not say they were drunk, but I could see that they had taken drink. I never saw Brennan drunk during the currency of the order.

40. Did you obtain the order in the case of Brennan?—Yes. As regards the conduct of the hotels in Otaki, I may say that I am independent of any man or any influence that I know of in

the trade in New Zealand. I have no interest or connection with any hotel, nor have I any relative in the trade that I know of. I have supervised the hotels as well as I could, and I have been accused, probably rightly, of preventing several persons from being the licensees of hotels at Otaki. There was a man named King whose conduct of the hotel I objected to, but owing to the difficulties under the licensing-laws in the way of getting a conviction against the man I had no remedy except through the Licensing Committee, who, I may say, knew me well. He sold out to a man named McDermott, who conducted the hotel in a way that was not to my satisfaction. He complained of losing money. One Mr. McLellan got into the same hotel, and the conduct of the house has not been good under him. I have reported the matter to the Committee. I have gone to his house and I have got in, and he will then tell me to wait till he gets the key, but when I get in the place is closed. I have not been able to get sufficient evidence to justify me in bringing a case against him. I have not neglected my duty in any way. There is another charge against me, as regards fighting on a public road, but of that I know absolutely nothing. There was a complaint made to the Justice Department some time ago about two men fighting, but long before the correspondence had reached the department I had laid an information, and the men had been brought before the Court.

41. Mr. Rumsey says that you took no action on one occasion when there was a fight. Is that so?—I know nothing about that. It is absolutely false. I believe that in a stable in Otaki he was struck by a man named Smith, but he did not complain to me. Probably that is the time he refers to.

42. Did the case come before the Court?—No; I knew nothing about it.

43. Did Rumsey make a charge in respect to it?—No. I do not think it comes within the power of the police to interfere in a case like that. Rumsey went further yesterday, and made some charges against me personally. One was that I was playing cards in the hotel. He has sworn in evidence that I played cards once in two years. That is the only part of his evidence that is true. I played one game of cribbage with Mr. Toomath, of Wellington, and Mr. Browne, of Otaki, but I have yet to learn that that is an offence against a statute or against the police regulations. My movements have been well shepherded.

44. *Colonel Pitt.*] That was in the hotel?—In the hotel that he alleges.

45. *The Chairman.*] How long ago is it since you played that game of cards?—About four or six months ago.

46. Is that the only occasion on which you have been playing cards in an hotel?—I did not say that. I am not aware of what Rumsey refers to when he speaks of Webber and King's Hotel, but I may say it is unlikely that I was in that hotel, as I was not friendly with the landlord owing to the way he was conducting his business.

47. Do you say it is no breach of the police regulations to play cards in an hotel?—I am not aware that it is. Clause 55 of the regulations is the nearest regulation approaching it; it has reference to the frequenting of hotels by the police. I may as well be candid and say that I do not consider it an offence to play cards in an hotel if I do not neglect my duty. I may add that it is very rarely that I play cards in an hotel. On the occasion in question I went into the hotel, and there were there Mr. Toomath and Mr. Browne, and they asked me to have a game of cribbage with them. I said I did not know much about the game, but I played with them. After we had finished one game they wished to start another, but I objected to do so, saying there would not be time before 10 o'clock. I may also say that I have had drinks in hotels, but sometimes I go for two, six, or twelve months without touching it. If I deemed it necessary to have a drink in an hotel I would have it, even in the presence of my superior officers. I do not look on that as an offence.

48. *Colonel Pitt.*] What about children frequenting hotels?—Rumsey complained to me about a child named Charlie Bell being in an hotel, and I told him that I had no power to exclude the boy from the hotel. I said there was no statute that gave me the power.

49. *The Chairman.*] What was the age of the boy?—About ten years of age. I told Rumsey that the only provision in the Act regarding children was to prevent them when under thirteen years of age being supplied with drink, and I also said that while the boy was in the hotel with his father and was not being supplied with liquor I could not interfere.

50. *Mr. Poynton.*] He also said that in October, twelve months ago, a little girl was supplied with drink. I have no knowledge of it.

51. *The Chairman.*] His statement is that it is a common thing to see children going into the hotel and being supplied with drink, which they take home to their parents or to prohibited persons. I have not seen it, and I verily believe the statement to be as false as the rest of his testimony.

52. Do you say the boy Bell was in the hotel with his father?—Yes. Rumsey has made a number of other complaints against me. One is that I failed to get possession of a tenement from a Chinaman, but I have no power to take action in a case of that kind. It is ignorance of the law that leads people to believe that the police can take a matter like that in hand.

53. *Mr. Poynton.*] Do you know the child of Charlie Wallis that he speaks of?—I do not. I know there are Wallis children, but I do not know the one he speaks about. I wish also to say that I have not come here to defend the hotels. If I get sufficient evidence I will prosecute any one of the licensees. I never obtain drink from them without payment, and I am not under any obligation to any private individual or any institution.

54. *The Chairman.*] I understand Rumsey was arrested last night?—Yes; I went down to the police-station this morning to bail him out so that he might be here, but he would have nothing from me. I wish also to say, in justice to the hotelkeepers, that I have travelled through New Zealand a good deal, and, without fear of my reputation being injured, I say positively that the Jubilee Hotel of Otaki, the conduct of which has been questioned by Rumsey, is one of the best equipped and best conducted hotels I have seen in New Zealand. It is a model of cleanliness and comfort. I have seen men drinking in the township, and I have gone to that hotel and asked the

licensee not to supply them with drink; and I know of my own knowledge that the licensee has refused drink to those men, and that he has bundled them out of the house and told them to take their money home to their families.

55. *Colonel Hume.*] You say you have seen prohibited persons under the influence of drink but not drunk?—Yes.

56. Did you take steps to find out where they obtained the drink?—Yes, and I have even had persons watching for me. I obtained one conviction against a man named Dunn, but that was the only conviction.

57. You say one hotel has not been conducted to your satisfaction by three different proprietors?—Yes.

58. Did you report each one to the Licensing Committee as unsatisfactory?—Yes. I may say the Licensing Committee of the district know me fairly well, and are themselves cognisant of what I reported to them.

59. Was it in consequence of what you reported that the house changed hands?—It was alleged I would not allow them to make a living.

60. You were specially promoted not very long ago, were you not?—I do not know that I was specially promoted.

61. I mean that you were promoted out of your turn?—Well, I have not a record of the number of men who were above me, but from what you told me I believe I was.

62. You were promoted?—Yes.

63. Did you use any influence to get that promotion?—Yes, I did. I used my influence with you and with various departments for which I had worked, and I showed by stubborn facts that I was performing more work than any other man in New Zealand.

64. You are quite sure you have never seen children taking liquor from the hotels?—Yes.

65. And you do not believe it is done?—No, and I believe it less of the hotel that has been charged with it than any other. Ministers of the Crown, the Judge of the Native Land Court, the Stipendiary Magistrate, and respectable residents of Otaki will say that no rough is allowed into the hotel, and that nothing is allowed that is contrary to proper conduct.

66. Might they not have been selling to children in the hotel that is not properly conducted?—He did not refer to that hotel in his evidence.

67. There are several hotels, are there?—Five, and I look after them all.

68. I understood you to say you have been watched?—Yes, I have been shepherded.

69. You were watched in the way in which you performed your duties?—Yes.

70. By others than those belonging to the department?—Yes; there has been very good supervision over me.

TIMOTHY O'ROURKE, further examined on oath.

71. *Witness:* I am here, by permission of the Commissioners, to be heard in defence of my character. The *New Zealand Times*, of Wellington, on the 4th or 5th March, contained a report of the examination by Mr. Taylor of Colonel Hume. According to that report the examination was as to the conduct of a sergeant in charge of the Mount Cook Station and the men under him. The gist of the examination was that the men were leading a grossly immoral life. The replies were to the effect that the Commissioner of Police, now the ex-Commissioner, was unaware that such was the case. After some questions had been put Mr. Taylor called for the career-sheets of Sergeant Shirley and Constable O'Rourke. My friends addressed me in the matter, as I am the only constable of the name of O'Rourke in the New Zealand Force, and as I felt aggrieved I applied to be heard before the Commission. I wish to state now that I have never been inside the door of the Mount Cook police barracks, where, it was alleged, the immoral conduct took place, neither do I know any of the men who have been stationed there. I believe I have seen Sergeant Shirley, in Wellington, once. I do not know him.

72. *The Chairman.*] Were you ever at Stafford?—Yes.

73. As far as I can see by my notes, you are not connected with Mount Cook at all, although the papers might say you are. I have no reference to any charge of immorality against you, or any connection between you and Mount Cook?—I imply from what is in the papers that I was implicated.

74. Well, you were never at Mount Cook, and therefore cannot be associated with the charge. You have now put yourself right in that respect. Is that the only matter you wish to mention to us?—I have another matter I wish to refer to. It was also alleged that I conspired with others against Constable Slight with reference to his removal from the Manners Street Police-station. What Charles Slight said in his evidence against me in that respect is absolutely untrue.

75. *Colonel Hume.*] He says: "A combination, consisting of Inspector Brown, Sergeant Ready, and O'Rourke, Hadden, and Hattie, was formed against me."—I neither intrigued with any individual nor did I form any part of the combination for that purpose. I communicated no facts to the department, verbally or in writing, respecting Constable Slight. At the time—it must be twelve or thirteen years ago—I was practically a recruit, and, as far as I know, I never approached Inspector Shearman, who was then in charge of the district.

76. When did you enter the police service?—I think it was in September, 1883.

77. And you got to Otaki in due course?—Yes.

78. And you were ordered from Otaki to Stafford?—Yes.

79. Did you go?—Yes.

80. How soon after you got the order?—At once.

81. Did your wife go?—No.

82. Why?—Because she was ill in bed. It was an illness resulting from nursing a child, who was under the care of three doctors, with a bad leg, and it was within a few weeks of her confinement.

83. Who relieved you?—Sergeant Hannan.
84. Did he arrive at Otaki before you left it?—Yes.
85. Did he bring his wife and family with him?—Yes.
86. And they could not go into the quarters?—No. I met him at the station, and expressed my regret that I could not let him into the place owing to my misfortune.
87. And I found a house for him somewhere else, did I not?—Yes. There was a complication of difficulties at the time for me. The child got ill again, but I submitted to the regulations of the Force and went to Stafford by myself. After I had been there for a time I got leave, and went back to Otaki to see my family.
88. Then the confinement came on?—Yes.
89. And you were transferred back?—I was.
90. You went back to the Coast after that leave, did you not?—No. I was transferred from the Coast for being unsuitable, I believe.
91. But you do not know?—I have a good idea. The Magistrate reported that I was not able to perform the clerical duties of the Court.
92. Who was the Magistrate?—Mr. Macfarlane.
93. Was it not in consequence of Hannan being ordered back to Stafford that you were put back to Otaki?—I do not think it was. Otaki is a place where the population is half Maori and half English, and things did not go on well during my absence, which was partly, I believe, the reason that I was sent back. As far as I understand, there was a combination of circumstances that got me back there.
94. You got promotion not long ago?—Yes.
95. And to what influence do you attribute your promotion?—I went to you, Sir, and I laid before you a list of the duties I had performed for the Government of New Zealand. I said I had been hard worked, and that I would have to communicate with the various departments for which I had worked, as I had not been compensated for the work I had done, sometimes as much as sixteen or eighteen hours a day. My returns when called for showed that I was doing more work than any other man in New Zealand.
96. The influence you used, then, was with the head of the department?—Yes. When you told me you had good men in the service who could not get promotion I said I would try and show that mine was a special case, and that I had done something for which I deserved special promotion.
97. And that is the only influence you know of that got you promotion?—I have sought no other influence.
98. Did I say I was specially pleased with you because you had identified two or three criminals passing through Otaki, which led to their arrest?—You told me I was an excellent man and all the departments had the same opinion, but you could not do anything for me owing to the number who were above me on the list. You also said I had done good work for the other departments, but you could not recognise that, as a constable, I should be paid by them for what I had done.
99. *The Chairman.*] Did you ever appeal to any member of Parliament to forward your claims for promotion?—I have never asked a favour from any politician or any political organization.
100. *Colonel Hume.*] Or religious?—Or religious.
101. To hark back to the Otaki business: you used no intrigue whatever to get your wife to remain in the house?—No. The records are here to show it. Three independent doctors were in consultation as to the condition of my child.
102. *Mr. Poynton.*] How long were you at Ross?—About ten days.
103. Was it during that ten days that Mr. Macfarlane reported?—Yes.
104. How long have you been at Otaki?—For seven years.
105. Are you Clerk of the Court there?—Yes.
106. How many complaints would the year average?—At times the average would be over 300 per annum. Since that question has been asked, I may say that Mr. Stevenson, the Audit Inspector, told me I was doing as much work for £10 a year as some clerks were doing for £180.
107. *Colonel Pitt.*] Had you anything to do with the gold-mining work at Ross?—Yes, as Receiver of Gold Revenue.
108. *Mr. Poynton.*] Had you any training in Warden's Court work?—No; but I could soon have acquired a knowledge of it.
109. There was no one to instruct you in the duties? Sergeant Hannan had left?—That is so. I was transferred to Stafford, but through some cause or other when I got there I was not allowed to jump off the coach. Before I left my seat I got my walking-ticket for Ross, where I may say there was no doctor, and rather than take my sick child there under those circumstances I would have left the Force.
110. *The Chairman.*] You did not stop at Stafford?—No; I went to Ross. I went on in the same coach.
111. *Colonel Hume.*] You were Clerk of the Warden's Court at Ross?—Yes.
112. There was a good deal of revenue there, was there not?—Not very much. The only trouble there was to get enough money to buy the necessaries of life. Everything was very dear.
113. *The Chairman.*] How many complaints were there at Otaki in 1894?—There were 308. They have decreased in number since, as there is now a Court at Levin. But the number of complaints does not show the work that has to be done, because, as the population is half Maori, every document issued out of the Court to Maoris must be translated into Maori, and must be shown in Maori as well as English.
114. Are you the interpreter?—No; but I have done all my own Court-work, which involves an acquaintance with the Maori language, and I do not charge the department for it.

115. *Colonel Hume.*] Has any Stipendiary Magistrate reported you for inefficiency since you have been at Otaki?—No. I have served under five Magistrates there, and there has been no complaint against me; in fact, I have testimonials from them.

116. *Mr. Poynton.*] How many offices do you hold at Otaki?—It is rather hard to count them. I am constable, Clerk of the Court, bailiff, Clerk of the Licensing Committee, Inspector of Weights and Measures, Inspector of Factories, agent for the Labour Bureau, Ranger, Inspector of Slaughterhouses, and agent for the Public Trustee. At one time I was also dog-tax collector.

117. How much do you get for your duties as Clerk of the Licensing Committee?—£25; and the only salary I get for the duties outside that of constable is £10.

118. *The Chairman.*] Do you get any emoluments?—Mileage is looked on as an emolument, but I get nothing from it. The line is a private one, and I have often to pay my own fare.

119. *Mr. Tunbridge.*] Do you get anything for your duties as Inspector of Slaughterhouses?—Yes. I get the fees, which amounted last year to about £4 or £8. It is shown on the return. I would also like to say that up to recently I was the Registrar of Electors. I held the office up to the last election. I look on this as the ground of my promotion. Otaki was created a new electorate. I was supplied with maps, and by a provision in the statute I had a right to call for the rolls in respect to the parts of the district that were merged into Otaki. I did this, and I compiled the provisional roll myself, in addition to all my other duties. I may add that I had the assistance of my wife in this work, but she received no salary.

120. *Colonel Pitt.*] You think you were promoted for that?—I tried to show to the department that I had burnt fire and light, and that I had saved the Government £75 by my work. I worked so much that I lost my health.

121. *The Chairman.*] You prepared the roll?—I prepared three rolls, and the Under-Secretary complimented me for the work I had done.

122. *Colonel Hume.*] What Under-Secretary?—The Under-Secretary for the Colonial Secretary, Mr. Pollen.

123. If I say that you were promoted for some other reason you will not contradict me?—No, but I say that I had a right to promotion for my services.

124. *Mr. Tunbridge.*] As to your promotion, do you understand that you were promoted in the police for work you did for other departments?—I was promoted for my efficiency in the police and for my assistance to other departments.

125. You got only a compliment from the Under-Secretary of the Colonial Secretary's Department?—Yes.

126. But you got an increase in salary from the Police Department?—Yes.

127. That was more substantial?—Yes.

128. And from Colonel Hume you now understand that your promotion in the police was for police-work and not for work in other departments?—I am glad to hear that. I would accept no appointment from any department except through the Commissioner of Police.

129. Your main reason for going to Colonel Hume with the idea of getting additional pay was that you had performed work for other departments?—And that I had done more police duties than any other man in the colony. There were sixty-two criminal cases in my hands, and only three were undetected. I had an excellent record.

130. *Mr. Poynton.*] How many children have you?—Six.

ARTHUR HUME, examined on oath.

131. *Constable Gillespie.*] On a certain day, in November, 1897, I think, you caused me to be removed from Foxton to Wellington?—The removal was approved by the Minister on the 21st October.

132. *The Chairman.*] What is the date of your recommendation?—The 16th October.

133. *Constable Gillespie.*] What caused you to transfer me from Foxton to Wellington?—I will read the correspondence to show. My recommendation to the Minister was as follows: "The Hon. the Minister of Justice. Mr. Haselden seems to have gone very fully into these matters, and I certainly fully concur in his opinion that Constable Gillespie is unfit for charge of an out-station, and recommend that he be brought into Wellington for street duty, and that he be severely reprimanded for having played cards in a publichouse." That was approved by the Minister on the 21st October, 1897, and the following memorandum was addressed to Inspector Pender on the 22nd: "Please inform First-class Constable J. Gillespie that owing to the part he took in the De Ridder cases he is deprived of the charge of a station and transferred to Wellington, and for playing cards in a publichouse he is severely reprimanded, and in each case an entry will be made in his defaulter's sheet.—A. HUME, Commissioner."

134. Did you authorise Mr. Haselden to hold this inquiry?—No; I had no power to order him.

135. Can you say what was the cause of the inquiry being held?—I expect the matter was laid before the Minister, and the Minister probably ordered an inquiry, and very properly.

136. When was the matter laid before the Minister?—I could not say. It was previously, I suppose. Several letters from De Ridder led up to it.

137. Did you send any communications to me that you had received from De Ridder?—I do not suppose I sent them, but I imagine Inspector Pender sent them. I should have sent them to Inspector Pender, and not to you.

138. Did you send any communications to Inspector Pender to be sent to me?—I should think so. This is another case that is sprung upon me, and I cannot say until I look up the papers referring to the case. The papers would be sent to you through Inspector Pender for your reply.

139. Did you send to me letters of 1st June and the 10th July, 1897?—On the 3rd July I sent this memorandum to Inspector Pender: "Please proceed to Foxton as soon as possible, and make inquiry into this matter, and report upon it." On the 18th June, 1897, I wrote to Inspector Pender:

“ Mr. De Ridder makes complaints against Constable Gillespie. Please call upon Constable Gillespie to report fully on these complaints.” I sent the letters in the usual course.

140. There were two letters, of the 1st June and the 10th July, sent by De Ridder to you, and I want to know when you received them, and what you did with them?—The letter of the 1st June is here among the correspondence. It was copied and sent to Inspector Pender for Constable Gillespie.

141. When did you receive them?—I cannot tell you.

142. Did you receive them from the Minister?—Probably I did. On the 18th June, apparently, I sent it to Inspector Pender. I got the letter about the 14th. I wrote to De Ridder: “As requested in your letter of the 1st instant, I am directed by the Minister of Justice to acknowledge his receipt of it, and to inform you that your complaint will be duly investigated, and you will in due course be told of the result of the inquiry.”

143. Did you send that letter to me through Inspector Pender?—Yes.

144. When?—On the 18th June.

145. Now, will you turn to the letter of the 10th July?—Yes.

146. When did you receive that letter?—I suppose it was the next day, but I do not know. I replied to it on the 14th, and I got it between the 10th and the 14th.

147. When did you send that letter to me through Inspector Pender?—On the 21st September, 1897.

148. Did you send the letters to Inspector Pender to be forwarded to me?—Yes.

149. Why did you retain them for such a length of time—from the 10th July to the 21st September?—I asked Inspector Pender in the meantime to go and hold an inquiry.

150. It was before that?—On the 3rd July. The whole of the papers went to the Crown Prosecutor in the meantime.

151. Who referred them to the Crown Prosecutor?—I sent them to Inspector Pender to send on to Mr. Gully.

152. When did you tell Inspector Pender to send those two letters to Mr. Gully?—On the 13th July.

153. Why did you send the two letters?—Because I wanted his opinion on the whole of the papers.

154. Why did you send the letters to Inspector Pender to forward to Mr. Gully before letting me have them for my reply?—I do not know, but Inspector Pender will very likely be able to say.

155. He cannot answer for you?—Oh, yes, he can.

156. *The Chairman.*] You say you never saw Mr. De Ridder's letters?

Constable Gillespie: I got copies of them only on the day before the inquiry.

157. *Witness.*] The letters were with the other documents.

158. *Constable Gillespie.*] Why did you send those letters to Inspector Pender to forward to Mr. Gully without first sending them to me, seeing they contained thirteen charges against me and three criminal charges?—Because I thought I was doing the proper thing in what I did.

159. Before asking me for any explanation?—Yes; that is right.

160. When did you ask me for an explanation about those letters, either through Inspector Pender or through Mr. Gully?—On the 21st September.

161. Whom did you send them through—Inspector Pender or Mr. Gully?—The Inspector.

162. Have you got the replies to the two letters?—I cannot answer that question.

163. Is it not a fact that you never sent those two letters to me at all?—I sent copies of them. I did not say I sent them to you. I sent them to Inspector Pender to send on to you.

164. Was there not an order in force in your office that any complaints made by the public against any constable were to be sent to the constable for his reply?—No.

165. Did not Mr. Seddon, when in office, make an order to that effect in March, 1892?—No. Mr. Seddon would not make that order. I would make it.

166. Did he not give you instructions that any complaints sent in against any of the police constables or officers were to be sent directly to the parties complained against for an explanation before being dealt with?—He may have; but I should use my own discretion as to what to send to any one.

167. If the Minister made an order you would in all probability not obey that order?—I should use my own discretion.

168. You are aware that the two letters contained three charges against me under the Criminal Code Act?—I thought they contained more than that.

169. You saw the letters?—Yes, and read them.

JOHN JACKSON JOHNSTON, examined on oath.

170. *The Chairman.*] What is your rank?—Second-class constable, stationed at Wellington.

171. What do you wish to bring to our notice?—I come as a delegate. My object is that I wish to amend a certain portion of the testimony I gave at the previous sitting of the Commission on the 10th March last. I allude to the pension scheme. I have been requested by my comrades to come and lay before the Commissioners the definite decision they have arrived at in respect to this matter. The members of the Wellington Police Force held a meeting some five or six weeks ago; they considered the matters regarding pensions. The result of the meeting was that the men were unanimously in favour of a pension system as opposed to a retiring-allowance previously favoured by some members of the Force.

172. They realise in asking that that it means a deduction to a certain extent of their pay?—Yes.

WILLIAM THOMAS MASON, further examined on oath.

173. *The Chairman.*] You are Sergeant-Major, stationed at Wellington?—Yes.
174. *Constable Gillespie.*] How long have you been in the Police Force?—Nearly thirty years.
175. You have been stationed in the Wellington district for some time?—Nine or ten months.
176. I think you have known me since November last?—Yes.
177. I have been under your immediate supervision since then?—Yes.
178. During that time have you seen anything in my conduct that would indicate to you that I am an unfit person to hold the position of constable or to take charge of any station in the colony?—Quite the contrary.
179. Have I ever given you any cause for complaint, or have there ever been any complaints against me, since I have been under you?—I look upon you as a sober, intelligent, reliable man, and one who perfectly understands his duty.
180. *Colonel Hume.*] Do you know anything about the constable's previous history in the Force?—Nothing whatever. I did not know him until he came here.
181. You have stated about his sobriety and intelligence, what do you think about his tact?—I found him always a very tactful man, so much so that he has been acting as sergeant repeatedly here in charge of reliefs during the absence of other sergeants.
182. What do you call "repeatedly"?—A week at one time, a fortnight another, and so on during the last six months, any time a sergeant has been absent. He is the next senior constable.
183. Your actual experience of him is since he has been here from Foxton?—I can only speak since he has been here, and I am perfectly satisfied with him.

ARTHUR HUME, examined on oath.

184. *The Chairman.*] What do you wish to state?—When the Commission was sitting at Westport a constable named Brophy complained that he was not given a certain allowance when he was sent to take charge of a station at Seddonville. He sent in a claim amounting to £16 2s., from the 27th May to the 29th July, as the amount allowed to constables when absent from duty on their stations. Inspector McGovern says, "The attached voucher is forwarded for your instruction. As Constable Brophy is a single man and occupies free quarters I hardly think his claim comes within the meaning of the circular, No. 5/91, but perhaps you may be pleased to grant him some allowance to cover the difference of board at Westport and Seddonville." I minuted that back to McGovern, "Constable Brophy, I presume, lived in the police quarters and fed at the hotel. I should therefore be glad to know what he has been paying for board. Is the board at Seddonville more than a single constable's pay in Westport?" Inspector McGovern sends this on to Sergeant Emerson at Westport, with the following minute: "Please let me know without delay the amount of a single constable's pay for board per week in Westport, also the amount Constable Brophy has been paying for board in Seddonville. This information is required for the Commissioner." Sergeant Emerson replied, "It will be seen by the attached telegram that Constable Brophy says he paid £1 per week for his board in Westport, and that he is paying £1 10s. per week at Seddonville." My final decision was this: "Inspector McGovern.—Constable Brophy being a single man is not entitled to any personal allowance while stationed at Seddonville."
185. Did you consider there was nothing exceptional in the position he occupied?—No; being a single man I considered it was all the same to the department where he was.
186. You used the expression that his case was unique?—That was referring to a single man being in charge of a station, and the Commissioners will recollect I said there had never been a woman in the lock-up at Seddonville, and there was not likely to be one, and that was how it came about that a single man had temporary charge of the station.
187. If so, do you think he was entitled to any special allowance in respect of his board?—No, I do not think so at all; but what I wanted to impress on the Commissioners was that it was a very exceptional thing for a single man to be in charge of a station.
188. *Colonel Pitt.*] Was he not put to some extra expense in being sent there? He says he paid £1 per week in Westport and £1 10s. in Seddonville?—Well, my experience is this: I lunched one day at Seddonville, and I paid 2s., which is the same as I pay anywhere else.
189. *Mr. Poynton.*] He also said that had he known he was going to be there for such a long time he would have bought some cooking utensils, &c., and that the Inspector told him he would not be there more than a couple of weeks?—Of course the Commissioners can form their own opinion about that sort of thing. My idea is that a bachelor constable, when ordered to any place, has simply to pack up his swag and go as a bachelor. He was not told he was going to be a week, or a fortnight, or three weeks.
190. Do I understand you to say that if you send a bachelor constable living in barracks to another station temporarily he gets no consideration?—No, not if he gets house-quarters. We only house them; we do not board them. I can quote many instances of single constables being taken out of the barracks in large towns and sent to out-stations as extra men, and in these cases they have got no extra consideration. If we recognised such claims they would be endless. I would like to refer to the cases of Constable Brophy and Constable McDonnell, which were brought before the Commission at Westport. A letter was received from Mr. Harden, solicitor, of Westport, who wrote to the Minister on the 12th September, 1896. His contention was that, under section 12 of the Police Offences Act, these charges against the two constables ought to have been heard by a Stipendiary Magistrate. I sent the Minister this explanation of it: "The offence for which these two constables were fined, as entered in their defaulter's sheet, was this: 'Disobedience of orders in not remaining near the s.s. "Dingadee," and being found in a hotel when on duty.'" There is no provision in the Police Force Act, section 12, for the rehearing of a case before a Magistrate. These two constables were ordered by the sergeant in charge to watch the s.s. "Dingadee," and instead of doing so they were found at the time they should have been alongside the steamer in the room at

the back of the bar of the Royal Hotel, and Constable Brophy had his shako off. I consider they were both leniently dealt with. The fines inflicted were: Constable McDonnell, who was a senior man, 10s.; and Constable Brophy, who was a junior, 2s. 6d.

JOHN BENNETT TUNBRIDGE, further examined on oath.

191. *Mr. Taylor.*] I wish to ask you a question in regard to what passed between you and the Premier and the Agent-General as to the reason of your appointment, and as to whether any statement was made as to the condition of the Force necessitating the appointment of a new Commissioner?—I was living at Hythe, in Kent, at the time, and the first intimation I had of it was by a letter from Scotland Yard at the end of June or the beginning of July last year, and written by direction of Sir Edward Bradford, Chief Commissioner, and stating that the Premier of New Zealand had been to Scotland Yard with the idea of getting an officer from the Metropolitan Police to go to New Zealand to take the appointment of Commissioner of Police; that it was necessary that the officer, in addition to having considerable experience in police-work, should have experience in the criminal branch, and that Sir Edward Bradford had consulted Dr. Anderson, chief of the Criminal Investigation Department, on the subject, and had come to the conclusion that if I would accept the position they would be prepared to recommend me for it. Briefly, the conditions were given to me as to the salary and that sort of thing, and I was asked to reply as early as possible. It was on a Sunday morning I received that letter, which also said something about meeting the Premier. I replied that I should be prepared to give the matter my consideration upon knowing more about it, and that I should be pleased to meet the Premier to talk the matter over at any time he pleased to appoint. I replied to that effect on the same day. On the following day I received a telegram from Sir Edward Bradford asking me to meet the Premier at the Savoy Hotel on the following day at 12 or 1 o'clock. I went there and saw the Premier, who stated that there had been considerable dissatisfaction expressed in New Zealand as to the way the police had been managed for some years past, that it had caused the Government a good deal of embarrassment, and that they would be very pleased to get some officer to take the whole thing over, and the responsibility. He said it would relieve the Government very much if they could get an officer of police experience to take the whole thing over, or something to that effect.

192. Does that mean to relieve the Ministry of the responsibility?—Of the practical control of the Force. He also stated that there was a good deal of dissatisfaction among the men themselves at not having an experienced police officer over them. I remember that as one point he mentioned. I was not with the Premier for more than a quarter of an hour, I should think, altogether, and what I have briefly stated is practically what took place. I do not pledge myself to the exact words used. I asked him the terms as to passage out, and said of course I expected passages for myself, my wife, and daughter, and he agreed to that, and the salary was, as already fixed, £500, rising to £600. I do not think I saw the Premier again until after my arrival here, and I never saw the Agent-General on the matter at all. The question of passages and so on was transacted with the Secretary.

193. The Premier practically admitted the unsatisfactory position of the Force here?—He said there was a good deal of feeling among the men in the ranks and the public too. He said there was a feeling on the part of the men that they should have a practical police officer over them, and that the public were also dissatisfied with the Police Force. That is practically what he said.

194. Was anything said subsequently about the method of making appointments by Ministers—were any details discussed?—No.

195. Has that been discussed since your arrival here?—No, none whatever.

196. Do you recognise that it is within the province of the Minister of Defence to make appointments to the Police Force?—Yes, I recognise that. The Police Act, as you will observe if you look at it, gives the power to the Governor, and I take it that is the Governor in Council; and therefore I do not feel that I have the power, and consequently have no right to question it.

197. Upon your arrival here, did the question of the appointment of the Commission come up as between the Government and yourself?—Yes, on the day of my arrival; it was a conversation between the Premier and myself, late on the night of my arrival.

198. What was the end of the conversation?—Your speeches in the House were referred to. The Premier said all sorts of charges had been alleged against the police, and he referred to the charges you brought forward in the House, and gave me a brief outline of the allegations against the Police Force, and asked my opinion on the matter. I told him that if these charges were true, the sooner there was an inquiry the better, so that the Force might be purged of men of bad character, or undesirable men. If, on the other hand, the charges were not true the inquiry would probably disclose the fact, and the Police Force would be the better for the inquiry. Therefore I thought the Force could only be the gainer by having an inquiry, whichever way the report of the Commission might go.

199. The Premier wished you to go as one of the Commissioners?—I do not think he mentioned that at the time, but, if he did, there was nothing decided about it, and, as a matter of fact, I have had very few conversations with the Premier since I have been here. I cannot say whether it was that night or not or on a subsequent occasion that I saw him, that he mentioned the question of my being put on the Commission in some way. I said, "Well, my experience in the colony is a very brief one, and I must leave it to you." That was practically what I said to him. It was very soon after my arrival.

200. You did not decline positively to go as a Commissioner?—I did not.

201. Has the question come up, either with the Premier or any other Minister, at any conversation, and you have declined to go?—No, I never declined to go, but I have expressed my opinion that I thought it would be a mistake if I were put on the Commission. I may say I was taken somewhat at a disadvantage in being asked to express an opinion so soon after my arrival. I think I should have been placed in a false position if put on the Commission before I got to know the country better. I think I have expressed this opinion to Mr. Thompson, but not to the Premier.

202. Since you have been here, have you been permitted by the Minister in charge of the department to administrate the Force without interference from him?—I have.

203. Without interference from any Minister?—Yes.

204. Take the case of Constable Crawford, at Timaru. He told the Commission he was ordered for removal and the order was countermanded?—Yes. I was under the impression that Constable Crawford wanted a station. I had not been to Timaru at that time. He was a senior constable, and a vacancy had occurred in the district at the Coalgate Station. I appointed him to the station. I then learned that Constable Crawford was already living in police quarters at Timaru, that he was a very good man there, and that he himself did not wish to go to the place. I therefore cancelled that transfer and appointed another man.

205. From whom did you learn of his objection?—The cancellation of the transfer came about on this report :—

Police-station, Timaru, 24th December, 1897.

REPORT of First-class Sergeant C. Fraser, No. 29, relative to transfer of Constable Crawford to Coalgate.

In reference to the transfer of Constable Crawford, I respectfully draw your attention to the fact that the other members of the Force here available for police duty are young and practically inexperienced constables. Since I have come to this station I found Constable Crawford's local knowledge and lengthy police experience of the utmost importance; more especially since Detective Livingstone has been on temporary duty in Christchurch for the last two months. Every offence reported during that period has resulted in the offenders being arrested, and convicted, with one exception, which is still being investigated. Constable Crawford has asked me to report that he would be very glad if the department would reconsider his transfer and to allow him to remain in Timaru as at present, or in the event of a vacancy in the detective office here he would be willing to undertake the duties of that office with his present rank and pay. He has also requested me to make it distinctly understood that this application is not made with any insubordinate feeling.

CHAS. FRASER, First-class Sergeant, No. 29.

T. Broham, Esq., Inspector in charge of the district, Christchurch.

This was forwarded to me by the Inspector, and I minuted it as follows: "If Constable Crawford does not want a station by all means let him remain at Timaru, where he appears to be doing good service."

206. Did the Hon. Mr. Hall-Jones not see you about it?—No; I can say that quite confidently.

207. The matter was not discussed with any Minister?—None whatever.

208. It was quite a departmental affair?—Absolutely.

209. It was not referred to the Minister for confirmation?—No; I have not done so in any case of transfers. I may say that I had in some cases mentioned to the Minister that I have proposed transferring officers, but I have never gone to him to get his permission.

210. Neither for transfers nor promotions?—No. In the case of promotion to sergeants I got the recommendations from the Inspectors, and I mentioned to the Minister that these were men I intended to promote to sergeants.

211. Roughly speaking, how many promotions of constables have been made—I mean in class—since you came?—There have been seventeen first-class constables promoted to sergeants, to begin with; twenty-six second-class constables promoted to first-class constables; and twenty-eight third-class constables promoted to second-class constables—seventy-one altogether promoted. Then there have been three men appointed fourth-class detectives. Those are practically all the changes.

212. Sergeants were appointed on the recommendations of Inspectors, I understand?—They were.

213. What rule was followed in the case of the constables?—I took them from the seniority-book and consulted their defaulters' sheets. I took the seniority-book and took the senior men, and if these men had good records on their defaulters' sheets I advanced them.

214. Without any personal knowledge of the men at all?—Yes, without any knowledge at all.

215. Was Constable Matthew O'Brien one of the men promoted in these batches?—No; he was advanced to first-class constable in February, 1897, before I arrived. I may say, in making these advancements and in taking the men's defaulters' sheets, if the men had any serious conviction against them during the past two years I passed them over, but for trivial convictions, unless very recent indeed, I did not pass them over.

216. Had you any personal knowledge of those fifty-four men who were advanced?—None whatever.

217. As a matter of fact, a constable's general conduct might be very bad and still there be no record of it on his defaulter's sheet?—Unless a man is convicted I do not think you can take any notice of it.

218. In your experience as police officer, might not a man's conduct be generally bad and the man be inefficient and lacking in intelligence and still there be no offence recorded on his defaulter's sheet?—I do not think so. I think if a man is generally bad there would be an offence recorded against him.

219. Supposing an Inspector were to report to you that a constable was a tippler and had all the appearance of being a common sot, would you promote that man?—No, I should not.

220. That would not be on his defaulter's sheet?—Oh, yes. If an Inspector reported such a matter to me I should at once take steps to have the man examined by a Medical Board to show whether he was as stated by the Inspector. I should never let the matter rest there.

221. Did you give as an excuse for not acting in a matter like that the fact that no definite charge had been made against him?—No. If a man was reported to me by the Inspector as being a confirmed sot I should say that this man should be brought before a Medical Board of some kind to see if he was suffering from the effects of alcohol, and, as a matter of fact, I have done it within the last few weeks.

222. You took no definite steps to ascertain what the general conduct of these fifty-four men was?—No. Unless a matter was recorded against them I think it would be manifestly unfair. I do not know how you could do it in accordance with the regulations of this service. There is a

circular in existence which does not allow Inspectors to make confidential reports to the Commissioner as to the conduct of any man. If I called upon an Inspector to make reports on the men I should have to refer these reports back to the men themselves, and I do not know where I would find myself.

223. Do you approve of confidential reports being furnished by Inspectors?—I do in some cases. I do not think the circular should be a hard-and-fast one.

224. Did you discuss these promotions you have made with the Minister since you arrived?—No. I will tell you what I did. I took out a list of the men from the seniority-book, and I said to Mr. Thompson, "There are so many vacancies in the Force in the various classes. I desire to make up these classes to the full strength, and these are the men who stand next for advancement." I said I proposed to advance them, and he looked at them and simply indorsed the list, and that was the end of it. I never consulted him at all before I made up the list. I took the list and showed it to him, and there was an end of it.

225. Do you not think that the fact of seventy-one advancements having been made since your arrival would very largely remove the discontent that has been a feature of the Force for some years past?—Well, of course, every man who gets advancement or promotion is pleased, and therefore any discontent he might have had before on that score would disappear; that is a natural consequence.

226. Well, now, do you think it was wise to make these promotions so quickly after your arrival, before you had any opportunity to acquire a knowledge of the men promoted?—It would have taken me years before I could have acquired a personal knowledge of all these men. These men, according to my looking at it, had been long entitled to advancement, and it would have been an injustice to have continued to keep them back. If you are not to go by a man's defaulter's sheet I do not see the use of having defaulters' sheets at all.

227. Have you been consulted about any appointments since you came here?—About every one. These candidates' acquirements in every case have been considered by Mr. Thompson, and I have generally been present.

228. Then you have been consulted practically?—Yes, I have.

229. You remember the papers of Constable Haydon, a new man?—Yes; the man was appointed from Lyttelton.

230. Do you remember who recommended him?—Yes; I think Mr. John Joyce, M.H.R., was one of those who recommended him.

231. Was an inquiry made into his past record?—The same system was pursued as in all other cases. No outside inquiry was made beyond the recommendation. I think it is a mistake; but if you wish to know anything further I may say I have had confidential inquiry made since about that man on a suggestion that came to my knowledge, and I was unable to verify the suggestion. It was suggested that the man had been before the Court and had been convicted. I made inquiries, but was unable to verify that.

232. Do you think it is wise to continue the enrolment of men into the Police Force without making inquiry into their moral character?—No, I do not.

233. Do you intend to alter it?—Yes, if it is possible for me to do it. I think as soon as application is received from a man it should be referred to the Inspector of the district, and an inquiry made by the Inspector into the man's character.

234. Now, as a result of your investigation so far, do you regard the Force, so far as your knowledge of it exists, as being absolutely efficient?—No; it is inefficient more in numbers than anything else; that is my opinion.

235. In the standards of intelligence?—Generally, as a Police Force it compares favourably. The work the men of this Force have to perform is work that I never knew any other Police Force to perform.

236. In variety?—Yes, and in general character; for instance, the work of Clerks of Court and agents to the Public Trustee, and Clerks of Licensing Committees, is work I never knew any other Police Force to be called upon to carry out.

237. What steps do you purpose taking in regard to the men in the Force who are inefficient?—As soon as I discover them I hope to weed them out.

238. Do you think you can do that in the absence of a pension fund?—I suppose you are referring to inefficiency through old age.

239. Or lack of intelligence?—Of course it can be done, but it would have to be done devoid of all sentiment, and by throwing a man out upon the world with a year's pay after he has given the best years of his life to the service. I think the only way to keep up a really efficient Force is to have a pension fund, and I do not see how you can do it otherwise.

240. Did you hear Inspector Broham make a statement to the effect that a large number of offences by constables were not reported to the Inspector because the sergeant felt that the men had political influence at their back?—I heard Inspector Broham give his evidence, but I am not sure that that is quite the answer he gave.

241. Is such a feeling existing in the Force of the Old Country?—No.

242. The discipline there is complete?—As near as it can be. Of course, there are scandals occasionally in the Home Force. They had one in 1877 in the Metropolitan Force, in the detective branch, and had one quite recently in Manchester. You are sure to find these things occurring in every Police Force, I take it. It is common knowledge that the New York Police Force was the most corrupt Force in the world.

243. Do you think that the character of the New Zealand Police Force would be much raised unless a different system is adopted in regard to enrolments?—I have advocated a different system myself, and I do not know that I can say much more than that. I think the Force would be very much improved if that system were adopted.

244. Have any suggestions been made to the Minister so far that the enrolment should be handed over to the Commissioner?—No. I may say that the Minister agrees with me in several points that I have brought before the Commission. There certainly will not be any opposition on the part of the Minister of Justice in regard to some of my suggestions. I have not discussed the whole of them with him, but I have some of them, and he is in sympathy with me.

245. In regard to promotions, you are bound to have the sanction of the Minister, are you not?—The Police Act does not say so.

246. I think you said you submitted your list of promotions to the Minister and he approved?—He did; but I did not submit them to him for approval. I submitted them to him for his information. I told him I was going to make these advancements.

247. How did you manage to make promotions which must necessarily involve a considerable increase of expenditure without the sanction of the Minister?—Well, a parliamentary grant allows a certain number of men of each rank, and I found that the numbers were beneath that authorised, and I increased the classes to the full strength allowed by Parliament.

248. You found you could make these promotions within the limit of the parliamentary estimates?—Exactly; in other words, the authorised classes of the Force were so many men under strength.

249. Therefore you do not think it necessary to go to the Minister about it?—No. As regards the licensing-laws, I may say that I have never been approached, either directly or indirectly, by any Minister or other person here to influence me as to the way the licensing-laws should be carried out in the colony, and I have nothing to lead me to suppose that Ministers have any desire to prevent the law being properly carried out. I say it because some men have stated that they have reason to believe they would incur displeasure if they were to carry out the law.

250. *Mr. Poynton.*] Have you taken any step to remove that impression?—I have taken every step I possibly could consistent with not making it appear that there was any reason to suppose the men were not performing their duty—by that, I mean, if I issued a general order to the Force it would be practically equivalent to admitting that the men were not performing their duty. I have not felt justified in issuing that order; but in conferring with the Inspectors and other officers of the Force, when I met them, I always impressed upon them the necessity of seeing that the licensing-laws were properly carried out.

251. *Mr. Taylor.*] Do you think that the present method of inspection is calculated to secure conviction for breaches of the law, so far as Sunday trading is concerned; I mean the mere formal inspection in uniform?—I say I have given instructions, and it has been done, for men to go round in plain clothes; and I have gone so far as to direct two batches of men in plain clothes—a sergeant and constable, to start at different ends of the town simultaneously, so as to try and counteract the influence of the telephone. I may say we have not been successful in getting the necessary evidence to bring very many prosecutions. That has been done more particularly in Auckland, and here in Wellington I have directed men to go in plain clothes, and they have succeeded in bringing several cases before the Court; but, owing to the unsatisfactory state of the law, we have not been able to get many convictions. I was rather surprised, when in Christchurch, to hear that similar steps had not been taken there, because I was certainly under the impression that they had been taken. As soon as I knew they had not been taken I directed that men should go in plain clothes, because I feel that if the publicans will stoop to subterfuge to evade the law, the police are perfectly justified in adopting the same tactics, although it does not meet with the public approval generally, but I do not mind that.

252. As a matter of fact, do you know that one of the very few convictions for Sunday trading in Christchurch, was secured by two plain-clothes constables sent specially for that duty from Wellington?—I do not admit that there were very few cases, there were several last year.

253. Do you know that in one instance Commissioner Hume sent down two private men from Wellington, and they secured two convictions?—Yes, I do; I believe there were exceptional circumstances in that case, when the men were sent down from Wellington.

254. *The Chairman.*] Have you, since taking office, discovered any trace of any influence exercised by Ministers to check in any way the enforcement of the licensing laws?—Not the slightest, either directly or indirectly.

255. If not in your own office, have you found any trace of any influence in Inspectors' offices or in the departments you have visited?—I have not.

256. As a matter of fact, have you, since your appointment, been left entirely alone, except in regard to appointments to the Force?—That is so. I should like to say that, even in the matter of the appointment of constables, I am not by any means sure that Mr. Thompson would not like to get rid of the duty of appointing candidates to the Force; I am inclined to think he would be glad to get rid of it. I know this much, that it causes a great deal of anxiety to him.

257. *Mr. Poynton.*] Your opinion as an expert is that you should have the power of appointment?—Yes; I confess that on my experience of other Forces I know of no other Forces in the world where the Commissioner has not the power of appointment of candidates, of all constables and sergeants. I do not say in regard to commissioned officers.

258. *Colonel Hume.*] You promoted seventeen first-class constables to be sergeants?—Yes.

259. You recommended that third-class sergeants be done away with?—No; I recommended that all classes should be done away with.

260. Consequently, these seventeen appointments you made would create greater difficulties, doing away with that class of sergeants?—No, not at all; they will get their increase of pay at the end of three years. They are getting sergeants' pay, but they will get the increment of 6d. a day at the end of three years under the system I have suggested.

261. You found these vacancies existing when you came?—All except one.

262. And you are aware that I had recommended that the class should be done away with?—I have never seen the papers; but I have heard you say so, and I believe it was so.

263. You think that more inquiry should be made about these candidates?—I do.

264. Can you go very much behind the last five situations these candidates have filled?—I think inquiry should be made as to their personal character; and, more than that, also into the question of their associations, and so on, I think by the Inspector of Police or sergeant of police who is in the district. Employers are just situated this way: a man works eight hours a day, and the employer knows nothing of what a man is doing during the other sixteen hours. There are matters within the knowledge of the police of the district that might be unfavourable to a man, and yet the employer might know nothing about them. I do not say the man is not an honest man, or not a good workman, but there are other things to be considered before making a man a policeman.

265. Would you have inquiries made by some police official in the district?—Yes, I would have the papers referred to the Inspector of the district, for a report as to what is known by the police of this particular individual.

266. You would have an inquiry made by the Inspector, and would not delegate it to some constable?—No; it would be made by the sergeant of the particular sub-district, and the Inspector would be responsible for it, unless it was at a place where the Inspector himself could make the inquiry.

267. Do you not think that the candidates would have a fair grievance over that?—I do not think it should be considered.

268. That the police were making inquiries about them?—I do not see that they should complain. I think it is open to the person employing them to make any inquiry they think fit.

269. Would you be surprised to hear that, when the question came up about the Inspectors of Police inquiring into the characters of the young ladies whom the constables wanted to marry, that the House thought that a most improper thing to do?—I am not at all surprised at it, and I would not be surprised if some one in the House made some representations about these inquiries as to the characters of candidates, but I do not think we should be influenced by such statements in the House. I know this system is in vogue in other Forces, and I know most searching inquiries are made as to the characters of men, and so much importance is attached to these inquiries that officers have been reduced in rank through conducting them negligently.

270. *Colonel Pitt.*] Several police officers and members of the Force who have been giving evidence before us have advocated the same thing?—Yes. In giving these answers to Colonel Hume, I do not wish for a moment to throw doubt upon the certificates given by the employers, but I say there are many things not within the knowledge of an employer. A man gives the names of his last five employers, but the persons who recommend him may never have employed him. Those men who have employed the candidates are not called upon to give a character. They may or they may not be called upon.

271. *Colonel Hume.*] You think that the Police Force is inefficient in respect to numbers?—I do.

272. Now, from your experience in other Forces, do you think that the Police Force of any country that you know of would come before a tribunal, such as the one this Police Force is at present appearing before, and would come out much cleaner?—I do not think so. I think, up to the present, this Force is coming out of the inquiry pretty clean; there are individual cases, of course, that are very questionable; but, taking the Force as a body, I think the Force is coming out remarkably well.

273. If you were told that members of the Force, discharged members, and others with grievances, had been putting them before a member of the House for the last eighteen months or two years, I suppose you would be surprised that more did not come out?—I am not very much surprised at anything brought forward in that way.

274. Well now, in your experience in England, could such a thing happen as a member of the House of Commons inviting the members of the Police Force to make complaints to him?—You say, "could it"? It could, of course; but I never knew of such a thing happening.

275. In talking about how the tone of a Force could be raised, just now, do you think it ever could be raised so long as the men felt they could rush to any member with some petty grievance which would at once be listened to and taken notice of?—I take it that applies more to a question of maintaining discipline in the Force. It would be very difficult to maintain discipline in the Force if the constables were to feel that there was a power behind the Throne, as it were. A member of Parliament is not a responsible official, and if members of the Force got it into their heads that they could go to irresponsible officials, I do not see how you could maintain discipline.

276. Have you ever known members of the House of Commons to watch publichouses to see how the police were doing their duty?—I have not.

277. Of your knowledge, have any complaints come in recently from a member of the House about the manner in which the constables were carrying out their duties in Christchurch?—No, not to my knowledge. I think not.

278. Has no fault been found about their being employed about the Governor's house, to your knowledge?—Not directly to me. I am not quite sure who made the complaint. I do not know how it arose.

279. Then, in what form did it come to your knowledge?—I am not sure that it was a complaint at all. There was a little misunderstanding as to what force should be drawn for the protection of the Governor at Christchurch. The police were ordered to perform the work, and they were removed to make room for the Permanent Artillery; that is all. I believe something was said as to the police being short in Christchurch, and that they ought not to be taken from their duty in Christchurch to perform duty at Elmwood.

280. *The Chairman.*] Is the Police Force framed with the idea of the police acting on escort duty to the Governor and so on?—No.

281. *Colonel Hume.*] Have you received any complaint from a member of the House about the police being employed at Elmwood?—I have not.

282. You do not know what the complaint was?—No, it never came to me.

JOHN BENNETT TUNBRIDGE, further examined on oath.

283. *The Chairman.*] What is it you wish to bring before us?—When the Commission was sitting at Westport, Constable Harris called attention to an entry on his defaulter's sheet, for overstaying his leave. The papers are now here, and I should like to read Inspector Cullen's report, as follows:—

SIR,—

3rd December, 1897.

I beg to submit the attached memoranda, &c., re Constable Harris overstaying his leave. The constable was granted leave from the 5th to the 18th November, both days inclusive, but it appears he left this station at 7 p.m. on the 4th, and did not return until 1 p.m. on the 19th. His excuse for overstaying his leave is not, I submit, a valid one, as he was well aware that the steamers are very rarely up to time at Westport, and that by waiting for the s.s. "Wainui" he could not reach his destination before the 19th. His explanation, dated the 24th ultimo, clearly shows that he had no intention of reporting himself before 9 a.m. on the 19th. If the constable had travelled by either the s.s. "Te Anau" or the s.s. "Rotomahana," that arrived in Wellington from Lyttelton on the 14th ultimo, he could have come on by the s.s. "Mawhera," which left Wellington on the night of Monday, the 15th, and reached Westport on the night of the 17th. As the constable's leave was granted by the Commissioner, and I am practically the complainant against the constable, I do not see my way clear to deal with the case, and therefore submit it for the consideration of the Commissioner.

My minute was: "The constable's leave expired at midnight on the 18th ultimo, and not at 9 a.m. the following day. He is reprimanded, and cautioned to be more careful in future." This is further minuted: "Constable Harris has been informed of the decision in this matter.—J. CULLEN, Inspector."

284. *Colonel Pitt.*] Harris's grievance was that he was reprimanded, and was not aware that an entry had been made on his defaulter's sheet?—He said he was not aware, and he quoted a circular in support of his contention; but that circular is made to apply only to Inspectors. The circular says that, when Inspectors are dealing with defaulters' sheets they are to acquaint the constable who is affected with the decision, if it is to be recorded on his defaulter's sheet.

285. *Mr. Poynton.*] Why should that only apply to Inspectors?—In any matter dealt with by the Commissioner, if he decides the matter and imposes a punishment it is recorded on the defaulter's sheet, as a matter of course, and a constable knows that; and he was informed of the decision of the Commissioner in this case.

286. Why should it not apply to the record of the Commissioner?—There is no reason why it should not apply, beyond the fact that it is understood that he is to be notified of it. In all cases the constable is notified of the decision of the Commissioner. If the Commissioner imposes any punishment on a man in any way it is placed on his defaulter's sheet as a matter of course.

287. Is that the opinion throughout the Force?—It is understood, I take it. The regulation dealing with the matter says: "67. On a constable misconducting himself the particulars of the case will be entered on a "Defaulter's Sheet," which will be forwarded with him to any other district to which he may be transferred. On a constable who has never misconducted himself being transferred a "Defaulter's Sheet," containing his name and description only, will be forwarded with him. In like manner a "Record of Merit" will be kept, in which an entry shall be made of each reward granted, or distinguished service specially acknowledged." Now, when a constable has misconducted himself, and the matter has been reported to the Commissioner, it is entered on his sheet, and the decision of the Commissioner is marked up against that.

288. *Colonel Pitt.*] Then, practically, before the matter is referred to the Commissioner it is put on the defaulter's sheet?—Yes, and the Commissioner's decision is marked up against it, whether a man was found guilty or not. Therefore, for men to say they do not know what is on their defaulters' sheets means that they are ignorant of this paragraph.

289. If they are to be informed when the Inspector awards punishment, why should they not be informed when the Commissioner does?—I am inclined to think that in years gone by some men were scarcely ever told in a formal way that they were reported. If an Inspector saw a man committing an offence in the street he was prosecutor, Judge, and everything else, and went down to the office and put an entry on the defaulter's sheet, and the man probably knew nothing more about it; and I presume Colonel Hume issued that circular to prevent a possibility of Inspectors doing that. If regulation 67 were carried out there is actually no need whatever for that circular.

SATURDAY, 21st MAY, 1898.

ARTHUR HUME, examined on oath.

Witness.] I desire to put before the Commission papers relative to certain cases. The first is in reference to a complaint made by Constable Philpott, of Charleston, in regard to an entry in his defaulter's sheet. Inspector Pratt inquired into the matter, and here is his report, upon which I said an entry should be made in the constable's defaulter's sheet:—

RESPECTFULLY submitted to the Commissioner. This charge was made by Marley directly he entered the office to give evidence on the other charge. The constable admits speaking to him, but denies the threatening language; and I certainly believe him. In the confusion of or suddenness of the charge, the constable had forgotten the fact of his telling me that Marley had threatened to put a nail in his coffin; but that does not free the constable of blame, as he drew it on himself by speaking to him in the manner he admits having done. From my advice to him I do not think that he is likely to commit the like again. I would respectfully suggest to the Commissioner that a caution to be more careful in future would meet the case.

JOHN PRATT, Inspector.—12/6/96.

INSPECTOR PRATT.—I concur. Please caution the constable accordingly. An entry is to be made in Constable Philpott's defaulter's sheet.—A. HUME, Commissioner.—18/6/96.

The entry in his defaulter's sheet is: "10/6/96.—Irritating language to A. Marley.—Caution." The next thing is with regard to Constable McGlone, of Greymouth, and the police horse. In this case the Inspector says:—

RESPECTFULLY submitted to the Commissioner. I dealt with the charge of neglect of duty in not reporting the injury to the horse's leg, nothing being said about it till called on for an explanation about 4.30 p.m. on the 8th instant, for which he was fined five shillings. The charge of neglecting to pay proper attention to the troop-horse in his charge I beg to refer to the Commissioner to be dealt with by him, as, from section 140 of the Police Regulations, it is regarded as a serious offence. In reference to the charges, they were first brought to my notice by the farrier, who requested me to accompany him to his forge to examine the troop-horse, then there to be shod, as he did not consider him in a fit state to be shod. I found the troop-horse at the forge with his near foreleg extended, as if in pain. The fetlock was much swollen, and extended half-way to the knee, and gave with the slightest pressure, showing he was suffering. The farrier advised bathing, bandaging, and vinegar being applied, and that it would not be right to shoe him in his then state. The farrier, when asked by me as to how the injury could have occurred, replied that he did not like to give an opinion, but thought he must have got some rough usage. When I handled the horse's leg it did not appear to me that embrocation had been used, as stated by the constable. When charged, the constable had nothing to add to the statement attached. Should the constable show want of proper attention in the future I will ask to have him dismounted. The Commissioner may consider a fine sufficient, or the one I have inflicted would meet the case.

JOHN PRATT, Inspector.—9/4/97.

INSPECTOR PRATT.—For neglecting to properly attend to the troop-horse in his charge, Constable McGlone is severely reprimanded, and cautioned that if he repeats the offence he will be dismounted.—A. HUME, Commissioner.—12/4/97.

The next matter I desire to refer to is that of Constable McClelland, of Christchurch. You were told that I had given an assistant district clerk at Christchurch 6d. a day as an office-allowance. In 1891, Constable McClelland applied for promotion, or a slight increase of pay. I minuted the application to the Defence Minister: "This is a peculiar case. In consequence of the situation of the police-station at Christchurch this clerk has to live near it, and consequently has to pay higher house-rent than if he was able to live further away. He is also deprived of making money by awards. As he has had a considerable increase of work by the enlargement of the district, I recommend he be granted 6d. per diem towards house-rent, as long as he gives satisfaction in the district office.—A. HUME, Commissioner.—18/9/91." On the same day I wrote to Inspector Pender, at Christchurch: "Constable R. McClelland is granted an allowance of 6d. a day towards house-rent while employed in the district office, payment to commence from the 1st instant.—A. HUME, Commissioner." Now, with reference to Constable Jeffries: On the 14th May, 1897, Constable Jeffries applied for permission to remove certain improvements effected by him while at Pictou Station. He sent in a bill amounting to £14 4s. 6d. One of Constable Jeffries's contentions was that I asked for a valuation of these things, and therefore I must have had some intention of paying him. I never asked for anything of the kind. There was a valuation made, but not at my instance—probably by Inspector Pratt. My first memorandum is dated 20/2/97: "Inspector Pratt.—Please inform Constable Jeffries that as these expenses were incurred without permission I regret the department cannot pay any compensation.—A. HUME." On the 6th May, 1897, I wrote to Inspector Pratt: "As the materials, &c., referred to by Constable Jeffries are fixtures they cannot be removed." With reference to the complaint by Mr. Nickless against Constable Bennett, Inspector Pratt reported as follows on the 3rd June, 1896: "The Commissioner of Police.—Sergeant Fraser having knowledge of the parties concerned, I consider he acted properly in declining to take further proceedings, and leaving complainant to take action if he chose. A bailor can himself act where property is stolen from him; but, under the circumstances stated in Mr. Fowler's letter, he should have consulted him before laying a charge against any person." I wrote to Inspector Pratt on the 8th June, 1896: "I fully concur in your minute of the 3rd instant. Please inform Mr. Nickless in terms of your minute." With regard to the complaint of Constable Matheson, of Tapanui, it appears from his defaulter's sheet that for "leaving his beat to change his clothes between 9 a.m. and 1 p.m. without permission" he was fined 2s. 6d. by Inspector Broham on the 6th March, 1891. The constable complained that he had no knowledge of it being on his sheet; but I may point out the fine would be deducted from his pay at the end of the month. He did not lose promotion by the record on his sheet. He was promoted on the 1st January, 1894, and he got £15 in rewards in 1896.

NAPIER.

WEDNESDAY, 25TH MAY, 1898.

JOHN EMERSON, examined on oath.

1. *The Chairman.*] What is your name?—I am a first-class Inspector of Police, stationed at Napier, in charge of the Napier and East Coast District.
2. How long have you been in the Force?—Since July, 1864.
3. Where were you first stationed as Inspector?—At Blenheim, Marlborough. Then I went to Tauranga, next to Westland, back to Tauranga (where I was stationed two years), then I went to Hamilton (the headquarters of the Waikato district), and from Hamilton to Napier five years ago.
4. When were you appointed to the charge of this district?—I arrived here on the 13th January, 1893.
5. What Force have you in your district?—Forty-eight men all told, comprising one Inspector, one detective, four sergeants, and forty-two constables of various classes.
6. What is your district?—From Woodville to Rotorua, taking in the Urewera country as well; and I have a policeman stationed at Te Whaiti, which is sixty miles beyond Rotorua.
7. How many out-stations have you in your district?—There are twenty-seven outside Napier.
8. Will you give us a list of the stations and the number of men at each?—Woodville, 1; Dannevirke, 1; Ormondville, 1; Herbertville, 1; Waipawa, 2; Waipukurau, 1; Hastings, 3; The Spit, 1; Carlyle Street, 1; Gisborne, 6; Ormond, 1; Tolago Bay, 1; Waipiro, 1; Tuparoa, 1;

Port Awanui, 1; Te Puke, 1; Tauranga, 1; Katikati, 1; Opotiki, 1; Whakatane, 1; Taupo, 1; Rotorua, 2 (one being a Native constable); Te Whaiti, 1; Galatea, 1; Napier, 11; Taradale, 1; and Clive, 1.

9. Is the detective stationed at Napier?—Yes.

10. Can you give me the details of the members of the Napier Force as to classes?—There is one first-class Inspector, one second-class detective, one second-class sergeant, one second-class constable, and seven third-class constables.

11. What is your opinion as to the efficiency of the Force under your control in Napier?—I have nothing to complain of. They are very good men indeed.

12. Do you consider them efficient in their duties?—They are always instructed in anything they do not know. They learn from the sergeant or myself. As they are now I regard them as efficient.

13. Are there any recent recruits among them?—Yes; some of them are in only a few months.

14. How many out of the seven are less than twelve months in the service?—Two; they get instructed in drill and also in police, and they are very good men.

15. Have you had any complaints made to you by the public as to the manner in which the men perform their duties?—No; except frivolous matters which, on being inquired into by me, were found to be groundless.

16. Do you find the Force sufficient to enable you to carry out the laws of the country?—Yes; but I consider that we want two or three more men in the district, as I have reported to the Commissioner. One is wanted for Tauranga and one for Dannevirke, and I would also like to see another man at Woodville, where we now have a train stopping for a considerable time. I would like to see the policeman at the train there always; but one man cannot do the duties of the town and be at the train as well.

17. Are you satisfied with the Force you have in the town?—Perfectly. The men never grumble at the duties they have to perform, although they have often to do more than the regular number of hours on duty.

18. Is the present Force sufficient to enable you to preserve order and deal with crime in the city?—Quite so.

19. Are you enabled to enforce the observance of the liquor laws?—Pretty well. When we find any one committing a breach of the licensing-laws he is summoned, and we sometimes get convictions. The place is orderly and the houses are well conducted. The police, including myself, go round the town at different times and visit the hotels to see things for ourselves.

20. Are the houses also visited during closed hours?—Yes.

21. At night and on Sundays?—Yes.

22. The laws are fairly observed?—They are. I may say I have seen the report of the Commissioner's evidence, and I agree with what he recommends—that the law should be amended as to men going into publichouses after hours.

23. You suggest, then, that the English law should be adopted here, to make persons found on licensed premises after hours liable to punishment?—Yes; that is my opinion.

24. How are the gaming-laws observed here?—There are no complaints about them.

25. Are you aware whether shops known as "tote" shops exist in this town?—It is thought there are such shops, and I have instructed the men to look after them.

26. Are there any reputed "tote" shops here?—Two. It is hard to get a conviction against them.

27. Is there much undetected crime in Napier?—Not a great deal. The police are smart and attentive.

28. You are satisfied with your men in respect to crime generally?—Decidedly. They are excellent men, and do the best they can. They are very smart in the enforcement of the licensing-laws.

29. Of course, there are other laws besides the licensing-laws. I speak of undetected crime generally?—I think they are capital men, and I do not wish for better.

30. Have you anything to say on the subject of pensions for the Force?—I saw the report of the Commissioner's evidence, and I agree with his suggestions as to pensions, and my men also agree with them.

31. You understand it would mean a deduction from their pay?—Yes; and they are willing to allow it.

32. And, further, that the pension would be at the cost of all emoluments and outside pay of constables?—Yes. I might mention that heretofore the district clerks, in my opinion, have not been very well paid. In my office I have a man doing the clerical work of the whole district, and frequently he is in the office up to 10 or 11 o'clock at night. The Commissioner suggests that the pay should be increased by 1s. a day in the case of these men, and I do not think it is too much. I also think that men paying for quarters for themselves should have an allowance on the lines suggested by the Commissioner, single men as well as married. I have myself been in lodgings for several months, as my house was burnt down.

33. All men not provided with quarters should have house-allowance?—Yes. A suit of uniform every year should also be allowed. The pay is not much, and it is expensive to get nice uniform. I quite approve of the Commissioner's suggestion as to recruiting.

34. Is there anything in the Commissioner's evidence that you take exception to?—Nothing whatever, except as I have stated, that the district clerks might get more than 1s. a day of increase. I think it ought to be 2s. The men want long training to be able to do the work. I think the recent promotions carried out by the Commissioner were very much required. I do not think it is right to allow any man to remain a third-class constable for eighteen or twenty years. This has

frequently occurred with men, although there was nothing against them. If the promotions were carried on as suggested by the Commissioner the men could not grumble.

35. What do you mean when you say that the promotions were required?—I mean that men had been in the Force a long time without any promotion and without any increase in pay.

36. They were required to satisfy—what?—In the first place, to satisfy the claims of the men.

37. There is a suggestion made by Mr. Tunbridge that I would like to refer to specially, and that is that all classes in all grades should be abolished. Does that commend itself to you?—Yes.

38. Have you anything to say regarding the pay of the Force?—I think that a man on probation should get 6s., as recommended by the Commissioner, which is sufficient. When he is appointed constable he should get 7s., and after some years' service he should get a further rise. At present when a man joins the Force he gets 7s., but I think 6s. would be sufficient for probationers. It would be a good thing to have headquarters at Wellington, where probationers might be stationed to be taught drill, as they are in the Royal Irish Constabulary.

39. The Commissioner also suggested that monetary rewards should be abolished. Are you satisfied with that?—Yes. I think advancement in the Force should be given instead of monetary rewards.

40. *Colonel Pitt.*] Would you give advancement in the service for anything except the detection of crime?—Yes, for saving life, &c. Anything of a meritorious nature should be rewarded by promotion.

41. Did you make any representations to the late Commissioner as to this block for want of promotion?—I do not think so.

42. Why not, if you thought men should not be eighteen or twenty years in the rank of third-class constable?—My impression was that the men applied for promotion themselves; but if there were no promotions to be had there was no use bothering the Commissioner.

43. What is your opinion as to the appointment of Sub-Inspectors?—I quite approve of it. It would give the Inspector an opportunity of inspecting his district as it should be inspected. All Inspectors should go at any rate four times a year to the out-stations, and those convenient to headquarters should be visited monthly, if possible, if they are of any importance.

44. Do you think there are a sufficient number of districts in the colony at the present time?—Some of them are very large. I think Otago and Auckland are too large for one man to manage each, also Wellington and Christchurch.

45. *The Chairman.*] You do not consider the Napier and East Coast District too large?—No, I think I can manage it myself.

46. *Colonel Pitt.*] Do you think those districts would be too large if Sub-Inspectors were appointed?—I think that is what is wanted. There should be a Sub-Inspector in each of the four large centres.

47. *The Chairman.*] Do you think you could visit all the out-stations you have named and do your duty as Inspector as well?—No; but when I go away I leave my office clerk in charge. He is an excellent man, and does everything pretty well as if I was there myself.

48. *Colonel Pitt.*] Are the constables in Napier mostly married men?—Yes. No man can get a house here at less than 8s. or 10s. a week, which is a large amount to come out of the pay of a third-class constable.

49. Is there no mess at this station?—No. There are not enough single men for it; there are only three.

50. *Mr. Poynton.*] Do you know anything about political interference in the administration of the Force—transfers and promotions?—I have no knowledge of it. There is none that I am aware of.

51. Do you know anything about such a feeling having existed in the Force?—I have heard so. No one has complained to me.

52. *Colonel Hume.*] You say you want an extra constable at Tauranga?—Yes.

53. You asked me for one in my time?—Yes.

54. Two years ago, I think?—Yes.

55. What do you want a second constable there for?—A lot of people go there from the diggings. They flock into Tauranga, and one man is no use when there are a lot of scoundrels, as some of them are, in the town. They come from Paeroa and also from Te Puke. When Colonel Hume went to Tauranga he saw it as a quiet place—and it generally is; but we get a few arrests there, and the constable has to escort the prisoners to Auckland by sea, which necessitates his being away for three or four days. Then there are race meetings and the different sports meetings, and one thing and another, and I have generally to send to Auckland to get a man to come into my district to assist. I think that should not be the case. There was once a gaol at Tauranga, but it was closed by Colonel Hume, and the constable was the gaoler. I must say, regarding Colonel Hume, that for the many duties he had to perform in the Gaol and Police Departments he was overburdened with duty. I never had to grumble regarding my Commissioner.

56. Do you know the reason that I closed the gaol at Tauranga?—I do not.

57. Did you ever know of any prisoners there?—We frequently had prisoners there.

58. How many?—Not many.

59. Were there three in the year?—Yes, for the last year or two.

60. Has this officer ever escorted prisoners to Auckland since he has been there by himself?—No, I do not think he has.

61. And that is about two years?—Yes.

62. *The Chairman.*] And how are they escorted?—We send to Auckland for a man.

63. Have you had to do that within the last two years?—I think so. Prisoners have also been taken from Rotorua to Auckland.

64. *Colonel Hume.*] But the Rotorua prisoners do not go by Tauranga?—No, they go by train; but we have then to send the Tauranga man to relieve the man at Rotorua.
65. If there was a prisoner going to Auckland, could he not be sent in charge of the officer of the steamer, as they are from the Bay of Islands?—A man charged with a serious offence is never sent in charge of the officer of a boat, or the purser.
66. But he could be sent in that way?—Yes, but it would not be safe.
67. How far is the nearest man from Tauranga?—At Katikati, and the next is at Te Puke.
68. You have a mounted man at Te Puke?—Yes.
69. And if the Tauranga man had to go away, the mounted man could come in?—Yes, or the Katikati man.
70. You say it is reported there are one or two "tote" shops in the town?—Yes.
71. Have you any idea of the sort of people who frequent them?—No.
72. Do you believe that children frequent them?—I do not.
73. Can you tell me the religious persuasion of the men in the Napier headquarters?—I cannot. I never inquire into that question; I do not care what religion the men are.
74. If I say that seven of them belong to the Church of England and six to the Roman Catholic you will not contradict me?—No; they can all go to their church once a day.
75. You approve of the Commissioner's suggestions as to recruiting?—Yes.
76. And acting on those suggestions, if you brought a man from the Bay of Islands to Auckland who failed to pass the educational test, what would you do with him?—He should not be sent there till he has passed.
77. But my question shows the Commissioner's suggestion?—To bring him to Auckland before the examination?
78. Yes?—I do not think that is the suggestion. I say he should be at the depot, as the Commissioner states.
79. And you say the recent promotions were much required. Do you say you do not want the rank of first-, second-, and third-class sergeants?—Yes.
80. You want only the rank of sergeant?—Yes.
81. Do you think a man gets any promotion, except an "Irishman's rise," by bringing him from a country station, depriving him of his house and of his position as Clerk of the Court, as well as various little perquisites, and giving him 6d. a day more?—I do not think a man in the police has any right to work for County Councils and other bodies in the country; and, if a man gets such perquisites, he has no right to think he can keep them.
82. I prepared a scheme, did I not, in which I had no class of sergeants?—I believe so.
83. And I said I was running out the third-class sergeants?—Yes.
84. Have you ever served as a Sub-Inspector under an Inspector?—No. My first promotion was from first-class mounted constable to mounted sergeant, and I was sent in charge of a station. Then I was brought into headquarters and appointed senior sergeant. In 1868 I was appointed first-class Inspector, in the provincial days.
85. You think your district clerk does not get enough pay?—No.
86. Have you ever known an Inspector who did?—I do not know anything about the other Inspectors. I made no inquiries from them.
87. Your district clerk is drawing more pay than any other man in his position in the Force?—I cannot say what the others are drawing.
88. You know he has not been promoted by seniority?—He has been promoted for meritorious conduct.
89. And he is now drawing first-class constable's pay?—Yes.
90. You cannot tell us what rank he would be holding if he had not been specially promoted?—He might now have been a second- or third-class constable.
91. Who takes charge in your district when you are away?—The district clerk.
92. Does he give orders to the sergeant?—No; he has nothing to do with the sergeant. The sergeant has independent command over the town duty.
93. *The Chairman.*] When you go away, the charge of the district is taken over by the district clerk?—Yes.
94. Does not that put him in charge of the sergeant?—No.
95. *Colonel Pitt.*] Does he not issue orders to the sergeant?—They work together.
96. *Colonel Hume.*] Supposing the constable at Hastings wants a detective at once, and telegraphs for him, what happens when you are away?—The clerk would send a man.
97. Without saying anything to the sergeant?—No; he would tell the sergeant.
98. Would he say to the sergeant to send the man, or would he ask him to attend to the telegram?—I cannot tell you.
99. *The Chairman.*] What do you mean by saying that the district clerk has charge of the district?—He is the best man for it. He does whatever he is told.
100. What would he do in the case mentioned by Colonel Hume?—He would send the man. He has instructions to open all official telegrams to me, and to attend to the district.
101. *Colonel Pitt.*] Is the position not this: He is your clerk, and receives all correspondence, and if anything wants attending to as regards the men he shows the letter to the sergeant, and asks him to act on it?—No doubt he does. He has no control over the sergeant.
102. *Colonel Hume.*] I think you have had some correspondence with me on this subject?—Yes. The papers are likely at headquarters.
103. At any time in your service have you been in the habit of recording offences on your constables' defaulters' sheets without informing them of the fact?—Certainly not.
104. During the last ten years have you known any cases of constables being given charge of stations who were not fit to take charge of them?—They were not recommended by me; they came from your office.

105. What?—The transfers.

106. But have you known a man sent to take charge of a station who was not fit to do it?—Yes.

107. Many?—One or two.

108. Will you name them?—I think it is unfair to name them. The man is still in the Force.

109. *The Chairman.*] You must give the name?—There was the case of Coughlan, at Port Awanui. He was sent there as Clerk of the Court and constable.

110. *Colonel Hume.*] Do you know another case?—I think that is all.

111. Do you recollect where Coughlan came from?—Auckland, I think.

112. *The Chairman.*] As to the various offices held by constables, have you found them in any way interfering with the performance of police duties?—No. In fact, I think that in out-of-the-way places it is all the better for the constable, as he can see the district, if he has to serve summonses and so on. An objectionable feature in the extra work was the collection of the dox-tax, but the police do not get that tax in now.

113. Have you formed any opinion as to the desirability of the members of the Force exercising the electoral franchise?—I do not see why they should not have it, as well as others in the Government employ.

114. Have you ever found the exercise of the privilege bringing them under political influence to the prejudice of their duties as constables?—No. Before an election I always tell my men to use their votes, but to do no canvassing.

115. *Colonel Pitt.*] How often are the stations in your district visited by you?—Some of them I do not visit more than once or twice a year. The others I go to as often as possible. Some of the near stations are visited every two or three months.

116. *Colonel Hume.*] You have had considerable experience with the younger hands. What is your opinion as to the men who have come from the Permanent Artillery to the police?—Some of them were very good and some very bad. I think a more careful selection of the men should have been made. I would like to see all the men drilled before coming into the police.

117. Do you think the good predominated over the bad?—I think they were about equal.

118. How did you find their educational attainments?—Right enough.

119. What were their principal failings?—Some of them were addicted to drink, and others went about publichouses and talked to people in the streets, and so on. If I found a man off his beat I had him punished, but it was seldom that happened. If once cautioned, there was generally no complaint to be found with them afterwards.

120. I suppose that when the police were recruited from the Armed Constabulary, in the old days, some indifferent characters got into it?—No doubt. I heard of one man who was only 5 ft. 5½ in., and another 5 ft. 6 in., but they were the best men in the district. I allude to Berryman and Cavanagh.

121. But at the present time all the men you have are thoroughly efficient, and of good character?—Yes.

122. *The Chairman.*] Do you think it is necessary that the out-stations should be visited four times a year?—Yes.

123. Do you consider it necessary that the visits should be so frequent by an Inspector?—Either the Inspector or a sergeant in charge of a sub-district. I believe some of the out-stations should be in charge of a sergeant, who should keep one of the stations himself.

124. Would there be any practical difficulty in the way of putting a sergeant in charge of an out-station?—He would be useless except for that station alone, but if he had an assistant he could go and visit the whole of his sub-district and report to me.

125. Taking your own district, do you think it could be so subdivided that a sergeant and one man could be placed with advantage in charge of a sub-district?—Yes. It could be done in more than one place. At Gisborne a man is in charge of a sub-district. Men might also be placed at Tauranga and Dannevirke.

126. And if that were done it would relieve the Inspector of the duty of visiting the out-stations—how often?—Once every six months.

127. That would become practicable without interfering with the duties of the head office?—Yes.

128. *Colonel Pitt.*] Do you think there should be an age-limit at which men should retire from the service?—Not until the pension scheme is in force.

129. *Mr. Tunbridge.*] As to sending prisoners in charge of officers of boats, I would ask you if it was in your district that a Native prisoner escaped a couple of months ago?—No.

130. Did you hear about it?—No.

131. Do you think that sending prisoners in charge of officers of ships is a safe way of sending them?—I do not.

132. As regards the special promotion of Constable Norwood, who is your district clerk: was he specially promoted for the position he held, or for some other reason?—I think it was for attempting to save life in the breakers.

133. Not because he held the office of district clerk?—No.

134. Have you not found that the fact of a district clerk holding a constable's rank only has caused trouble with other constables and sergeants to whom he has sent orders?—I have not heard any of the men grumble about the orders sent by Constable Norwood.

135. Do you not remember the case at Woodville, about two months ago, where Constable Williams took exception to orders given by another Constable?—Yes, just so; but in that case my signature was given.

136. But the order went out from the district clerk?—Yes.

137. Should not the officer who is left in charge of the district hold rank above that of constable?—I think so. It is my opinion and my wish.

138. I do not think you make it quite clear about the duties of your district clerk while you are away. As a matter of fact, he is left in charge, is he not?—Yes.
139. To fill your place when you are away?—Yes.
140. He minutes up correspondence with directions?—Yes, as I would do myself.
141. Are not those minutes orders to other men?—Yes.
142. Then, he is giving orders to other men?—Yes, in that way he is.
143. *Colonel Pitt.*] Does he sign for the Inspector?—Yes.
144. *Mr. Tunbridge.*] And if anything arises in Napier he would give an order in the same way to the sergeant?—Yes.
145. What you meant to convey to us was that he would not interfere with the sergeant's duties in dealing with the men in the town?—Yes.
146. *Colonel Hume.*] You think that the officer taking charge during your absence should hold the rank of sergeant?—I do not think anything of the sort.
147. Do you not consider that the officer performing your duties should have the rank of sergeant?—I do think so.
148. Well, when you go away why do you not hand over your duties to the sergeant you have, instead of to the district clerk?—It is optional with me to whom I leave the charge of the district.
149. You think a sergeant should take charge of your office while you are away, yet you do not employ the sergeant you have in that way when you go away?—The duty of the sergeant is to look after the town. I always leave in charge the man I have always left. He is the man I have confidence in, and understands the work of the office as well as I do myself.
150. Would he not understand the work as well if under the sergeant while you are away?—I do not know. He has never been put in that position.
151. *Witness :* My solicitor reminds me that I should say that since I have been here I have stamped out all the brothels and all the spielers in Hawke's Bay. It was reported that Hastings was the worst place in the colony for spielers. It is seldom, however, that a man of that class is found there now. The officers of the club point out these men to the police, and I have them sent away or prosecuted.
152. *Colonel Hume.*] There used to be a great many in Hastings?—Yes. They were at the racecourse, but they were always turned off.
153. About six or eight months ago there were a good many there, were there not?—No, there have not been many for years. It is seldom they come to the district, although they may come to Woodville.
154. For the last two years, then, Hastings has been clear of spielers?—I think so. The men would come to Napier, but they were watched, and were not allowed to go on the course.
155. *Mr. Taylor.*] Your statement, then, that you had stamped out the spielers was not quite accurate? You qualify it now, and say it is seldom they come?—On the racecourse there are none. My men and myself go to the course early, and we go round with the secretary of the club and turn off any spiler.
156. How long have you followed that practice?—For years.
157. For three years?—I should say for more.
158. What year was it that you gave up owning racehorses yourself?—My son had racehorses.
159. What was the year that you gave up owning racehorses yourself?—About eighteen years ago.
160. Since you gave it up yourself?—My sons were the owners of the horses, not myself.
161. What police-stable did your son stable the horses in?—Sometimes at Greymouth, with permission.
162. From whom?—I could not say, but I had permission. Sometimes it was at one stable and sometimes at another. I got permission to use the stable if I kept it in order. That was in the provincial days, and I had the sanction of the Superintendent.
163. Did you not say just now that you could not remember from whom you got permission?—I was not thinking of the matter when I said that, but I know the Superintendent had no objection to my using the stable if I kept it in order. My sons rode the horses and raced them.
164. Did they own the horses or did you?—They were the reputed owners.
165. Were you not the actual owner of certain horses?—I do not think I should tell you that. If I did anything illegal with the horses you might ask me about that.
166. Who was the Superintendent?—Mr. A. P. Seymour.
167. Is he alive now?—I think so; I hope he is.
168. Would you get verbal or written permission?—I cannot tell you, it is so long ago.
169. Did you not own racehorses eleven years ago?—Not to my knowledge.
170. When you left the Coast in 1888 or 1889, did you own horses?—My son owned them; he is in Invercargill now.
171. They were the nominal owners up to the time of your leaving the Coast?—I think so.
172. How did you stamp out the brothels in Napier?—By giving orders to the police serving under me to lay informations.
173. How many informations have been laid?—A good many. Detectives Kirby and Chrystal went for those kind of people as soon as they saw them in the town and got them to leave.
174. Did you lay informations in the Court?—Not against those who went away,
175. Did you condone the offence?—Condone the offence! What offence was it to come into the town just as you would do?
176. But did they not reside in the town?—They did no harm.
177. None of the brothels were here, then, for more than a day or two?—I believe they were here for longer than that before I came.

178. But not since?—Not to my knowledge. I gave the detectives instructions to look after those people.
179. Is there not a brothel in Napier to-day?—Not that I know of. Perhaps you know it.
180. I may be able to enlighten you. You personally do not know of one?—No, I do not.
181. As to the spielers, what do you think is a spieler as opposed to an ordinary bookmaker?—We never interfere with the bookmakers.
182. What is the difference?—We stop the men who have tables on the course and the men who go about with the totalisator.
183. Can you remember the names of any of the spielers?—No.
184. Do you say you do not remember the names of any of the spielers who have frequented the Hastings Racecourse?—I might remember them if you brought them to my recollection.
185. Cannot you remember the name of one of them?—One was named Robinson.
186. What was his other name?—I do not know.
187. Have you not heard him called “Murrumbidgee”?—Yes.
188. Do you recollect Adams?—No.
189. Give us the names of others?—That is all I recollect.
190. Did you warn Robinson off the course?—He was warned off the course.
191. Did you warn him off the course?—It was either myself or my men.
192. Are you sure that either yourself or your men ordered him off?—I am very certain.
193. Do you remember a spieler named John Martin?—No.
194. Do you remember being at the Woodville races during the last three years?—Yes; I recollect meeting a namesake of yours there.
195. Was he a spieler?—He was associating with them all the morning. He told us he had lost £3.
196. With whom was he associating?—Spielers.
197. How do you know they were spielers?—He told us he had given £3 to two spielers to put on the totalisator for him and that they had given him no satisfaction after the race was run.
198. He was associating with spielers all the morning?—Yes.
199. How do you know that?—He said so. He said he had given the money to the spielers, and no doubt he must have been associating with them.
200. Did you see the spielers on the course?—Yes; there were about a hundred of them.
201. And yet you say you had cleared them off?—I took two of them to the station, and on my way there your namesake came up to me and asked me to hear the facts of his case.
202. Was there anybody with you?—A gentleman named Wilson, who is an insurance agent, I think. Next day the two spielers were defended by a solicitor, but both were punished.
203. In your official capacity have you ever had any transactions with Mr. Wilson?—No.
204. Did you not prosecute him for arson?—No. He was the owner of the hotel at Palmerston North when I knew him first.
205. Now, to come back to Hastings. When were you there last?—About six weeks ago.
206. Were there races on then?—I was at the last races at Hastings.
207. On the course?—Yes.
208. Were there any spielers there?—None that I saw.
209. When were you there before that?—I go to every race-meeting, also to the Park, as it is my duty to go.
210. Were you there just before December, 1896?—I cannot tell.
211. To assist your memory, I may say that the general election was in 1896. Were you there just before that?—I dare say I was.
212. Can you remember being there when the Premier was there?—Yes. I was there at one time when the Premier was there.
213. Where did you stay?—I think I always stayed at the Hastings Hotel.
214. Who keeps it?—Mr. O'Reilly.
215. How long do you generally stay at Hastings?—Sometimes a day or two.
216. What would keep you for a day or two?—Sometimes I stop there at night instead of coming home and going back in the morning.
217. Would the inspection take you two days?—I was attending the race-meeting on one day.
218. But it was not at a race-meeting when you were there with Mr. Seddon?—I might have been there on duty.
219. For two days?—I cannot say how long.
220. Would it take you two days to inspect the Hastings Station?—Sometimes I go to Hastings and from there to other stations.
221. What other station would you go to?—To Woodville, or Dannevirke, or Waipawa.
222. And would it take you two days to inspect the Hastings Station?—I might have other duty to do.
223. What other duty?—Frequently I have gone to the country.
224. Would you not attend to the country business in the township?—No.
225. Then, what could keep you in town for two days?—I cannot tell you anything about it.
226. Then, you say you know of two “tote” shops in Napier?—There are two reputed “tote” shops.
227. Where are they?—In the town.
228. Does Eagleton keep one?—Yes, that is one.
229. Does Smythe keep the other?—Yes. They are reputed “tote” shops.
230. What steps have you taken?—I have given orders to the police to look after them, and to take proceedings if possible.
231. What kind of proceedings?—Lay an information and prosecute under the Gaming and Lotteries Act.

232. Have any prosecutions followed?—No.
233. Do you think it is to the credit of the police that no convictions have been obtained?—The shops have been looked after, and the police have had instructions to put down anything illegal in connection with them.
234. Have you ever had a complaint about them?—Very seldom.
235. What complaints have you had about them?—I do not see why I should tell you.
236. I want to know?—I have been in the shops myself, and I have seen that there was nothing that the police could take action upon.
237. Did you expect to find everything on the surface?—I had no warrant.
238. Could you not have got one?—I applied for one once, and it was not granted.
239. To whom did you apply?—To the Magistrate. I think it was Mr. Turnbull. I sent the detective for it.
240. What detective?—Detective Chrystal.
241. Was that as the result of the complaint made to you?—I think so.
242. Who made the complaint?—I do not know.
243. Have you a record of the complaints?—No.
244. No record?—I do not think there was any.
245. If I went to you and complained that I had been to one of the shops and that I had invested money, would you take it down in writing or would you take my verbal statement?—I would take it down in writing.
246. You say that occasionally charges have been made?—I heard it was likely that they were carrying on the game, and I told the detective to go and get a warrant.
247. Whom did you hear it from?—Probably from the detective himself.
248. Are you perfectly certain the warrant was refused?—I think I told you so. The detective stated so to me.
249. Did you make further inquiries as to why it was refused?—No.
250. Do you not consider that that was a lapse of duty on your part?—I do not think so.
251. You say you have been in the shops yourself. What took place?—I saw only people on business, getting their hair cut or getting shaved. I have gone in myself to get my hair cut.
252. Have you made inquiries as to whether they were laying "tote" odds?—Not likely. I could see there was nothing carried on while I was there.
253. Now, can you give me the names of other constables who were unfit for stations to which they were sent?—I gave the name of Coughlan.
254. And you do not remember a second?—No.
255. Where is Coughlan?—At Clive.
256. Has he been in the Wairoa district?—Yes.
257. Until when?—Until recently.
258. How far is Clive from Napier?—About four miles.
259. What was his defect?—He was not a good penman.
260. Was that the only defect?—That was all. I thought he was not smart enough to be Clerk of the Court.
261. In regard to the Permanent Artillerymen, you say some were addicted to drink. What did you do with them?—I reported them, and in some cases recommended their dismissal. Some of them were suspended by me.
262. Whom did you recommend for dismissal?—I could tell you from the books. I did not dismiss the men myself. I reported them, and sent my recommendation to the Commissioner.
263. Do you remember an inquiry into a charge against a constable at Hastings for drunkenness this year?—Yes.
264. Did you inquire into that?—Yes.
265. Did you recommend him for dismissal?—I suspended him, and, I think, recommended him for dismissal.
266. On the first charge?—I inquired into it, and sent my report to the Commissioner. There was an inquiry, which is in writing. The man was suspended, but continued drinking; and he was in the same state when he was dismissed.
267. I want to know what was your verdict as a result of your first inquiry into the man's conduct?—I sent the evidence to the Commissioner.
268. The charge was not proved?—It was not proved.
269. Have you the evidence, then, taken in Napier now?—I do not know.
270. Was there evidence taken?—Of course there was.
271. In writing?—Yes.
272. What has become of it?—You will get full records in my office of the whole affair.
273. Did you conduct the second inquiry?—I went to Hastings a second time when I heard that the man was still drinking, and I found that that was the case, and I then thought he was not a reliable man to be in the service.
274. What time elapsed between the two charges?—It was very short.
275. Did you think he was not a reliable man on the second occasion?—I thought so.
276. Had you more evidence that time?—I had the evidence from the constable in charge.
277. Had you no evidence on the first occasion from the constable in charge?—Certainly.
278. Then, you had the same evidence on the second occasion as you had on the first?—I had a little more.
279. As Inspector of licensed houses, do you ever visit the houses yourself in Napier?—Often.
280. How often?—Frequently.
281. What time in the day?—At different times. I go sometimes at night and sometimes in the day.

282. Do you visit them all in the course of a year?—Yes, more than once.
283. And what kind of inspection do you give them?—I go round to see that they are well conducted.
284. Do you ever take refreshments there?—I do not think that is a question to ask me.
285. I ask you the question again?—Not to my knowledge. I have often been asked to drink, but have generally said No.
286. You have generally said, No?—I am not a teetotaler.
287. You say you know of no case of political interference in connection with the Force?—I do not.
288. You have never used political influence yourself?—What for?
289. To gain an advantage in the Force?—Not to my knowledge.
290. What rule do you follow in regard to charges? If the charge is made that a criminal offence had been committed, would you undertake of your own motion to suppress it?—No.
291. Do you remember a case from Tauranga; it was a report that a criminal offence had been committed there within the last year?—No.
292. Who is the constable at Tauranga?—Sergeant Murray.
293. Who was there previously?—Bern.
294. Was a man named Sharp never there?—Not to my knowledge.
295. Where is Sharp stationed?—Goodness knows. I do not know.
296. Was Bern there in the latter part of last year?—I think so.
297. Did he report to you that evidence had been elicited in a Court case there in regard to a case of attempted abortion?—I do not think he did.
298. Would the record be in your office?—Yes, if it came.
299. Do you know a chemist in Tauranga named Hoyte?—Yes.
300. How long have you known him?—A good many years.
301. Twenty years?—About sixteen years or more.
302. Are you pretty friendly with him?—Just as I might be with any one else in the town.
303. Cannot you remember whether or not you received a report from your officer that a certain offence had been elicited in the Court in regard to an attempted abortion case?—I cannot remember that.
304. Was a charge made against a person in this town within the last few months for keeping a brothel?—Not that I know of.
305. Was a charge not made and then withdrawn?—Not that I am aware of.
306. Do you not remember the case of a woman in which an information was laid on Constable O'Brien's evidence and a case against certain men for frequenting the brothel?—I think she got notice to leave the town, and did so.
307. Was the information against her for keeping a brothel not actually instituted?—I cannot say.
308. Will there be a record of it?—Yes.
309. *Mr. Tunbridge.*] Is this the evidence you took at Hastings in connection with the complaint against ex-Constable Potter?—Yes.
310. Does that contain the whole of the evidence you took?—Yes.
311. Have you taken any other evidence in connection with the case at any inquiry whatever other than that which you now produce?—Not that I know of.
312. Inspector Emerson's report is dated the 11th February, 1898, and is as follows: "The Commissioner.—In consequence of a complaint made to me by a Justice of the Peace, of Hastings, I proceeded to Hastings on the 6th instant, and obtained a statement from the barman of the Carlton Club Hotel to the same effect as mentioned in my memorandum to Constable Smith, forwarded herewith. I also received complaints, from the licensees of the Hastings and Railway Hotels respectively, that Constable Potter made it a habit of going into their hotels in uniform and obtaining liquor from them without payment. It will be seen that the constable denied the charges, and at an inquiry I held at Hastings yesterday the witnesses modified their statements to a very great extent. As this constable came here from Auckland under unfavourable circumstances, with your directions for me to report on his conduct in six months' time, I forward you these papers for your information. I would suggest that Constable Potter be transferred back to the Permanent Militia, as he does not appear altogether a suitable man for police-work." That is the report on the first charge?—Yes.
313. And on that I ordered that the man should resign?—Yes.
314. Subsequently the man, while under suspension, was discovered by Constable Smith, who was in charge of Hastings, to be under the influence of drink?—Yes.
315. That was reported to me, and on that I dismissed the man?—Yes. I suspended him, after making inquiry. I found he was still drinking, and I suspended him, and reported him to the Commissioner.
316. On the 21st February did you telegraph to me as follows: "*Re* resignation tendered by Constable Potter, forwarded you on Friday last: On Saturday Constable Potter again absented himself from duty without leave, and came on duty at 9 p.m. under the influence of liquor. On receiving this complaint from Constable Smith by telephone I immediately suspended Constable Potter, pending your instructions"?—Yes.
317. Is this a copy of a telegram you received from me: "22nd February, 1898.—Inspector Emerson, Napier.—*Re* Constable Potter: Please let me have evidence bearing on the constable's conduct on 18th instant, before receipt of which I am unable to deal with his case. In the meantime he will remain suspended.—J. B. TUNBRIDGE"?—Yes.
318. On the 25th February you wired to me in these terms that the constable pleaded guilty: 'Constable Potter's statement pleading guilty to charge on 19th instant will reach you to-night'?—Yes.

319. And on the receipt of that I replied, on the 26th, "Constable Potter is dismissed the Force, with pay up to and for 19th instant. Let me know name of constable you recommend to succeed Potter at Hastings"?—Yes.

320. Is that the history of the case?—Yes.

321. *Mr. Taylor.*] Who made the complaint against this man at Hastings?—Constable Smith.

322. He reported the whole matter to you?—Yes.

323. *Mr. Tunbridge.*] Do you now produce reports bearing on the matter that occurred at Tauranga?—Yes.

324. You have reports from Constable Bern?—Yes.

325. I believe those reports contained a suggestion that a female had been supplied with medicines with the object of procuring abortion. Is that so?—That is so.

326. And did the district clerk here, in your absence, refer the reports and one of the bottles of medicine still in existence to a medical gentleman?—Yes.

327. *The Chairman.*] Was any inquiry made into the allegation?—Yes.

328. *Mr. Tunbridge.*] Did the doctor say that, so far as he could ascertain, the mixture contained in the bottle was not of that class that would bring on a miscarriage?—Yes.

329. It was considered there was not sufficient evidence to support a charge?—Yes.

330. The matter was never submitted to Wellington?—No.

331. Nor did you personally have anything to do with it?—No; I was away in the district at the time.

332. *The Chairman.*] Who expressed the opinion that there was not sufficient evidence to support a charge?—Constable Bern, of Tauranga.

THOMAS JOHN O'BRIEN, examined on oath.

333. *The Chairman.*] What rank do you hold in the Force?—Third-class constable, stationed at Napier.

334. When did you join?—About three years ago. I was sworn in at Auckland.

335. Where were you first stationed?—At Auckland. I then went to Coromandel, and from there to Hastings, and from Hastings to Napier, where I have been stationed about six months.

336. What is the matter you wish to bring before us?—On the 29th July, 1897, I was shipwrecked on the "Tasmania." I lost £80 16s. worth of my belongings, in clothing principally, and in jewellery and one thing and another.

337. Are you a single man?—Yes. I applied to the department for compensation for my loss.

338. What were you doing on the "Tasmania"?—I was on transfer from Coromandel to Hastings. I got no compensation from the department.

339. Were you ordered to proceed by the "Tasmania"?—By the first boat, which was the "Tasmania." I got the order from Inspector Hickson by telegram.

340. Had you any correspondence with the department in connection with the application?—Yes. I received replies through the Inspector from Colonel Hume. I saw the correspondence that was forwarded to him, and as soon as I had read it I sent it back to Inspector Emerson's office.

341. *Colonel Pitt.*] What reason was given for not allowing you anything?—If I remember rightly, Colonel Hume said I should have had my personal effects insured, that if a constable thought fit to drag about the country eighty pounds' worth of property he should have it insured, and, further, that there was a probability of the Tasmania being brought to light, and that my belongings might be saved. I would like the Commissioners to look at the correspondence on the matter.

342. What grounds did you urge why the department should pay you?—I did not point out the case very clearly in my correspondence to Colonel Hume, as I did not wish to brag about what I had done on the steamer. As a matter of fact, I was the last man to leave the boat, except the captain. My grounds were (1) that I was on duty although I was on transfer, and (2) I considered that I should have been paid, at any rate, for my uniform.

343. *The Chairman.*] Did you supply the department with a list of the articles you had lost?—Yes, I sent in a full list, also the value of them. I sent the list to the Inspector's office, asking that it should be forwarded to the Commissioner. Later on I applied for reconsideration of my case, and the application went before Commissioner Tunbridge. I pointed out that I had been rather harshly dealt with, and in reply to that the Commissioner said he sympathized with me upon my loss, but that he could not open a case that had already been decided by his predecessor.

344. You were about the last person to leave the ship?—Yes, except the captain. I was one of the first men to lower a boat from the vessel, and during all the time that all the people were running about trying to get into the boats I stood by the ladder and prevented them rushing in too fast, otherwise the ladder would have broken, and they would probably have been drowned.

345. Have you received any recognition in any way for your services?—I have not before this placed the matter before the department. From the shipping company I have received no recognition whatever of my services. I wrote to the purser of the boat some time ago asking him for a letter to explain my actions at the wreck, but I did not know his proper address, so I sent it to the office of the company in Sydney. He and I were the first to lower a boat.

346. *Colonel Pitt.*] Have you made any representation to the shipping company for recognition?—On the advice of a solicitor I did not. He said I had no claim on the company, and that therefore I would get nothing.

347. Was not the captain found in default?—Yes.

348. Had you any chance to save your effects?—I could have saved part of my effects, but I was taken up with other duties on the steamer. I could not have got my box.

349. *Colonel Hume.*] Under what Act or regulation do you make this claim?—I do not think there is any Act or regulation applying to it. I bring it before the Commission now as a last resource.

350. Did any one on the boat beside the purser know that you were a constable?—I suppose there were a few. The purser was the only one I knew personally.

351. I suppose other passengers helped to lower boats?—No; I do not think there was another. The crew helped.

352. There was another constable on board, was there not?—Yes, but he took no part in lowering the boat.

353. What did he do?—He was looking after the little girl Dampier, the violinist. He knew her, and she asked him to look after her.

354. And the captain did not know that you were a constable, although he and you were the last to leave the ship?—I did not make myself known to him.

355. Could you not have insured your effects?—It would have taken me all my time. I had only two days' notice. I think I got the notice on a Saturday, and I had to leave on the Monday morning.

356. If you had had a fortnight, would you have insured them?—I do not think I would.

357. It was principally wearing apparel that you lost?—Yes.

358. You had a violin too?—Yes; worth £10.

359. But you did not think it was worth insuring it?—I did not insure it, anyhow.

360. Do you consider that the duty you performed on the ship prevented you from saving any of your things?—It prevented me from saving the violin and some things I had in a bag below.

361. You seem to have made this claim in the hope that you might get compensation for your uniform?—Whatever compensation the department thought fit. I really expected fair compensation for my loss.

362. Did you expect to get £10 for the violin?—I would not have put the violin in at all if I had not been advised by a friend to do it. It was to show my total loss that I put it in.

363. You never thought of getting a line from the captain to show that you had performed what might be called police duties at the wreck?—I did not think it was necessary. I did not wish to brag about myself, but since I decided to bring the matter before the Commission I wrote to the purser, care of Huddart, Parker, and Co., Sydney, but whether he got the letter or not I could not say. I have had no reply.

364. Did the other constable get any compensation?—I do not think he applied.

365. You sent in a claim for £80 16s. in the hope that you might get some little compensation?—I put in my list the whole loss, but I did not expect to get the full amount, and it is ridiculous to think I did. I thought, however, that I would get fair compensation. I have been shifted about a good deal, too—from Auckland to Coromandel, from Coromandel to Hastings, and from Hastings to Napier, all in three years.

366. Do you consider that is a hardship on a single man?—I cannot say that. I may say I did not use any political influence in my favour at any time, although I have a little that I might have used.

367. Well, I understand you are now making it a grievance that you have been shifted so often?—I do not care if I am shifted every day. What I am doing now is laying the matter of my loss on the boat before the Commission.

368. *Mr. Taylor.*] So far as your experience goes, has there been a feeling in the Force that political influence has been used pretty extensively?—There has been that feeling.

369. Was any reason given for your frequent removals?—None whatever.

370. Have you been active in the enforcement of the licensing-laws?—I have been active in the enforcement of all laws.

371. Has it been suggested to you that there has been any special reason for your removals?—No.

372. How long have you been a constable?—For three years.

373. Have you instituted any prosecutions against licensed houses in that time?—Yes.

374. Where?—In Napier and in Auckland.

375. None in Coromandel?—No, nor in Hastings.

376. *Colonel Hume.*] You say there has been a general feeling that political influence has been used. What do you mean by that?—I have heard it said among the men that some of them could get shifted and that others could not, but personally I know nothing of such influence.

377. These men said they could get shifted?—I have heard them say that others could get shifted.

378. In what way—by using influence with a member of the House, with a minister of religion, or with whom?—I have not heard that said.

379. *Colonel Pitt.*] Were the values you put on the articles your own values, or were they valued by some one else?—They were what I considered the fair values myself. They were nearly all new things. For instance, I had two suits of clothes, which I had never worn, for which I paid £5 5s. each.

THOMAS JOHN O'BRIEN, further examined on oath.

380. *Mr. Taylor.*] Did you lay an information against Mrs. Mitchell, of Munroe Street, Napier, for keeping a brothel?—I did.

381. Was it in December last?—It was.

382. Was it on your own motion, or upon information collected by some other constable?—Information collected by myself.

383. Are you satisfied that your evidence was complete?—Yes.

384. What became of the case?—I heard no more about it.

385. *Colonel Pitt.*] You laid the information?—Yes.

386. And did it not come on in Court?—No.

387. *Mr. Taylor.*] That is really all you know about it?—I was told by Detective Chrystal that the case had been withdrawn.

388. Who withdrew it?—I think he said it was the Inspector.
389. Did you have an interview with men who were said to have frequented the house?—I spoke to some who had been seen about it.
390. Did you induce any of them to go in?—No.
391. Did you suggest that they should go in?—No, I did not.
392. Did you know either of the men you were talking to?—They both belonged to Hastings.
393. What conversation did you have with them?—They asked me if I could put them on to a woman, as far as I can recollect.
394. What did you say?—I told them No.
395. Then you had a general conversation?—No. They said to me, "Oh, you know right enough." Policemen are generally asked about that sort of thing. In Auckland hundreds have asked me the way to brothels.
396. Did you mention Mrs. Mitchell's house or not?—I do not know whether I mentioned it to them or whether they mentioned it to me. It occurred last December.
397. Did they go in?—Yes, and I saw them come out.
398. Did you wait outside while they were in?—Yes.
399. What happened after they came out?—I asked them how they got on inside, and they told me.
400. Is that the information on which you based your case?—Yes.
401. Did you have intimation that the brothel had been noticed?—Sergeant Mitchell gave me a letter signed "A Mother," in which it was stated that there was a house of ill-fame in Munroe Street, and I made inquiries and located it. I watched it for a week or so, and I saw a good number of people go in, and others hanging about.
402. Do you know of other men visiting the house?—I have seen them go there, but when I have spoken to them they have denied it.
403. Were there children in the house?—Yes.
404. What ages?—The woman had a family of six, whose ages were respectively seven, eight, eleven, thirteen, fifteen, sixteen. There were three boys and three girls. One of the boys was adopted.
405. Was this matter not the subject of an interview between yourself and the Inspector later on?—No.
406. Were you not interviewed by any of your superiors as to the methods you had taken to get information from those two men from Hastings?—No. I put my reports before Sergeant Mitchell.
407. *The Chairman.*] Did he rebuke you in any way?—No. It was under his instructions that I made the inquiries.
408. *Colonel Pitt.*] Was this house disorderly?—In the letter signed "A Mother" it was so reported, but I have no knowledge of that.
409. From your observation in the neighbourhood was there any noise?—No.
410. *Mr. Taylor.*] Is this your report?—Yes.
411. The prosecution was based on the information contained in that report as well as the evidence of the Hastings men?—Yes; but the evidence of those men was of no value.
412. Did you discover that cabs frequented the house and remained outside for a time?—Yes.
413. And that two girls came up by the express and went to the house?—Yes.
414. In your report you say that Mr. Scoble, Mrs. Mitchell's neighbour, states that "on the night of the town and suburban races he came home at 11.30. There was then a cab with two grey horses drawn up aloftside the footpath, and directly opposite Mrs. Mitchell's house. The lights of this cab were out. At right angles to Mrs. Mitchell's house, and about five chains distant, another cab with one grey horse attached was grazing on the side of the road. Mrs. Scoble informed me that two girls arrived by the express train from the south on Tuesday last." Did you take steps to verify those statements?—No.
415. You considered the statements reliable?—Yes.
416. *The Chairman.*] Was there anything remarkable in the fact of two girls arriving?—No.
417. *Mr. Taylor.*] From what you knew of the character of the house, what would you have judged about the two girls going there?—At the time I knew nothing of the character of the house, only from what I had heard.
418. And from what you heard afterwards what would you say?—Well, she carried on in such a quiet manner that I could see nothing against her.
419. *The Chairman.*] Did you know the two girls?—No.
420. Where did they come from?—From Palmerston North.
421. *Colonel Pitt.*] Did you make no inquiries yourself as to why the information was withdrawn?—No. Detective Chrystal told me, "That information is withdrawn," and I said no more.
422. *Mr. Tunbridge.*] Do you know that the woman left the town immediately?—Yes.
423. And has not been back since?—I have not seen her in the town since she left.
424. *Mr. Taylor.*] Where did she go to?—Palmerston North.
425. *The Chairman.*] Do you say you do not know anything of the circumstances which led to the withdrawal of the information?—I do not.
426. *Mr. Taylor.*] Before you laid the information Mrs. Mitchell admitted that these two men had been to her house for immoral purposes?—Yes; on the service of the summons she admitted it.
427. *The Chairman.*] Was that before the case was withdrawn?—It was on the day I served her with the summons.
428. Do you say you knew the men?—I knew one of them.
429. And they asked you if you could put them on to a woman, and you told them about Mrs. Mitchell's house?—They asked me if I could recommend a house, and I said I could not. They

kept at me for a time, saying a policeman was supposed to know that sort of thing, and I am not sure whether they said, "Do you know Mrs. Mitchell's place?" or whether I showed them Mrs. Mitchell's house.

430. Are you sure they told you what took place in the house and that Mrs. Mitchell also told you?—What they told to me I stated to Mrs. Mitchell. When I served her with the summons I told her I saw the men go in, and that I had spoken to them after they came out. I said, "It is a positive truth, is it not?" and she commenced to cry and said it was.

431. Is that a legitimate way for a constable to approach an accused person?—I think that under the circumstances it was fair enough. The conversation was brought about by Mrs. Mitchell asking how I came to serve the summons.

432. *Mr. Tunbridge.*] You say that people usually go to constables about a matter of this kind?—Yes.

433. Do you know of any other case of the kind?—I have been asked numbers of times in Auckland.

434. Do you know of any other policeman being asked?—They have told me so.

435. That people who want to discover an immoral house ask a policeman?—They ask the police if they know where these women live.

436. And you have been kind enough to tell these men?—No. I have treated them harshly when they have asked me anything like that.

437. When you have knowledge of these kinds of places existing, have you reported them?—Yes, in all cases.

438. Any knowledge you have had respecting a brothel you have made known to your superiors?—Yes, at once.

439. Do you know of your own knowledge whether action has been taken or not?—I would state the amount of evidence I had, and sometimes I would get a reply that there was not sufficient evidence. That was in Auckland. In some of the cases I brought there the accused were fined £5 or £10.

440. Prosecutions have ensued on the reports you have given?—Yes.

441. You do not wish it to be implied that you have kept knowledge of these places in your mind to impart to any one in the street?—No.

442. And this is the only case in which you have given information as to the locality of a brothel?—Yes.

443. *The Chairman.*] One of the men was acquainted with you?—Yes.

444. Did he apply to you as a personal friend or as a constable?—I thought he came to me as a constable. He did not know who I was until he got up to me.

445. Prior to this had you reported this matter to the Inspector?—No; but I had to Sergeant Mitchell, as a result of the letter signed "A Mother." He then instructed me what to do in the matter.

JOHN EMERSON, examined on oath.

446. *Witness:* Mrs. Mitchell's case was reported to me, and I ordered that an information should be laid against her, but two barristers in Napier came to me and said that up to that time she had been very respectable, and they asked me to give her a chance to go away. They said, too, that she was going off to Wanganui next morning. I said, "Very well." I always like to give these people an opportunity to leave the place. It was also pointed out to me that she had a lot of children, and that to bring the case on would only expose her, and that it would be better to let her go without exposure. I then said, "Very well; let her go."

447. *Mr. Taylor.*] Will you swear that these solicitors did not tell you how the evidence was obtained from the Hastings men?—They did not.

448. Did they not say that if the case was gone on with they would make a public scandal of it for your men?—No.

449. Do you withdraw many informations?—Sometimes we have to, but on this occasion I thought it was only right, as there was nothing against the woman before, to give her a chance of leaving. If I wished to get any one of that sort out of town I would give them notice, and let them go.

450. Even after an information is laid?—No; I did not say so. I may say that the barristers were Mr. Cornford and Mr. Lusk.

451. On whose behalf did they come?—They simply said it would be far better to let her go than to expose her.

452. Did they not say that one of your men had induced the two men to go to the brothel?—No. They are in the town here, and you can ask them.

453. Did you not try to get the children away from the house?—They all went away from the town the next morning.

454. Is it not your duty to have children in a house like that removed to a reformatory?—I only knew about the case the night before she went away, and the next day she went to Wanganui.

455. Was it not to Palmerston?—I was told it was to Wanganui.

456. And on whose behalf did these solicitors see you?—They said to me that instead of exposing the woman it would be better to let her go. She had been given notice to quit, and that night had everything packed up, and I then said, "Very well, let her go."

457. Is that all that passed?—I do not recollect anything else. Mr. Cornford is not a gentleman of many words, but I think he is a very moral man.

458. Did they come together?—I would not be certain.

459. Did they come separately?—I do not know, but I know my decision was to let her go.

460. Would you not regard it as your duty to remove children from a home of that description?—Yes; but it was reported that she was respectable, and that the children were the same, and I was satisfied she was respectable before she came here.

461. Who reported that to you?—I do not know, but I think it was Mr. Cornford.

462. Did you see a report dated the 2nd December from F. Bishop, of Palmerston North, in respect to this woman?—I do not think so.

463. Do you remember a report from Palmerston North bearing on her character?—I do not.

464. The summons to the woman is dated the 15th December, 1897. Now, had you seen the report from Palmerston of the 2nd December when you withdrew the information?—I do not know. I do not think I had seen it. I know that the barristers came to my office and said that as others had got the chance to go this woman should also have a chance.

465. Had you read Constable O'Brien's report of the 27th November?—Not to my knowledge.

466. Do you remember him saying, "Mr. Petherick informs me that he was acquainted with Mrs. Mitchell in Palmerston North, having lived in a house belonging to her in that town. He (Petherick) says that Mrs. Mitchell had a very bad name, and was, so he (Petherick) heard, keeping a very loose house. She was commonly looked on as a very shady character"?—I do not think I had any conversation with the constable.

467. It is not a conversation, but a report from him?—I do not think I saw it.

468. Did you not think it was your duty to look up documentary evidence?—I did not think there was anything of the sort. There was an information laid, and I thought it would be better to give her a chance of going away instead of prosecuting her.

469. You say you were satisfied she had lived a good life before she came here?—I was told that.

470. And did you not see these documents?—No.

471. *Mr. Cresswell.*] How long had she been living in the house?—About eighteen months, I was told. I did not know her house at all.

472. Do you know that she has a daughter well married in Napier?—Yes.

473. When the anonymous letter appeared in the paper, I think I interviewed you on behalf of the landlord of the place?—Yes.

474. And I gave Mrs. Mitchell notice to quit?—Yes.

475. She made arrangements to go to Wanganui?—Yes.

476. Her notice to quit expired between the service of the summons and the hearing?—Yes.

477. Did not the landlord and myself assure you that the landlord had been to the house and had seen the things packed up?—Yes.

478. And that she was ready to go?—Yes.

479. Had you any reason to suspect the house in any respect before that?—No.

480. As to the children—were they aware of the life their mother was leading?—I was told they were not.

481. She was never convicted of keeping a brothel or of being a prostitute?—No.

482. *Mr. Taylor.*] What anonymous letter appeared in the Press?—I did not see it.

483. You said just now that Mr. Cresswell saw you immediately after the anonymous letter that appeared in the Press?—He did see me about a letter that appeared in the Press.

484. Did you not show Mr. Cresswell the letter signed "A Mother"?—He came to my office about the same time as Mr. Cornford, and said the landlord had given the woman notice to quit.

485. *The Chairman.*] Did you see an anonymous letter in the paper about this house?—No.

486. *Mr. Taylor.*] Did Mr. Cresswell come to your place before or after the landlord?—I think it was the same day.

487. On whose account did he come?—He said the woman was ready to go.

488. Did you tell him what evidence you had?—No.

489. Did you consider that the evidence was sufficient to get a conviction upon?—I did not consider that; I only considered the request of the two barristers to let her go.

490. Have you ever before withdrawn a charge of this kind?—Not to my knowledge. I always gave them notice to go, and they went.

491. Is it your duty to abstain from prosecuting?—I think in that case it was better.

492. Does the law not say it is an offence to keep a house of this kind in the town?—Yes.

493. And on your own motion you undertook to suspend its operation?—I did; it was better to give her a chance of going than to expose her and her children.

494. *The Chairman.*] You consider that the moral welfare of the community is better served by keeping these cases out of the newspapers?—Decidedly.

495. *Colonel Pitt.*] Was the information called on in Court?—No.

496. You did not consult the Magistrate about it?—No.

497. But it would be called on and entered as withdrawn?—It was not called on.

498. *The Chairman.*] It would be entered in the books?—I do not think it was.

499. *Mr. Cresswell.*] Detective Chrystal used to take charge of the cases at that time?—Yes.

RODOLPH BLOFELD MATHIAS, examined on oath.

500. *The Chairman.*] There was an information laid by Constable O'Brien against Mrs. Mitchell about the 15th December, 1897. As Clerk of the Court, can you tell us what was the course followed in that case?—It was laid on the 14th.

501. Did the case come on for hearing?—No.

502. When and how was it withdrawn?—It was withdrawn on a date prior to the hearing. Mr. Lusk, Mr. Cornford, and Inspector Emerson came to the office and had an interview with the Magistrate, and on that the case was withdrawn. In the book it is in its proper place, and is entered up "Withdrawn, by leave of the Court." My note on the papers at the time was "Withdrawn, by leave of the Court, at the request of Inspector Emerson."

503. What was the date?—The case was to be heard on Monday, 20th December, and it was probably on the Friday or Saturday previously that the case was withdrawn.

504. *Mr. Tunbridge.*] Were you present when the conversation took place between the two legal gentlemen and the Magistrate?—For part of the time.

505. Did the gentlemen say whether they wished the summons to be withdrawn?—There was a general conversation, in which I understood that the woman was leaving the town and on that understanding, and on the request of Inspector Emerson, the Magistrate allowed the case to be withdrawn.

506. Was anything said as to the methods employed by the constable in obtaining the evidence?—Not while I was in the room.

507. Did either of the gentlemen represent to the Magistrate that they had been engaged by the two men who were to be called as witnesses to get the case settled?—I do not know. Part of the conversation took place before I was in the room, and then the Magistrate told me to get the papers, and I heard the balance of the conversation.

508. You heard no threat to create a scandal?—Nothing of that kind was said while I was in the room. Nothing was said about the method of getting the evidence.

ARTHUR HUME, examined on oath.

509. *Witness:* In giving my evidence in Wellington I stated that I ranked Hastings as the place where the greatest number of spielers were in the colony. My reason for doing that was that on the 10th February, 1896, the Town Clerk of Hastings wrote to the Defence Minister and forwarded the following resolution of the Borough Council, passed at a meeting held on the 6th of that month: "Having regard to the growth of this borough and the prevalence of larrikinism, this Council is of opinion that at least one more constable is urgently required; that a copy of this resolution be sent to the Defence Minister, and that he be respectfully requested to station a second constable in Hastings." I referred the letter to the Inspector, who says, "I am of opinion that Sergeant Mitchell and Constable O'Connor are quite sufficient for the requirements of Hastings, and the remarks I made on a similar application sent to you on October 4, 1894, are still applicable to the present request for more police." Consequently, another man was not sent. Then, on the 28th September, 1896, the Council wrote to the Inspector of Police at Napier, asking for additional police at Hastings. The Inspector sent the application to me, and said, "The population in the Hastings police district is rapidly increasing. It now totals 5,289 souls, and, owing to the large number of horse-training establishments in the neighbourhood, employing jockeys, stable-boys, &c., who as a rule require considerable attention from the police, I think the time has arrived for an additional constable being stationed there. The mounted constable has a big district to patrol, and Sergeant Mitchell's time will be very much taken up for some time to come in attending to work in connection with his appointment as Registrar of Electors. The racing season has now set in in this district, which usually attracts gangs of spielers and other undesirable classes, and I beg to strongly recommend that another constable be sent to Hastings as soon as possible." That was dated the 29th September, 1896. On the strength of that I tried to get Sergeant Mitchell relieved of the duties of Registrar of Electors, thinking that that might get over the difficulty. In December, 1896, the Town Clerk wrote again to the Inspector of Police: "I am directed to point out that the present Police Force of this district is not sufficient to preserve proper order, more especially at this time of the year, when larrikinism is unusually rife. I refer to the destruction of property and the annoyance caused to householders by gangs of larrikins parading the district on New Year's Eve, lifting gates off their hinges, throwing down out-houses, and committing other acts whereby great damage is caused to many residents of the town. As this nuisance extends over a wide area it is an utter impossibility for the two members of the Force to cope with it." On the 11th May, 1897, the Town Clerk wrote again to the Inspector of Police, saying, "It is impossible for two men to exercise proper supervision and control over the town," and he encloses an extract on the matter from a Hastings paper. He does not say anything about spielers on that occasion. A third constable was afterwards sent to Hastings, and there are three there now.

THURSDAY, 26TH MAY, 1898.

JOHN EMERSON, examined on oath.

1. *Colonel Hume.*] Do you remember in the month of July, 1895, there was a question of some cattle-stealing at Woodville?—Yes.

2. A man named Gower, a resident of Woodville, and a Constable Treanor were concerned in it, and when the constable went to arrest the man he found he was not there?—He had left.

3. It seemed, then, a summons had been taken out instead of a warrant?—Yes.

4. Can you explain what took place?—I understood that a warrant had been taken out in the first instance. I do not know how the Magistrate and constable arranged, but I think the Magistrate thought a summons would be sufficient. This man Gower was very well known at Woodville.

5. Do you remember at whose suggestion the warrant was not executed, but a summons was taken out?—I think, at the Magistrate's.

6. Do you remember the name of the Magistrate?—No, I cannot say.

7. Then the man got away?—Yes.

8. Was everything done after he got away to effect his arrest if possible?—I did everything in my power. All the men in the district were communicated with by telegram, and we did our utmost to have him apprehended, and kept up inquiries in the other colonies as well.

9. And other precautions were taken, I think?—Men were sent in all directions to look for him.
10. And the family and letters were watched?—Yes, in Woodville, and Palmerston North as well.
11. Then, so far as your knowledge goes, the constable acted on the advice of the Justice of the Peace?—Yes.
12. The matter was not referred to you?—No, not till afterwards—until the man had left.
13. And you had some intelligence, probably, of the way in which he got away?—Yes.
14. And you took steps to try and intercept him?—Yes.

JOHN BENNETT TUNBRIDGE, further examined on oath.

15. *Colonel Hume.*] The other day you suggested there should be some change in the enrolment of the candidates and the mode of procedure?—Yes.
16. You thought that all candidates should be brought to Wellington to pass an educational examination in reading, and writing from dictation, and arithmetic—say, the first four rules?—Yes.
17. Then, if they passed, would you take them on as probationers?—Yes.
18. Now, what is the alternative? Suppose they do not pass, what would you do with them?—They would have to go back, of course.
19. Suppose a man came from the Bay of Islands, or Stewart Island, and failed to pass, it would be rather hard on him, having come down to Wellington?—If a man knew the conditions under which he would be admitted to the service, and chose to take the risk, it would be his matter, and not a question for the authorities. It should be made known to the men clearly the conditions under which they would be appointed.
20. Would that not debar men who might be eligible from endeavouring to get into the Force?—No, I do not think so.
21. What objection would there be to taking educational standards? Suppose a man had passed the Fourth Standard, would that not satisfy the requirements?—No, I do not think it would, because a boy passes the educational standard when he is fourteen years of age. When he applies for enrolment in the police he, under the regulations I suggest, will be between twenty-one and thirty years of age, and may have forgotten the greater part of what he was taught in his youth.
22. Then, would you take them on at the age of twenty-one?—Not less than twenty-one.
23. Well, now, is not putting a man on the street at the age of twenty-one rather young when he has to act on his own responsibility?—Well, considering I was put on the street when a little over seventeen years of age, and that was in London, and no very serious mistake was made, I do not know that there is much risk in putting men on at twenty-one years of age.
24. Then, is twenty-one the minimum age in London now?—It is the minimum age that counts for a pension. A man may be taken on a little earlier, but his service does not count for a pension until he is twenty-one.
25. Then you recommend a lodging-allowance of 1s. a day for those who cannot be provided with quarters?—Yes; if over three years in the service.
26. Then, for the first three years they would not get a lodging-allowance?—No.
27. Would you have their quarters inspected?—Oh, yes, decidedly, if necessary.
28. Just the same as if they were Government quarters?—Yes; they should be open for inspection, and the department should have the right of inspection. I do not know that it should be exercised, but there should be that right given to the authorities to inspect the quarters, and then, if there was any suggestion that the men were not living in proper places, there would be the right to inspect the places.
29. Then, you would put these men on probation for three months?—Yes, while in the depot.
30. How would you manage in the case of married men?—They would have to live as single men while in the depot, and it would probably be to their interest that their wives and families should not move into Wellington, because it would be a question of whether or not they would ultimately be taken into the Force. They would be able to live in the depot at a very reduced rate, and I have no doubt 6s. a day would support their wives and families, or go a long way towards it.
31. You probably observed that, in my report, I recommended this depot system?—I believe you have.
32. I notice you did not make any recommendation as to district and Native constables?—I did not.
33. What is your idea about them?—Well, there are so few of them in the service, and they are at such remote places, that I do not think the matter requires any special recommendation. I look on district and Native constables as ordinary members of the community who are merely given the powers of a constable in case they are wanted. It is simply a money-saving makeshift arrangement.
34. So far as you have seen, you think they should be where they are?—Oh, yes, they fill a want. It would be a considerable expense to the department if a police-station were established at some of these very remote places.
35. Then, you recommend that men employed in plain-clothes duty should receive 1s. a day?—Yes.
36. How do you think these men ought to be selected for plain-clothes duty?—By the aptitude they may show for detective work.
37. By whom?—By the Inspector of the district; of course, they should be recommended by the Inspector, and approved of by the Commissioner of Police.
38. How long would you keep them on plain-clothes duty?—That would depend entirely on the vacancies that might occur in the ordinary detective branch, and, further, where the men showed such ability as to justify their inclusion in the detective branch proper.

39. Then, after a very short time your Detective Force would be selected entirely by Inspectors of districts?—I say the Inspectors would recommend, and the Commissioner would have the approval. Of course, the responsibility would rest on the Commissioner.

40. But the suggestion would come from the Inspectors?—Certainly.

41. *The Chairman.*] Do you think there ought to be any exceptional mode of appointment of men to the detective service? Do you think it essential they should pass through the other grades of the service?—Decidedly, for this reason: a man, as soon as he is appointed a police constable, is given the power of arrest, and consequently ought necessarily to have a knowledge of the law and the ordinary duties of the police; therefore, it is necessary he should, first of all, have some knowledge of police-work. There are cases, of course, where it is better to employ men who have never been in the ranks, but that is only in special cases, such as sly-grog selling and cases of that kind.

42. *Colonel Hume.*] Then, you recommend that leave should be cumulative up to twenty-eight days?—I do.

43. Would not that cause a great deal of inconvenience if you had to let two or three from the same district away at the same time for a month each?—There would be no “having to let them away”; you would let them away at your discretion. Under the present system, two or three men are never away from one station at one time.

44. In such cases they are only away for twelve days; but if it was a matter of twenty-eight days would it not cause inconvenience?—So far as any inconvenience is concerned, I think the inconvenience would be less, for this reason: on a man going away, we will assume for twelve days, a constable has to be sent, in many cases, from quite a distance, to relieve that man for the twelve days. Now, if that man allowed his leave to accumulate for three years, the constable who relieves him would simply have to make one journey to do so. So I think, taking it all round, the inconvenience would be less.

45. Then, you recommended that the Licensing Act should be altered in the same direction as I have previously recommended?—That is so.

46. Do you not think the term “*bonâ fide* traveller,” needs some new definition?—A “*bonâ fide* traveller” is a person who has slept three miles from the place where he wants to get a drink.

47. Do you consider that is sufficient?—I realise there would be very considerable difficulty in carrying out any alteration in that law. I may say New Zealand is not the only place where the difficulty is experienced. We have the same difficulty in England in reference to the licensing laws, and there are thousands of men who on a Sunday morning travel three miles for the express purpose of getting a drink; they comply with the letter of the law on the subject, and I do not see how it can be altered.

48. *Colonel Pitt.*] Has it not been decided that those who travel purposely for drink are liable under the Act?—There may have been some special case; but I know this abuse—that is what I call it—still goes on in England; and many houses in the suburbs of London do more trade with the so-called “*bonâ fide* traveller” on a Sunday than they do all the rest of the week.

49. *Colonel Hume.*] The publichouses are open twice on Sundays at Home, are they not?—Yes, in England.

50. Do you think that the difficulty of this Sunday trading might be got over by opening them here on the English system?—I would not recommend it.

51. Well, now, you suggest the police should have pensions?—Yes.

52. Well, now, why should the police have pensions more than any other branch of the service?—Will you mention any particular branch?

53. Take the Prisons Branch?—The police are exposed out of doors in all weathers, night and day: that is one reason. Another reason is that after a man has given twenty-five to thirty of the best years of his life to the service, and becomes unfit for hard work, I think it is right that he should expect something from the country. Policemen, if you wish to have an efficient Force, should retire at an earlier age than a man who is not liable to be called on to cope with a disorderly rough. The Police Force should consist of none but thoroughly able-bodied men, and unless you have a sort of pension system it is impossible to get rid of men when they attain the age which unfits them for active police-work. Therefore I think these men ought properly to have a pension. Another thing is that a policeman is subject to very great temptation from persons who wish to evade the law, and the prospect of a pension when approaching old age would certainly tend to keep a policeman honest. I think it will tend to that end, and deserves the most serious consideration. I know Police Forces where there is no pension system, and I know that as a rule they are the most corrupt of any of the Police Forces. The reason is that the men while in the Force endeavour to feather their nests by legitimate or illegitimate means. These remarks, of course, do not apply to this colony, but they do apply to some Forces I know.

54. Do not these reasons apply with equal force to the prison service?—No; warders, for instance, have not to perform night duty in the open air; they are not subject to the temptations of publicans and other people who wish to break the law. A prison warder has to perform a sort of routine duty, and nothing more; he is never brought into contact with the public; he has simply to deal with the prisoners, therefore he is not subjected to the same temptation as a policeman.

55. Would you be surprised to hear that a prison warder was offered £1,500 to let a prisoner go?—Just so; of course, there is a certain amount of temptation, but it is not a daily matter; the one you mention is an isolated case. You probably, throughout the whole of your long experience, only know of this one case. I take it that you and every one else knows that every hour a policeman is on duty he is subjected to temptation.

56. Then, you say that if the fines under the Licensing Act and the Gaming and Lotteries Act were put towards the pension fund the Government would not have to supply a very great sum?—I do not say that alone; I say, if the men contribute 4 per cent. If the fines under these Acts and the

emoluments now received by the police for outside work were paid into a pension fund, I do not think the Government would have to provide very much more than they now provide for compensation.

57. But, if these fines were paid to the pension fund would not the Justice Department have a shortage to the extent of all these fines?—Certainly; but the same system prevails in England. The police in a great measure are alone responsible for carrying out those particular laws, and therefore I think it is only just to the Force that the pension fund should get some benefit from the fines imposed, especially as we are looking round for the means to provide the necessary funds to meet what I consider is a very great want.

58. *Colonel Pitt.*] The Justice Department save a good deal of expense at the cost of the police?—Decidedly so.

59. *The Chairman.*] It becomes a charge on the State, but only under another name?—Exactly.

60. *Colonel Hume.*] Then, do you think it would be right and proper to make a man do extra work and then not pay him for it or pay him directly, by putting the emoluments into a pension fund?—You yourself stated that the men who perform the duty of Clerks of Court have very little else to do; therefore I do not consider a man is performing extra work. I consider a man who is doing eight hours' duty in a large town is doing very much more than a person who is acting as Clerk of Court, and I do not see why a man who is getting a soft job in the country stations should receive more pay than a man who is doing harder work on the streets.

61. If you found out that a man was doing work in his own hours—that is, over and above his eight hours per day—would you then perhaps be inclined to give him something for it?—Well, a policeman has no hours of his own; he is supposed to devote the whole of his time to the Force; and I do not think a man would have to work more than eight hours a day, except in exceptional cases, as in Stratford, where the Court-work is very heavy.

62. Then, the way to get over the difficulty in such places would be to appoint a civilian Clerk of Court?—Yes, that will come about without this; in one or two places civilian Clerks will have to be appointed.

63. *The Chairman.*] Do you realise that it is desirable that there should be an understanding with the Justice Department that when the amount of clerical work required of a Clerk of Court exceeds a certain number of plaintiffs it should cease to be performed by a constable?—Yes, or when the work becomes very heavy. I do not know about a hard-and-fast line as to any particular number of plaintiffs, but certainly a private Clerk should be appointed where it interferes very materially with the police duties. That is a matter more for the Stipendiary Magistrate to deal with than for me. I am not conversant with the work that has to be done by a Clerk of Court.

64. *Colonel Hume.*] Supposing a man rides about fourteen miles to serve a summons and has to swim a horse across a couple of creeks at, perhaps, the risk of his life, do you think the money he gets for that should go to a pension fund?—I have not dealt with the mileage work. Of course, where a man is out of pocket he has a right to have some compensation. I referred only to salaries and fees. He should be allowed to charge the whole of his out-of-pocket expenses.

65. Perhaps he risks his life by swimming a couple of rivers?—That is a contingency I do not think likely to arise, and does not require attention. I do not think a constable is very likely to risk his life for the sake of serving a summons.

66. At present, when a man leaves the Force through no fault of his own, he may, at the discretion of the Minister, receive twelve months' pay. Would not the difficulty be got over by paying the police on the same principle as is in force in the other branches of the Civil Service—namely, by giving him a month's pay for each year of service?—That would be an advance on the present system, but not nearly so good as a pension. At the present time a man leaving the service may risk the whole of his compensation in a business and lose it all, and then his family would have to suffer; the pension would be insured to him as long as he lives, unless he misconducted himself.

67. I think you have gone over a good many records of the service, and, from the way you have made yourself *au fait* with the work, do you think that the department has used its utmost endeavours to detect and suppress crime?—I do, with the means at its command.

68. In selecting detectives or acting-detectives to look after any particular case, would you be guided by their length of service?—No.

69. Would you take a man who had been only a week in the Force if you thought he was the best man?—I would not make that man a detective, decidedly; I would put him in plain clothes as a temporary measure. I may say it is pretty well understood that a detective is born and not made; if Nature has not endowed him with the necessary intelligence to become a detective, he never will become one.

70. Consequently, length of service would have very little weight?—It is necessary a man should have some police experience, because he requires a knowledge of law to guide him in exercising his power of arrest.

71. Then, in your experience, have you found any disorganization in the Force?—No. That, however, is rather a wide question. I have not found disorganization, but I think the Force is capable, if I may put it in that form, of a more perfect system of organization.

72. But you would not say that the Force is disorganized, or was disorganized?—No; I do not go so far as that. In my opinion it is capable of improvement. That is only my opinion.

73. Do you think that the number of offences committed by the members of the Force is excessive?—No.

74. How would they compare in proportion to the offences committed by the London police?—It would not be a fair comparison, because the conditions are altogether different here. This Force is more nearly approximate to the Constabulary Forces at Home. Of course, the percentage of

offences here in the New Zealand Force is very much lower than they would be at Home in London, but not so in reference to the Constabulary Forces.

75. I suppose you have found in your experience that complaints against constables and detectives in the Home-country are not altogether an unknown quantity?—Not by any means; I may say it is very difficult for an active police officer to go along without complaints of excessive zeal on the one hand, and, on the other hand, unless he is pretty active, there are complaints from those who wish to urge him on.

76. Now, do you believe in giving a man a second chance: for instance, the regulations say that if a constable is found drunk on duty he shall be dismissed?—I do not think the regulations demand that. The regulation gives the Commissioner the power of discretion.

77. You believe there should be that discretion?—Certainly.

78. You recommend the appointment of police surgeons at the four centres?—Yes, I recommend them wherever a sufficient number of men can be got together to be placed under a surgeon, I do not confine it to the four centres. If possible, I would have every man in the Police Force under a surgeon.

79. Then these police surgeons would be paid by the Government?—Yes.

80. And the men would get free attendance?—Yes.

81. And what about medicine?—And medicine, of course.

82. And what about their families?—No, they would have to provide their own medical attendant for their families. You will remember that I also said a small deduction should be made from their pay if we give them free medical attendance, so much per day when sick; it is the custom in most Forces I am acquainted with.

83. You are probably aware that a great many of these constables belong to friendly societies?—Yes.

84. Would it not interfere a good deal with that?—I do not see how.

85. Then there is that subject of Court orderlies. Are you in favour of police performing the duties of Court orderlies?—I do not see any objection to it.

86. Do you think it instructs a constable at all in his work as a constable?—Undoubtedly it does. It gives him a knowledge of Court work. What makes it of greater value in New Zealand is the fact that the men later on have to perform the duties of Clerks of Court. Speaking strictly from a police point of view I do not think a police-officer is very much benefited by this experience; but, considering that they have to perform the duties of Clerks of Court later on, it is a great advantage to them.

87. *The Chairman.*] In reference to your remark that district constables are a money-saving makeshift, do you apply that also to constables being employed as Clerks of Court?—No; I do not suggest that to be a makeshift. It is undoubtedly a very economical arrangement, and of very great advantage to the colony generally.

88. But with regard to police duties and the contact between the public and the constables?—There is no denying the fact that it does in a measure hamper police discipline, but I think the advantage accruing from the employment of these men is more than equal to the disadvantage in the way it acts on police discipline, and I do not see my way clear to recommend that the police should be relieved of that work.

89. Do you see any disadvantage in the community being brought into contact with a constable in his character as a police-officer and also in his character as Clerk of Court?—No; there may be an isolated case where a man may use the information he obtains in his capacity as Clerk of Court and bailiff improperly. Of course, there has been one questionable matter brought up before the Commission, but that is an isolated case; and, while it remains so isolated, I do not think it attacks the general principle, because you will find these isolated cases crop up in every condition of life.

90. *Colonel Hume.*] So far as economy is concerned, these Court orderlies are the reverse of that?—Well, the Court needs an orderly, and if a policeman is performing the work there is no necessity for a private individual to perform it.

91. Is it not a fact that you could get an outsider for half the money?—I do not think so. At the present time a labouring-man here is getting as much pay as a policeman, and I do not know that you would be able to get a man to perform the duties of Court orderly at very much less than an ordinary labourer gets. Then, again, there is another thing: a constable can be utilised for ordinary police-work in cases of emergency.

92. Have you found in your experience in the colony that many of the younger members of the Force are physically unfit to perform their duties?—No; not many.

93. Then, if an Inspector said he considered many of the men who had been appointed in his district were physically unfit you would think he would be exaggerating?—I think he would be speaking without mature consideration.

94. Supposing an Inspector said to you that he considered his men were deficient in the spirit of obedience and sense of duty, who would you blame for that?—Why, the Inspector himself, in a great measure.

95. Do you consider that Inspectors are given sufficient power at present?—Yes. I do not know that their power needs extending.

96. Well, since you have been out here have you seen anything in the Force that you consider would justify a member of the Legislature in saying that the whole of the Police Force is honey-combed with abuse?—I decline to pit my opinion against what any member of the Legislature may choose to say in the House of Representatives, but I will qualify it in this way: I am responsible for all I say, whereas a member of the Legislature, in a measure, is irresponsible.

97. Have you found many abuses existing in the Force?—I think the Force compares very favourably with other Forces I have been connected with and know of.

98. Do you consider drunkenness is rampant in the Force?—No, I do not consider it rampant; there are cases of drunkenness, of course. "Rampant," of course, is an expression that, as I said before, is used perhaps without very much consideration.

99. Do you think it possible that there are dozens of constables drunk every day in the Force in the colony?—I do not think that, certainly.

100. Then, do you consider the conduct of the Force is worse than any other section of the community?—Well, it would not be saying much for the Force if I said that, because I look upon it a man has no right to take any liberty when he becomes a policeman. It is his business to see the law is carried out, and he should be one of the very last to break it; and therefore it is no excuse for a policeman to say that he is no worse than other members of the community. A policeman, I take it, should be, if anything, a little better than other members of the community.

101. Now, I understand you do not think they are worse?—I do not; but I repeat that I do not think it is saying much for the Force if I do say so.

102. *Mr. Poynton.*] Do you think that, instead of sacrificing the whole of the emoluments now received by Clerks of Court in country places for the clerical work and other work they do, it would be better to give them a small portion of it?—I think the Justice Department should be asked to contribute a little more than they do at present. Where an officer on a station has a great deal of work to do in his capacity as Clerk of Court I think he should receive some little consideration, but in outlying stations, where there is very little police-work proper to do, I do not think they should receive any part of the money paid by the Justice Department.

103. Now, the work of a bailiff differs: a bailiff has to serve a summons, even if he has to make a dozen journeys, or he may have the good fortune to catch a man at the Courthouse door. Do you not think that, if we gave that man anything more than his out-of-pocket expenses, it would lead to carelessness?—No, I am familiar with similar duties which police on the outskirts of London perform. They act as summoning officers to the Petty Sessional District, and I have never known the duty to be neglected. It is accepted as part of the police duty, and as such the duty is not neglected. I certainly think the men should be paid all the money out of pocket.

104. If there is a drawback connected with these duties in relation to police discipline, do you think the knowledge obtained by the officer of the circumstances of the people in the locality, and also the knowledge of the country, is of advantage to him?—Undoubtedly it is, and a discreet officer would not attempt to use the knowledge he obtains in that way improperly. If he uses it properly it is an advantage, decidedly.

105. Do not you think the advantage almost sets off the disadvantage?—I think it more than sets it off. We have had only one case before this Commission in which an officer has been said to have used his knowledge improperly.

106. I am not speaking of a constable disclosing official secrets, but I mean, are not the drawbacks to a policeman in attending to these duties more than compensated for by the knowledge that he obtains?—I think so, decidedly.

107. *Colonel Pitt.*] In your recommendations about the pension fund, do you propose that bailiffs' fees should go to the pension fund?—Fees, as fees, Yes; but all the expenses out of pocket should be paid him, even if he has to go four or five times to serve a summons, because he would be out of pocket each time.

108. *Mr. Taylor.*] You said, in reply to Colonel Hume, that, so far as the means at their disposal went, the department has done pretty well in the detection of crime?—Yes.

109. What is the result of your investigation of the records of the department so far as political control of the department is concerned? Has it seemed to be pretty bad?—I have not discovered any political control since I have been here as Commissioner. I may say I have not had time to go through the whole of the departmental records.

110. I am speaking to the records you have searched, because, I take it, your answer had reference to what happened before you came here?—The records disclose nothing beyond the cases brought before this Commission. The records appear, on the face of them, to point to the fact that there has been some little interference occasionally by members of Parliament.

111. Do the records give any idea as to what the discipline of the Force has been in the past?—The defaulters' sheets show that.

112. What about other documents? Have you examined files in the office to any extent?—I have examined any papers that have been brought under my notice, but I have not looked at the files generally.

113. You have made no search of the departmental documents?—I have had no time.

114. Supposing Inspector Broham said many faults by constables had not been reported because the sergeants were afraid of political influence being used by the men so reported, would you contradict that statement?—I am not prepared to speak of anything that occurred before I came here, especially if it is not recorded on paper: how can I?

115. You have heard the men say that political influence in the Force was necessary in order to get promotions and transfers. You are not able to contend against that statement?—No; because it has not come within my knowledge.

116. *Colonel Hume.*] Would not Inspector Broham be grossly neglecting his duty if he allowed that sort of thing to pass?—Of course he would.

THOMAS HOPPER HUSTWICK, examined on oath.

117. *The Chairman.*] Where do you reside?—In Wellington.

118. What is your occupation?—I am an analytical chemist, and Inspector under the Licensing Act.

119. *Mr. Taylor.*] When were you appointed to that position?—Two years ago, on the 1st May.

120. Where did you do duty?—In the police districts of Wellington, Hawke's Bay, and Taranaki.
121. Was Gisborne in your territory?—It was.
122. Do you remember being there on Sunday, 2nd May, of last year?—Yes.
123. Did you see Inspector Emerson there?—I did.
124. Where were you staying?—At Mrs. West's. I do not know the name of the street.
125. Where did you see the Inspector?—I saw him on the wharf.
126. Do you see Inspector Emerson pretty frequently in the Hawke's Bay District?—I have seen him whenever I have visited Napier.
127. Have you seen him in any of the townships outside Napier except Gisborne?—No.
128. Has he always been sober on other occasions?—He has invariably been perfectly sober when I have seen him at Napier.
129. How often have you seen him?—A good many times, because I have been in constant and daily communication with him when I have visited Napier in the discharge of my duties.
130. Did you complain to the district clerk about the Inspector's conduct at Gisborne on the 2nd May, 1897?—I did not complain, but I saw the district clerk about it as a matter of precaution.
131. Did you complain to Sergeant Black about the same thing?—No; I made no allusion to Sergeant Black at that time about it, nor did he to me.
132. Did you have any conversation with Sergeant Black about the Inspector at any time?—Not on the first visit, on this memorable occasion.
133. Did you on any visit?—Yes, on my last visit.
134. How long have you known the Inspector?—I have known him personally for twenty-two years.
135. And you spoke to these two police-officers—Black and Norwood—in what you considered the Inspector's interests?—As regards Norwood, decidedly so; but as regards Sergeant Black, it was simply a matter of conversation between us. The inquiry was all over, and we just canvassed the matter.
136. But it was really in the Inspector's interests that you were chatting about these things?—It was in nobody's interest.
137. *The Chairman.*] I understood you to say you spoke to Norwood in the Inspector's interest?—Decidedly.
138. *Mr. Cresswell.*] You say your appointment was that under the Licensing Act?—Yes.
139. For what purpose?—For the inspection of licensed premises generally, as to their condition and accommodation, &c., and also for the examination of the liquors they sold.
140. Inspector Emerson, during the time you were Inspector under the Licensing Act, was also Inspector of licensed houses for Hawke's Bay?—I think he is, by virtue of his office.
141. Did he accompany you throughout your inspection of Hawke's Bay or throughout Napier?—No, I do not think that he did.
142. Partially or otherwise?—I am not quite sure. I think the first time I was here he went out with me one afternoon, but I am not quite clear about it.
143. Do you keep an official diary?—Yes.
144. Have you made entries of all things that came under your notice officially in that diary?—All things in connection with my duties. It is not a diary so much as it is an itinerary, showing the places I visited and the hotels I visited.
145. You know Colonel Hume?—I do.
146. How many years?—I have known him by repute for a long time.
147. You know the position he has held for some years?—Yes.
148. At any time during the past two years have you in your official capacity made any report to Colonel Hume in regard to Inspector Emerson or his conduct?—No, certainly not.
149. When you spoke to Norwood, did you know that he was a clerk in Inspector Emerson's office?—I did.
150. Did you speak to him officially, or privately as man to man?—Well, more officially than otherwise, because I considered Norwood ought to know what took place, so that if anything ultimately happened he would know the reason.
151. *The Chairman.*] What do you mean by saying "if anything happened he would know the reason?"—I looked at it in this way: supposing any accident or mischance had happened to the Inspector whilst he was on this particular trip, that Norwood might be able to account for it in some way.
152. I think you must explain a little more. What particular trip do you refer to?—To this Gisborne trip of the 2nd May.
153. You are referring to the trip of the steamer which left Gisborne on the 2nd May?—Yes.
154. And you thought that if anything happened to the Inspector that Norwood ought to know how to account for it?—Just so.

JANE SHEEN, examined on oath.

155. *The Chairman.*] Are you married?—I am a widow.
156. Living where?—At Gisborne.
157. What are you?—Hotelkeeper. I am licensee of the Turanganui Hotel.
158. *Mr. Taylor.*] Have you been in Gisborne long?—Yes; over four years.
159. Does Inspector Emerson ever stay at your house?—Never.
160. Has he been in the house?—I have seen him in the house occasionally. I have seen him calling with some of my boarders.
161. Were you called as a witness in connection with the inquiry before Mr. Kenny?—No.

162. Was it your house the Inspector was supposed to leave as he went on board the steamer "Dingadee," in May, 1897?—I cannot say.

163. Do not you remember he was supposed to have seen a reverend gentleman there, and somebody else, just before going to the steamer?—Yes; but I did not see him before leaving. I have so many duties to look after in the house that I never notice what any one individual does.

164. Were any of your servants subpoenaed on that inquiry?—I cannot say. I was away from home when the inquiry was held.

165. Do you often see the Inspector at Gisborne?—Very seldom.

166. You do not know much about his movements there?—I do not.

HERBERT ROSCOE, examined on oath.

167. *The Chairman.*] What are you?—Stoker.

168. *Mr. Taylor.*] Do you work at Holt's timber-mill, Napier?—Yes.

169. Do you know Inspector Emerson?—I do not know him personally; I know him well by sight.

170. Do you remember being on the Marine Parade, seeing the s.s. "Westralia" off, early this year?—Yes.

171. What date?—The 7th January.

172. Are you sure it was the "Westralia"?—Yes.

173. Did you see Inspector Emerson on that occasion?—I did.

174. Who was with you?—My mother, and wife, and sister, and a lady named Miss Barney.

175. What time about?—About 8 o'clock in the evening.

176. Would it still be daylight?—No.

177. Getting dusk?—Yes.

178. You saw the Inspector that evening?—Yes.

179. What did he do?—I just looked round, and heard somebody ask if I could see numbers in the moon: "a big 2 and a small 3."

180. Who was the man talking?—Inspector Emerson.

181. Was he sober?—No.

182. Was he drunk?—Yes.

183. Did the Inspector touch any of your party?—Yes, he touched my wife.

184. Put his hand on her shoulder?—Yes.

185. Did you answer him at all?—No, never spoke.

186. What did he do afterwards?—Went back over the road to the Marine Parade Hotel.

187. Did he go into the hotel?—Yes.

188. Have you any doubt as to his condition?—No.

189. You consider yourself a good judge as to whether a man is drunk or sober?—I do not know. I think I can tell whether a man is drunk or sober.

190. Was he silly in his conduct altogether?—Yes, I think so.

191. *Mr. Cresswell.*] Then, from one of your last answers, I take it that the Inspector was on the Parade opposite to the Marine Parade Hotel?—Yes.

192. Which way was he going when you first saw him?—I do not know where he came from. I just looked up, and he asked if I could see numbers in the moon.

193. I suppose you have heard of the man in the moon?—Yes.

194. Are you sure he did not ask you if you did not see the man in the moon?—I am quite sure it was numbers.

195. Did you ever look for the man in the moon yourself?—No.

196. What first drew your attention so particularly to him?—His asking this question: If I could see "a big 2 and a small 3" in the moon.

197. Do you know that at that time he was living at the Marine Parade Hotel and boarding there?—I do not know where he was living.

198. Did you know his family was living there with him?—No.

199. Do you remember his being burnt out at Napier?—Yes.

200. And you do not know where he moved with his family after his house was burnt?—No.

201. Did you go to where the boat was?—This was after I came from the boat.

202. Between the time of leaving the boat and meeting Inspector Emerson who did you see on the Parade?—I saw a lot of people.

203. Tell us one?—My mother, for one.

204. Who did you see between the time of leaving the boat and your getting up to where the Inspector was standing: tell us one person?—I am blown if I could tell you that. I was speaking to nobody particularly. I said "Good night" to some.

205. I suppose you took particular notice of the Inspector?—After he left.

206. How was he dressed?—Just in ordinary clothes.

207. How was he dressed?—He was dressed all right.

208. What colour of a coat had he on?—I do not know. I never looked at his colours.

209. You cannot tell the colour of the coat he had on?—No, I cannot.

210. Can you tell us what colour hat he had on?—No, I cannot.

211. Did he have an umbrella or walking-stick with him?—I do not know. I did not take that much notice of him.

212. Up to this time had you ever spoken to Inspector Emerson?—No.

213. And before that night did you know him by sight?—Yes.

214. You had seen him before, then?—Yes.

215. *Mr. Taylor.*] You had no particular reason for remarking his appearance so far as his clothes were concerned?—No.

ISABELLA ROSCOE, examined on oath.

216. *Mr. Taylor.*] Are you the wife of the last witness?—Yes.
 217. You live in Napier?—Yes.
 218. Do you remember going down to see the “Westralia” away, early in January this year?
 —Yes.
 219. Who was with you?—Mr. Roscoe, Miss Roscoe, and Miss Barney, and my mother-in-law.
 220. Just a group walking together?—Yes.
 221. Did you sit down on one of the benches?—Yes, coming back.
 222. Do you know Inspector Emerson?—By sight.
 223. Did you see him that night?—Yes.
 224. What did he say to you? Tell us what happened, and where he came from?—I do not know where he came from. All I remember is that he touched me on the shoulder and asked me if I could see any numbers in the moon: “a big 2 and a small 3.” He told me he saw them quite distinctly three times. That was all.
 225. Was he drunk?—I think he must have been.
 226. What is your judgment?—Oh, yes, I think so.
 227. Did he act as an intelligent man, or was he silly: what was his manner?—It was that of a drunken man, I think.
 228. Where did he go to when he left?—To the Marine Parade Hotel.
 229. Did you answer him in any way?—No, we laughed at him.
 230. Did you notice what his particular dress was—what the colour of it was?—No, I did not take any notice of it. I just remember who he was.
 231. The fact of it being Inspector Emerson would draw your attention to him?—That was all.
 232. *Mr. Cresswell.*] Did you notice anything in his hand?—No.
 233. Did you see him with a telescope?—No, nothing at all. I did not take that much notice.
 234. He might have had a telescope in his hand for all you know?—He might.
 235. When were you first asked to give evidence before this Commission?—Yesterday morning.
 236. Have you ever mentioned this to anybody else?—No; we just talked of it as a joke, and bothered no more about it.
 237. Then, am I to understand yesterday morning is the first time you have mentioned this to anybody?—Yes, the first time.
 238. I think you and your husband are staunch teetotalers?—Yes.
 239. *Mr. Taylor.*] You have talked about this matter amongst your family?—Just amongst our friends—amongst the lot who were with us.
 240. *The Chairman.*] What is the difference between your having spoken of it before and having spoken of it yesterday: what was the difference in your manner of speaking of it yesterday?—I heard I had to come and be a witness yesterday.
 241. How did you hear that?—My husband told me that when he came home.
 242. Did anybody else tell you you would have to come and give evidence?—No.
 243. Have you spoken to anybody but your husband about it up till yesterday?—No.
 244. Did you speak to anybody about it but your husband yesterday?—Only my sister-in-law and the other witness who is coming here.
 245. Why did you say, in the first place, you had not spoken of it up till yesterday?—I just spoke about it yesterday on account of having to come as a witness.
 246. Did you speak of it to outsiders yesterday?—No, not outside my own family.
 247. *Mr. Poynton.*] Were you sitting on the bench when he touched you on the shoulder?
 —Yes.
 248. Was he behind the seat?—Yes; he came up at the back of me and put his hand on my shoulder.
 249. Had you seen him before he put his hand on your shoulder?—No.
 250. Were you sitting in the centre or near the end of the seat?—At the end. I had a perambulator at the end of the seat.
 251. Was the moon shining?—Yes; it was a moonlight night.
 252. *Mr. Taylor.*] You have never spoken to him before?—No.

ELLEN BARNEY, examined on oath.

253. *Mr. Taylor.*] You are a single woman?—Yes.
 254. What is your occupation?—Domestic servant.
 255. Living in Napier?—Yes.
 256. Do you know Inspector Emerson by sight?—Yes.
 257. Do you remember going down to see the “Westralia” off, early in January last?—Yes.
 258. Who was with you?—Mrs. Roscoe, Mr. Roscoe, and Miss Roscoe.
 259. All friends of yours?—Yes.
 260. Were you seated on any of the benches?—Yes; in front of the Marine Parade Hotel.
 261. After the steamer had gone?—Yes.
 262. Was it a moonlight night?—Yes.
 263. Did you see the Inspector that night?—Yes.
 264. What did he do?—He came over from the hotel to us when we were sitting on the seat.
 265. Did he come up at the back of the seat?—Yes.

266. What did he do?—Put his hand on Mrs. Herbert Roscoe's shoulder.
 267. Did he say anything?—He asked us if we could see numbers in the moon.
 268. Was he sober?—I do not think so.
 269. Do you remember any other details of his remark: did he mention any particular numbers?—He asked us if we could see a "2" and a "3" in the moon.
 270. Did any of you speak to him?—I am not aware that we did.
 271. Where did he go to?—He went back to the hotel.
 272. You do not remember the particulars of his dress that night?—No.
 273. *Mr. Cresswell.*] Was there any particular harm in what he did?—No.
 274. Is it possible he might have mistaken Mrs. Roscoe for somebody else when he went up to her?—I cannot say.
 275. Do you know any of Inspector Emerson's daughters?—No.
 276. Do you know he has grown-up daughters?—I have heard that he has, but I do not know.
 277. Do you know at that particular time he was living at the Marine Parade Hotel?—No.
 278. Do you belong to any teetotal lodge?—No.
 279. When did you first mention this to anybody after that night?—I have not mentioned it to anybody.
 280. Until?—Now; not to any, outside my friends.
 281. Whom do you mean by your friends?—Mrs. Roscoe.
 282. Outside Mr. and Mrs. Roscoe and Mrs. Roscoe, senior?—No; I have not mentioned it to anybody else.
 283. Have you seen Inspector Emerson before that night and since that night?—No, I have not.

HETTY ROSCOE, examined on oath.

284. *Mr. Taylor.*] Do you live with your mother in Napier?—Yes.
 285. Do you remember going to see the "Westralia" off in January last?—Yes.
 286. What time was it, so far as you remember?—Between 8 and 9 in the evening.
 287. Did you sit on any of the benches after the steamer had gone?—Yes, we sat on one outside the Marine Parade Hotel.
 288. Were your brother and sister-in-law, and your mother and Miss Barney, with you?—Yes.
 289. Did you see Inspector Emerson that night?—Yes.
 290. What did he do?—He came and asked us if we could see numbers in the moon, or on the moon.
 291. Did you make any remark, or laugh at him?—We looked and could not see any, and we laughed then.
 292. Was he sober?—I do not think so.
 293. You are not out on the street much: you do not see many drunken men?—I see some when I go up to town sometimes.
 294. Do you, from what you know of the appearance of a drunken man, say that the Inspector was drunk?—Yes, I do.
 295. Where did he go to after he had spoken in this way?—Into the Marine Parade Hotel.
 296. Have you spoken of this matter to anybody except your own family?—No.
 297. Where is your mother now?—In Woodville.
 298. *Mr. Cresswell.*] He is rather an amusing man, is Inspector Emerson?—I do not know. I have never spoken to him before.
 299. Did you know him by sight before that?—Yes.
 300. I suppose when sitting on that seat on the parade you would be facing the moon?—Yes.
 301. Did you have a good look to see if you could find those numbers?—Yes.
 302. You looked upon it as a bit of fun?—Yes.
 303. I suppose you all had a look and a laugh over it?—Yes.
 304. Was there anything more serious in what was done that night than a simple harmless joke?—No, I do not think so.
 305. *Mr. Taylor.*] Do you think it is right and proper for a stranger to put his hands on anybody's shoulder?—No, I do not think so.
 306. Did he put his hand on your sister-in-law's shoulder?—Yes.

JOHN HODGSON AISLABIE, examined on oath.

307. *Mr. Taylor.*] Are you secretary of the Gisborne Race Club?—No.
 308. Are you connected with it in any way?—No.
 309. Not a member?—No.
 310. Were you present at the races there in July last year?—I can hardly call to mind that I was. I think I am generally invited as secretary. I am secretary of the Poverty Bay Turf Club, and I get a complimentary ticket always.
 311. Who is secretary of the club under whose auspices the races were held last July?—Mr Nasmith.
 312. Do you remember July the 6th and 8th?—Yes.
 313. Were you present at the course?—I was.
 314. Both days?—Yes.
 315. Were you in the luncheon booth?—I was.
 316. Did you see Inspector Emerson there?—I did.
 317. Did anything special attract your attention that day in connection with him?—No.
 318. Was he not unwell?—Yes, he was very unwell.
 319. What was he like?—He was suffering from a very bad cough all the time.

320. Did you help him when he was unwell from the luncheon-room to the stewards' room?—Certainly not.
321. Did you go with him from the luncheon-room to the stewards' room?—Certainly not.
322. Did you see him go?—No.
323. What time in the morning did you see him first?—I got on the course about 11 o'clock, and I suppose two races were run before I saw him. That would bring the time up to about half-past 1 o'clock when I first saw him. That was when he came in to lunch.
324. Do you remember when he went out from lunch?—No, I do not remember.
325. What attracted your attention first?—What attracts any man's attention when he comes in to lunch?
326. You say he was unwell: What attracted your attention to that first?—Because he was coughing very much. The table was like this: there were two or three seats about me. I sat here, and Mrs. Aislabie sat next to me. We came in before Inspector Emerson, and we very nearly "came to grief" getting into the seat. The fact was this: there was about a 6 in. board provided as a seat, and this was up close to the table, so that when you sat down, instead of sitting behind on it, it caught you on the knees, and my wife and I, when we went in to lunch, very nearly got a "toss," and then we took care in sitting down. The next man who came in was Inspector Emerson, and we thought that he would fall over it, judging from our own experience, and we had a bit of a chuckle over it, as people will when they are waiting for a joke to come off, and we waited to see what would happen. The inevitable came off. The seat toppled over with him, but we were ready for it, and I put my arm round my wife, and put my hand on the table, and so saved ourselves from going over too. Inspector Emerson fell off the form. There was just this 6 in. board provided as a seat to the lunch-table, and this seat was on a sandy bottom, which did not hold it securely.
327. How long were you at luncheon that day?—About twenty minutes.
328. Was the Inspector there the whole time?—He came in after us, and therefore I cannot tell you what time he left.
329. Did you not see him after luncheon?—Yes, just after luncheon.
330. Where?—I saw him after luncheon in the grand stand.
331. Did anything attract your attention to him there specially?—No; except that he was continually coughing, and I thought to myself, having known Inspector Emerson a number of years, I was sorry for him being in bad health.
332. Sort of bronchial catarrh?—He was coughing, and put his hand on his chest, and I was sorry for him.
333. When did you see him after that?—I did not see him after that. I was in the grand stand after lunch, and I saw him coughing away there, and I thought to myself: "I am sorry to see the old man so bad; he is breaking down and will have to leave the Force."
334. Was he absolutely sober?—I think he was certainly sober. At luncheon he was talking to my wife across myself, and during that time he was thoroughly sober. If he had not been sober I should not have allowed him to talk to her.
335. Were you in the stewards' room that day?—No.
336. Not at all?—Not at all. I was only a visitor at that club.
337. Were you not near the stewards' room on that day?—No.
338. Not near the door?—No, not near the stewards' room all day. I might have gone in to draw a cheque to go on the totalisator, because I was "broke."
339. Did you go in?—I do not believe I went in.
340. Neither day?—No, I do not think so; neither day.
341. Did you see the Inspector on the second day of the races?—The only time I ever observed the Inspector was the time he came and sat down beside myself and Mrs. Aislabie; and that day, after luncheon, I met him walking on the terrace in front of the stand. He was coughing.
342. *The Chairman.*] Was that the second day of the races?—I do not know what day. It was the day on which he had the accident at the form.
343. *Mr. Taylor.*] Are you quite clear you only saw him twice during the race meeting?—I cannot say that. You pass and repass lots of fellows lots of times at a race meeting and you do not take any notice of them.
344. What is your definition of a drunken man: when do you think a man is drunk?—I am "dashed" if I know.
345. You do not know?—Oh, yes, I know. I am almost in aquandary. Far abler heads than mine, I think, have been unable to define drunkenness. I say a man is drunk when he cannot look after himself.
346. Never before that?—Oh, yes, before that; but I am "dashed" if I know where you draw the line.
347. Did you have any refreshments with Inspector Emerson?—I did not.
348. Did you see him have any?—I did not. He had a cup of tea alongside of us that day. That is all I know.
349. You are quite clear he was not drunk?—I am quite clear he was not drunk on that day.
350. *Mr. Cresswell.*] Are there any steps leading down to the luncheon-room at that pavilion?—Yes, some very narrow steps leading down.
351. How many?—I suppose about eight or ten, at least.
352. What width are these eight or ten steps you have to walk down?—About 6 in. or 8 in. I think.
353. If a man were under the influence of liquor, could he have walked down these steps upright?—A great probability of falling down.
354. Now, has the floor of the luncheon-room an even surface?—No; it is sand. I have spoken to the officials of the club about getting it floored, but they have no funds.

355. Then, I gather from your evidence that you nearly had a fall over this particular seat, and you and your wife were watching to see who would come down and take your place, and you were expecting to have a bit of fun at their expense?—Yes.

356. Was any one sitting at the back of where Inspector Emerson was sitting?—I think so.

357. Do you know who they were?—I think Mr. Sheridan, of the Government Life Insurance.

358. Any ladies there?—Mrs. Sheridan was with her husband.

359. Was there anybody else besides your wife and yourself expecting to see a bit of fun arise out of this particular seat?—I cannot say there were.

360. When Inspector Emerson fell back, did he fall against any one?—He fell against the lady who was sitting behind him.

361. When he righted himself, did he say anything to the lady or the gentleman?—Yes, he apologized to the lady. He said, "I regret very much my accident; I think it is time they had a floor down on this room."

362. Now, you say he was not drunk. Was he at any time during that day to your knowledge under the influence of liquor?—I would not like to say anything of that sort, for this reason: that I saw him at lunch and after lunch; and during lunch he was not drunk, and during the time I saw him after lunch he was not drunk. What happened afterwards I am unable to say.

363. You have seen him on duty at Gisborne on other occasions?—Yes.

364. Now, on any occasion other than the 2nd May last year, did you ever see Inspector Emerson under the influence of drink?—I have seen Inspector Emerson lots of times. In my capacity as race secretary I am frequently in the Masonic Hotel; and anybody who is in Gisborne generally passes backwards and forwards through the Masonic Hotel; and I have frequently seen Inspector Emerson when passing through on duty, besides the time I have already spoken about, and during all that time I have never seen Inspector Emerson the worse of drink—not once in my life.

365. Have you ever known him to be addicted to gambling?—No; I do not gamble myself, and I have never seen Inspector Emerson gamble either. I never play a game of cards for chance, and I never saw him play a game of cards for chance either. I can say that honestly.

JAMES PRICE, examined on oath.

366. *Mr. Taylor.*] You live at Gisborne?—Yes.

367. What is your occupation?—Stable-keeper.

368. Do you remember the races at Gisborne in July last year?—Yes.

369. Were you engaged in your ordinary business on that day?—Yes.

370. Driving from the township to the racecourse?—Yes.

371. Do you remember Inspector Emerson being a passenger with you that day?—Yes.

372. Who was in the cab with him?—Nobody.

373. He was by himself?—Yes.

374. *The Chairman.*] You were driving between where?—Between the Park racecourse and the Gisborne Hotel.

375. *Mr. Taylor.*] Where did you pick up the Inspector?—Up in the racecourse.

376. What part of the racecourse?—Just outside the grand stand gate.

377. What time of the day would that be?—Between 1 and 2 o'clock, I think.

378. Who was with him?—Mr. Joyce.

379. Did Mr. Joyce come to the cab with him?—Yes.

380. Was that just outside the racecourse?—Just outside the grand stand.

381. What did Mr. Joyce say to you?—He asked me to drive Inspector Emerson to the Gisborne Hotel.

382. Did he help the Inspector into the cab?—No.

383. The Inspector got in himself?—Yes.

384. Who else went with the Inspector? How far did Mr. Joyce go with the Inspector?—He did not get into the cab at all.

385. Did you drive the Inspector to the Gisborne Hotel?—Yes.

386. What time did you get there?—I do not know what time.

387. What was the matter with the cab when the Inspector got out?—Nothing at all.

388. What was the condition of the cab?—Nothing at all. It was just the same as if anybody else had been in the cab.

389. Did he pay you?—No.

390. Who paid you?—He paid my partner.

391. Mr. Joyce told you to drive him to the Gisborne Hotel?—Yes.

392. Did the Inspector say where he wanted to be driven?—He said about the same time that he wanted to go to the Gisborne Hotel.

393. Did you drive him back again?—No.

394. What happened when you got to the hotel?—Nothing happened at all. He got out of the cab and went inside.

395. *The Chairman.*] Did he get out by himself?—Yes.

396. *Mr. Taylor.*] Was not the landlord of the British Empire Hotel with Inspector Emerson when he got into the cab?—No. Mr. Joyce and Mr. Emerson came to the cab at the same time. I was sitting on the box in front of the cab.

397. And no one else was with them?—Not that I noticed.

398. What was paid to your partner for that drive?—I forget exactly. It was either 7s. or 8s.

399. Is that the ordinary fare?—Yes, for one man at that time of the day from the course. It was a special trip.

400. What was Inspector Emerson's condition : had he a glass or two of whiskey?—Not that I noticed. The man seemed to be all right that I could see.
401. What else did he say to you besides the fact that he wanted to be driven to the hotel?—Nothing at all.
402. Have you talked this case with any one coming down on the steamer?—No.
403. Has any one interviewed you in Gisborne about this matter?—No.
404. Never?—No.
405. Do you not remember seeing a man named Haselden about it?—No.
406. Did you ever talk to a man with one arm about it?—No.
407. Did you never tell Mr. Haselden that the Inspector vomited in your cab that day?—No, I did not.
408. Now, did the Inspector vomit in your cab?—No, he did not.
409. Did you see the Inspector the second day?—No.
410. You often have seen him in Gisborne?—That was about the first time I saw him.
411. Was he in uniform?—I really cannot say. I forget now. I think he was in plain clothes at the time.
412. Had he not uniform on?—I do not think so.
413. Did you get down from your cab when you got to the Gisborne Hotel?—Yes.
414. What for?—To open the door for him.
415. What else did you do?—I opened the door, and the man got out.
416. Was he coughing very badly?—No.
417. Was he coughing at all?—I did not hear him cough at all.
418. How long was he in your cab?—I suppose a quarter of an hour, driving down from the course.
419. Did you hear him cough the whole time?—No.
420. You are quite clear Mr. Joyce came to the cab with him?—Yes; I think he must have come down from the grand stand at the time.
421. Did you see where they came from?—No; they came from the direction of the grand stand gate.
422. Did you see whether Mr. Joyce gave him a hand to the cab?—No; I got down and opened the door, and he got in himself.
423. Was the Inspector coughing then?—No; he was coughing when he was coming towards the cab a little.
424. What else was he doing : was he stooping down?—No.
425. He did not come arm-in-arm with Mr. Joyce?—No, not that I noticed. He came up to the side of the cab where I was.
426. Who spoke to you first?—They spoke about the same time.
427. Both spoke clearly?—Yes.
428. Did the Inspector seem as though unwell?—I did not take notice of everything.
429. Are you perfectly sure it was Mr. Joyce who came to the cab with him?—Yes.
430. Do you know Mr. Aislabie?—Yes.
431. Did you see him that day?—No, I do not think so.
432. Who was the landlord of the British Empire Hotel?—Mr. Bridges.
433. Did you see him that day?—No, not that I recollect.
434. Now, tax your memory. Did you not see Bridges that day : as a matter of fact, did not Mr. Bridges come out to the cab also?—No, he did not.
435. Did he not come outside after Emerson was in the cab?—I do not know. He might have come to the back of the cab while I was driving away.
436. And got in?—No, he did not get in.
437. Do you swear you did not tell Mr. Haselden that Inspector Emerson vomited all over your cab, and that he was beastly drunk?—I am positive I did not tell him any such thing.
438. Was your partner interviewed over this matter?—I do not know.
439. Now, you drove the cab?—Yes.
440. Have you seen Inspector Emerson since you came down from Gisborne?—Yes, I saw him walking along the Marine Parade.
441. Did you speak to him?—No.
442. Did you see anybody else about the matter?—No one.
443. Did you not talk over the matter with anybody?—No.
444. When on the steamer last night?—No.
445. Did you talk over the matter with anybody in Gisborne before you started?—No.
446. With your father?—No.
447. Your partner?—No. I saw him the day before I got the telegram.
448. Did you see him when you got the telegram?—No.
449. *Mr. Cresswell.*] Was the Inspector, at any time when you saw him on that day, under the influence of liquor?—No, I do not think that he was under the influence of liquor at all.
450. There is nothing unusual for two persons to go and hail a cab and only one to get in it?—No.
451. What hotel did Inspector Emerson tell you to drive him to?—The Gisborne Hotel.
452. Do you know he was staying at the Gisborne Hotel?—Yes; my partner told me afterwards that he stopped at the hotel.
453. Do you know he always stopped at the Gisborne Hotel?—Not before my partner told me I did not.
454. Did the Inspector, during the time you saw him on that day, in any way misbehave himself?—No.

EDWARD P. JOYCE, examined on oath.

456. *The Chairman.*] What are you?—Commission agent and land agent, at Gisborne.
457. *Mr. Taylor.*] Do you remember the races held at Gisborne last July?—I remember the races, but the date I cannot remember.
458. About the 6th and 8th July?—I think it was on or about the 6th or 8th.
459. Were you present at the races?—Yes, I was.
460. Did you see Inspector Emerson there?—I think it was on that day that I saw him at the races.
461. Where did you see him?—At the races.
462. What part of the races?—On the private grounds.
463. Near the grand stand?—No, outside the grand stand, between the grand stand and the judge's box.
464. Were you speaking to him?—I was.
465. Did you go into the stewards' room or the luncheon-room with him?—No.
466. You saw him in the stewards' room?—No.
467. Where did you first meet him?—On the grounds between the grand stand and the judge's box.
468. What conversation passed between you?—I cannot remember.
469. Did you leave him there?—I cannot say that I left him there.
470. Where did you leave him?—I cannot say that I left him at all.
471. Did you walk round the course with him?—I walked round the grounds inside the course for a time.
472. And did you bid him good-bye?—No; he left me.
473. Where did he leave you?—At some part of the ground; I cannot say from memory.
474. What part of the ground?—I cannot say; some part between the grand stand and the judge's box.
475. How many times did you talk to him that day?—That I cannot say. I spoke to him two or three times, and walked with him two or three times.
476. What time in the afternoon did you see him last?—I cannot say what time.
477. Would it be 4 o'clock in the afternoon when you saw him last?—I cannot say whether it was 4 or 5 o'clock.
478. It might be about 5 o'clock?—Possibly it might be.
479. So far as you remember, it would be 5 o'clock when you saw him last?—I cannot say, because I never looked at my watch.
480. Did he just leave you in the ordinary way on the ground?—He left me on one or two occasions, and walked back again, and then I happened to fall into conversation with him again, and we walked round the ground between the grand stand and the judge's box. We parted and met in with others.
481. Then, what happened when you spoke to him last: where did you last part with him that day?—He went into a cab when I last parted with him.
482. You took him to a cab?—I did not; he went into a cab.
483. Did you go with him?—I went to the cab with him. He told me he was not very well, and said he had a severe attack of this influenza; and he appeared to have a nasty hacking cough, and I said the best thing he could do would be to go home.
484. What time was that?—It was late in the afternoon. The races were not finished.
485. Were they nearly finished, do you think?—You want me to answer your imaginary question, and I really cannot tell you what time. It was in the afternoon late, so far as I can recollect.
486. Where did you have luncheon that day?—In the booth.
487. What time would it be?—The usual time is 1 o'clock. I dare say it would be 1.30, as near as I recollect.
488. Had you met the Inspector up to that time?—I met him before and after.
489. Did you walk with him several times after that?—I walked with him once or twice after luncheon.
490. And it was late in the afternoon when he went into the cab?—I do not say that it was late in the afternoon; it may have been late.
491. *The Chairman.*] Can you give us the time?—I cannot definitely. When I say "late," it was some considerable time after luncheon.
492. *Mr. Taylor.*] Did you go to the cab with him?—I did.
493. Did you open the door for him?—I do not think I did. I think the cabman opened the door. I would not swear he did; either I or the cabman opened the door.
494. What conversation passed there at the door of the cab with the cabman and Inspector Emerson and yourself, or anybody else?—I cannot remember what conversation took place.
495. Do you know where Emerson went to?—No, I told him to go home. He went into the cab, and after that I do not know where he went to. The cabman drove him away.
496. What did you say to the cabman as nearly as possible?—From memory I cannot say what words I used.
497. *The Chairman.*] Did you tell the cabman anything in respect to Inspector Emerson?—I cannot tell the words from memory.
498. *Mr. Taylor.*] What was the nature of the conversation?—We had no conversation. I cannot remember what I said to the cabman.
499. Did you tell the cabman to drive him to any hotel?—I cannot remember. I might have said something.
500. Did you tell him the Inspector was unwell?—I cannot say that I told him that.

501. Was he very unwell?—I am not a medical man. It was only by general appearance that I judged.
502. Had you any refreshments with him that day on the course?—Yes.
503. What did you have?—I had some whiskey.
504. How often did you have whiskey with him?—Once; but he had none though.
505. Then you did not have it with him?—I was in company with him.
506. He was in the bar with you?—No; he was outside of the shelf in front of the bar; he was standing outside. I had whiskey, and he had either a soda or lemonade.
507. How often did you have refreshments with him that day?—Only once.
508. Did you see him after he left the course?—No.
509. Did you not see him again?—Not after he went into the cab.
510. Did you see him on the 8th of July—on the second day of the races?—You are confusing me. I cannot tell you really whether what I have stated took place on the first or second day of the races; all I remember seeing of Inspector Emerson after he went into that cab, and during that race season, was two or three days after the races were held.
511. Had you known him previously?—A little—not much.
512. Have you ever met him in Gisborne before?—Yes.
513. When?—On two or three occasions in Gisborne.
514. Where did you meet him on previous occasions?—So far as I recollect I met him in the street, I believe.
515. Anywhere else?—I do not think so.
516. Did you ever meet him at any hotels?—No.
517. Of course he was perfectly sober on the day you refer to?—I do not say whether he was sober or drunk.
518. I will ask you whether he was perfectly sober?—What do you call sobriety?
519. Had he any drinks the day you saw him?—I do not know. He had no spirituous liquors to my knowledge during the time I was in his company.
520. Was he perfectly sober?—I would not say. I believe, so far as I could see, that he was perfectly sober, and able to take care of himself; that is, so far as I could see, and taking the average run of men.
521. Any sign of liquor on him at all?—How do you define any sign of liquor?
522. Could you see any signs of liquor on him?—No, I cannot say I have seen signs of liquor on him.
523. You do not know how to define sobriety, do you?—What I call sobriety is a man who speaks clearly, a man who acts respectably and decently, and just acts within the bounds of what I call a Britisher; without offence to his neighbour, and goes on his business quietly, respectably and orderly.
524. Did the Inspector tell you he was unwell that day?—He did. I told him first that he did not look well, and he said he did not feel well, and had been unwell for some time. I asked him what was the matter, and he said he had a very nasty turn of this influenza. I replied that he did not look well; and, leaving your cross-examination out of the question, he did not look well. And we walked backwards and forwards a good bit on the course, and then I think we parted.
525. Did you see Mr. Finn at all that day?—I suppose I saw him, because I saw nearly every one on the course.
526. Do you remember seeing him?—I cannot say that I could place him. There is scarcely anybody on the course you cannot see when you are within the grounds.
527. Were you in the stewards' room that day?—No.
528. Do you remember where you saw Mr. Finn that day?—I cannot remember.
529. Did you see the Hon. Mr. Carroll that day?—I do not know whether he was there; possibly he might have been. I might have seen him.
530. You do not remember seeing him specifically?—No.
531. Did you pay the cabman for that cab-fare?—I did not.
532. Do you know who did?—I cannot tell you.
533. *Mr. Cresswell.*] Do you swear that Inspector Emerson was at the races the second day in July last year?—I will not swear.
534. Will you be surprised to hear that he was not in Gisborne on the second day of the races?—I will not swear that.
535. You cannot say which day it was you are speaking of?—I cannot tell you whether it was the first or second day.
536. You are a well-known public man in Gisborne, and, I think, hold office in the Borough Council, Harbour Board, Hospital Board, Road Board, and several other public positions?—Yes; I think I was fourteen or fifteen years on or off in those positions.
537. During any time you have known Inspector Emerson, have you known him to be addicted to gambling, either in Gisborne or Napier?—No; I am not a gambler myself, and do not associate with gamblers; and I never knew Mr. Emerson to be a gambler; and I think in a small locality it takes a man all his time to look after his own affairs.
538. During any time you have known Inspector Emerson, have you known him to be the worse of drink, either in Gisborne or Napier?—What do you define as the worse of drink? I think not. I have seen Inspector Emerson have a drink with me, and he was as sober as I am now.
539. You have no objection to a man having a glass of whiskey or beer as occasion requires it?—No.
540. *Mr. Taylor.*] How often have you had drinks with Inspector Emerson in Napier?—About once.
541. What hotel was it at?—I think at the Criterion; I generally stop there.

542. Did he have a glass of whiskey with you on that day?—I do not know what he had; it was something.
543. Do you think it was a glass of whiskey; is your memory good enough to remember what it was?—Two, or three, or four years ago, possibly.
544. Was he in uniform?—No.
545. What time of the day was it?—I cannot tell you.
546. Was it day or night?—In the day.
547. You are certain of that?—Yes.
548. Do you know who came down from Gisborne on the steamer with you?—I know some of them.
549. Do you know Price?—Yes.
550. Did you have any chat with him?—No; I never saw him until I saw him in Napier.
551. Did you speak to him in Napier?—No; I do not talk to people about my business.

JAMES CRAIG, examined on oath.

552. *Mr. Taylor.*] You live at Gisborne?—Yes.
553. What are you?—Baker and confectioner.
554. Were you at Gisborne last July, on the 6th and 8th, on the occasion of the races?—I was at Gisborne, but I was not catering at the races at all.
555. Were you there?—No.
556. Who was caterer?—Mr. Erskine.
557. Were you present at the races?—No, I did not go to the races on either day. It is the Poverty Bay Turf Club I generally cater for.
558. *Mr. Cresswell.*] I understand you are a baker and confectioner, and you cater for the different racing clubs?—Yes, principally for the Poverty Bay Turf Club.
559. Do you know Inspector Emerson?—I know him by sight, by going to the Poverty Bay Turf Club races.
560. How many years do you think you have known him going to the races and to Gisborne?—Four or five.
561. Have you ever known him to be addicted to gambling?—No; he would go in with the late Sergeant-major Moore for his lunch. I never saw anything wrong with him.
562. At any rate, since you have known Inspector Emerson, have you seen him the worse for drink?—I have seen him having liquor, but have never seen him the worse for drink.

ARTHUR FRANCIS BRIDGES, examined on oath.

563. *Mr. Taylor.*] You reside in Gisborne?—Yes; lately a hotelkeeper.
564. Do you remember the occasion of the Gisborne races last year, on July the 6th and 8th?—Yes.
565. Were you there?—I was.
566. Did you see Inspector Emerson that day?—I did.
567. Did you enter into conversation with him?—No, I did not speak to him.
568. Where did you see him?—I saw him on the course.
569. Anywhere else?—Yes, I saw him in the luncheon-room.
570. What did you see in the luncheon-room?—I saw Inspector Emerson fall over a form.
571. An accidental affair?—Yes.
572. How did it happen?—He went to take a seat, and the form was an insecure one, and the floor rough and rugged; and the form overturned and left him on his back.
573. What happened after that?—He got up.
574. Did he pick the seat up again?—The seat did not go over, he went over the seat; he got up and resumed and had his lunch.
575. Did you see him after that?—No, I did not.
576. Were you in the stewards' room that day?—No.
577. You did not see him at all after that?—No.
578. Do you know when he left the ground?—No.
579. Had you any conversation with Price, the cab-driver, that day?—No.
580. Did you see him that night?—No.
581. Did you see him on the second day of the races?—No.
582. Have you seen him very often in Gisborne?—Three times altogether in two years.
583. Has he been in your house at any time?—No, not to my knowledge.
584. Where did you see him?—The first time I saw him was at the Magistrate's Court, about the 25th February, 1896.
585. After that?—The next time was in the street with Sergeant Black, and the third time, I think, was at the races.
586. Had he any sign of liquor on him at any of those times?—No.
587. He was perfectly sober?—I am quite satisfied about that. It was on such business that one could not possibly be mistaken about it.
588. *Mr. Cresswell.*] How many steps are there going down into the luncheon-room?—I should say about eight or ten.
589. What sort of steps are they?—Short concrete steps; very awkward steps.
590. Do you think they were such steps that a man under the influence of liquor could safely get down?—A man under the influence of liquor would not get to the bottom of the steps unless he fell.
591. When the Inspector sat down on this form, were you seated at the luncheon-table?—Yes.

592. Did you see Mr. and Mrs. Aislabie there?—No, I did not. I was seated at the last table on the right-hand side in the room.
593. Then, did you see Mr. Sheridan and his wife there?—Yes, I had lunch with them.
594. Then, theirs and your back were to Emerson's back?—That is so.
595. There was not too much room to spare at a lunch-table of that sort?—No, decidedly not.
596. When the Inspector fell, did he touch you or anybody else?—Yes, he touched Mr. and Mrs. Sheridan.
597. He did not fall to the ground, but simply touched their backs?—Yes.
598. When he righted himself did he say anything?—I heard him say something. I believe he apologized to Mrs. Sheridan.
599. At that time had you an opportunity of noticing whether he was at all under the influence of liquor?—Yes.
600. Now, was he at all under the influence of drink at that time?—Not so far as I could see.
601. Did he sit there and finish his lunch the same as any other ordinary mortal would?—He was continuing his lunch when I left the table.
602. Did you notice at any time that day if the Inspector had anything the matter with him?—No.
603. These races were in July?—Yes.
604. What sort of weather had you?—It was a bleak day; not an unpleasant day.
605. Were the seats to the luncheon-table very wide?—No; some seats were very good, and some were very indifferent. They are simply 8 in. boards, and are placed too near the table.
606. Did you think there was anything extraordinary in the Inspector over-balancing himself?—I do not think it was extraordinary, because it might have happened to anybody.
607. Before you went to Gisborne you were managing a life-insurance agency in Napier?—Yes, for six years.
608. And you knew Inspector Emerson during the whole time he was here, prior to your going to Gisborne?—Yes; I knew Inspector Emerson in various parts of Hawke's Bay.
609. *Colonel Pitt.*] When did you go to Gisborne?—On the 25th or 26th of February, 1896. I had to go to him for a police certificate.
610. *Mr. Cresswell.*] You used to travel a good deal in connection with your company?—Yes.
611. Now, on any occasion that you have known Inspector Emerson, have you known him to be addicted to gambling?—Never in any way. I am not a gambler myself, and I have not seen anything of the kind. I have stayed in the same hotel with him.
612. And on any occasion during that period have you known him to be under the influence of drink?—No.
613. Now, from your experience of Inspector Emerson, if a man told you that since he had been in charge of the Hawke's Bay District he has been a man of drunken habits, what would you think of the man who said it?—I should not think very much of the man who said it. I should give it a flat contradiction myself from my own knowledge of the Inspector.
614. Or if he had been accused during that period of being a man addicted to gambling?—I have never seen or heard of him gambling: I should say it was wrong.
615. Have you ever known any conduct of Inspector Emerson to be destructive of discipline and injurious to the public interests?—Certainly not.
616. Have you ever known him during these years to behave himself other than an Inspector of Police should behave himself?—No. I have never seen anything wrong with Inspector Emerson in any way.

FRIDAY, MAY 27TH, 1898.

JOHN NISBET, examined on oath.

1. *Mr. Taylor.*] You live in Gisborne?—Yes; I am a storeman.
2. Have you been there long?—Fourteen years.
3. Do you know Inspector Emerson?—Yes.
4. Have you seen him there pretty frequently?—Several times, at any rate.
5. When did you see him there last?—I believe it was on the 4th September, 1897.
6. And prior to that?—I do not know the date prior to that.
7. Do you remember the occasion of the last Gisborne races—July 6th and 8th, 1897?—I was not in Gisborne; I was in London.
8. Can you remember the date before September that you saw the Inspector?—I saw him in March.
9. Before you went Home?—It was on my way Home. I saw him in Napier on my way to Wellington.
10. When did you see him prior to that?—It was a long time before that.
11. Under what circumstances would you usually meet him in Gisborne?—I might meet him in the street.
12. And sometimes privately?—I never had occasion to meet him privately.
13. Where have you met him beside on the street?—I have seen him in the Gisborne Hotel.
14. When did you last see him there?—About two years ago.
15. Will you tell the Chairman the circumstances?—I do not know what I could say about the circumstances. I was in the hotel as a visitor, and he was there as a boarder. He stayed there when he was in Gisborne.
16. You met him there more than once in the hotel?—Yes.

17. Will you tell the Chairman the whole of the facts that happened on your meetings with the Inspector at the Gisborne Hotel?—It is a hard thing for me to say that I could bring anything to my memory. Nothing transpired that was out of the way.

18. *The Chairman.*] Were you there as a boarder?—No.

19. In what capacity were you there?—Well, sometimes I might be in one hotel and sometimes in another.

20. *Mr. Taylor.*] Have you played cards there?—Yes.

21. Have you ever played with the Inspector?—Yes.

22. Now, there was an occasion on which you had a disagreement with the Inspector after a game of cards, was there not? Will you tell us the facts?—I never had any disagreement with him over a game of cards.

23. Up to what hour have you played with him?—Up to half past 9 or 10 o'clock.

24. Not up to 1 o'clock?—No. The house was closed at 10 o'clock.

25. As a matter of fact, do the public always leave the hotel at 10 o'clock?—I do not know what the public do. I do; as I have my own business to attend to.

26. What game was generally played?—Generally it was euchre.

27. And for what amounts—small amounts?—No amounts at all. It was a friendly game of cards, and whoever lost generally shouted drinks.

28. You played for drinks, then?—Yes, for amusement. You cannot use a man's house and light for nothing.

29. How many times have you played with the Inspector?—Two or three times, at any rate.

30. Have you not on some occasions played for small sums of money?—I do not gamble.

31. But have you not played for sums of money that were just enough to make the game exciting?—No, I do not think we ever played for money itself.

32. If not for money itself, what other substitutes besides drinks have you played for?—Sometimes I took cigarettes.

33. What did the Inspector take?—I do not know. It never troubled me what any other person took.

34. On the average, how many games did you play in a night?—I could not say.

35. Half-a-dozen?—No, I do not think we would play that number. There were generally four or five playing.

36. Who else played with you?—I could not tell that. If I had known that I was going to be asked these questions I would have marked down the names.

37. What room did you play in?—I think the hotelkeeper calls it the bar parlour.

38. Have you no recollection, then, of who played there?—The hotelkeeper has played, but I could not swear to any others.

39. Who was the hotelkeeper?—James Martin.

40. Did you always play the games to a finish? Cannot you remember an occasion on which a game was interrupted?—I have often seen games of cards interrupted, but I would not swear that I remember any of these occasions on which a game was interrupted.

41. Was not one game interrupted owing to a dispute that you had?—I cannot remember what happened two years ago in a game of cards.

42. You do not say that such a thing did not happen?—It may have happened.

43. Have you no recollection of threatening to strike the Inspector?—I am quite sure I never threatened that.

44. You may not have carried out the threat; but did you not say you had a good mind to strike him?—Inspector Emerson is a man who is a good deal older than I am, and all my life I have never struck a man older than myself. I am sure I would not do such a thing.

45. I will ask you again: Cannot you remember whether on any occasion a game of cards you were playing with the Inspector was not interrupted?—Never in that manner, at any rate.

46. Give us the best idea you can, then, of any manner in which a game was interrupted?—People may have come into the room and spoken to one of the players, or one of the players might have been called out.

47. You do not remember who won and who lost on the last occasion on which you played?—I do not think you play cards yourself or you would not ask that question. I do not believe that people who play cards could tell you who won and who lost a game that had been played only two or three days before.

48. Would the honours always go to the one side?—No.

49. One party would shout and sometimes the other?—Yes, that is so.

50. Would there be drinks at the end of every game?—No, but there might be at the end of every second or third game.

51. You felt it incumbent on you to take something?—Yes.

52. Did any one else have a dispute with the Inspector when you were playing in the room?—I do not remember it. There may have been; but Inspector Emerson was always very quiet.

53. Will you swear that there never was a disputed game?—I will not swear that, but I will swear that I never had a disputed game with him.

54. Can you remember who it was that had a dispute with him?—No.

55. *The Chairman.*] Did you ever see a dispute in the hotel amounting to a quarrel?—No.

56. *Mr. Taylor.*] Have you ever seen any one from any cause refuse to finish a game with the Inspector?—No; I do not think that ever happened.

57. Have you any idea of the number of drinks the Inspector had on any of these occasions?—I could not say that he had any at all.

58. Are you prepared to say that the Inspector had no drinks?—He may have had cigarettes, or cigars, or drinks. It did not concern me what he took.

59. Have you seen the Inspector taking drinks on any other occasion than when you have been playing cards?—I am never in the hotel during my business hours. It is only when I am down the town after hours that I go to the hotel. Of course, I may have had drinks with the Inspector.

60. Have you or have you not?—It would be hard for me to say who I had drinks with two years ago.

61. When you met him in Napier two years ago, did you have a drink with him?—No. I met him in the street, and we did not speak together for more than five minutes.

62. You did not go to any hotel?—I am sure we did not.

63. Have you seen the Inspector half a dozen times in Gisborne?—I do not know that I have seen him that number of times; I may have. I generally saw him when he came up on his visits.

64. Would any other police-officer be in the hotel when the Inspector was there?—I never saw the police in the hotel.

65. Inspector Emerson was there?—Yes; he was staying there.

66. Have you ever seen any of the other police in the hotel on the occasions when you have been in?—No, I have never seen any of them in the hotel with the Inspector.

67. *Mr. Cresswell.*] Gisborne is looked upon as being a small place, and there are not many ways of amusing one's self?—In the winter months there is nothing doing, as a rule.

68. And with men who are hard at work in the day it is the usual thing for them to go to the hotel at night and have a harmless game of cards?—Yes; it is a common thing in Gisborne.

69. And when you play, you generally have drinks on the game, or on the rubber?—Yes; whoever lost paid for drinks every second or third game.

70. On the occasions you have met Inspector Emerson at the hotel, do you know that he was a boarder there each time?—Yes.

71. At any time since you have known Inspector Emerson, have you seen him under the influence of liquor?—No, I cannot say I have.

72. *Mr. Taylor.*] Can you tell the Court when you consider a man is under the influence of liquor?—It is a hard thing to define, but I never saw him in the slightest sense the worse of liquor.

73. You have seen that he had liquor on him, but you could not say he was the worse of liquor?—When playing cards he might have taken cigars or cigarettes.

74. But would you say that, although you have seen that he had liquor on him, you could not say he was the worse of liquor?—I cannot say I have noticed liquor on him.

75. Would you consider that a man is sober after he has taken half a dozen whiskeys?—Some men would take that number of whiskeys, and it would not be noticeable on them. It would be noticeable on myself; but I cannot say whether it would be on you, or any other person.

76. You cannot define, then, what is meant by being under the influence of liquor?—I have heard definitions of it, and I would say that I would know when a man was under the influence of liquor.

77. *Mr. Cresswell.*] Did you ever notice any signs of liquor on Inspector Emerson?—No.

78. *The Chairman.*] Have you always considered him to be in a fit state to perform his duties?—Yes, every time I have met him.

GEORGE HESLOP, examined on oath.

79. *Mr. Taylor.*] Are you a resident of Woodville?—I am. I am a farmer, and a Justice of the Peace.

80. Do you remember on any occasion going from Napier to Wairoa in a steamer?—I do.

81. Do you remember the name of the boat?—I could not be positive, but I think it was the "Wairoa."

82. Can you fix the date?—I think it was the 11th September, 1896.

83. Was Inspector Emerson a passenger?—Yes.

84. When on board the boat did he solicit you to gamble?—I was asked if I would play a game of cards.

85. What were the circumstances?—I was lying on an open bunk in the cabin, and he came and asked me if I would take a hand in cards. I said I took no interest in cards, and did not wish to play.

86. Did you see him again?—He asked me a second time, and I gave him the same reply. I also said that I had told him before that I took no interest in cards, and that I had no desire to play.

87. Did the game go on?—Yes, a set was formed, and the game commenced.

88. Did they play for any length of time?—I think they played till well on for daylight.

89. At what time did you leave the wharf?—I went on board at half-past 9 at night, and they came on some time after that.

90. And at what hour did the steamer leave?—I think it was between 2 and 3 in the morning, but I am not positive.

91. Had the game started before the steamer left?—Yes, a considerable time.

92. And was it continued after she left?—No, I think not; but I would not be positive.

93. They knocked off in the early morning?—Yes; when we got on the way.

94. Could you see the game from where you were lying?—Yes.

95. Were they playing for money?—I think they were playing for both money and drinks.

96. How did they make up the set? Did any of the steamer's crew play?—They got a gentleman who manages for Mrs. Clendennie. His name is Mac—something. The other was one of the firm of Conroy and Co., of this town.

97. Did you notice whether the Inspector was drinking with the others that night?—I think he had drinks with the others.
98. Was there any sign of intoxication upon him?—I do not think he was intoxicated at all.
99. Do you know if the game was played to a conclusion, or interrupted?—I think some of the players fell out, and it was concluded in that way.
100. Some fell out?—Yes; they ceased playing.
101. Were there any words over the game?—No, I think not.
102. You heard none?—No.
103. *The Chairman.*] You would have heard if there had been any?—Yes, no doubt.
104. Who was the fourth man—one of the crew?—I could not be positive, but I think it was the steward.
105. You are clear that the game was played alternately for money and drinks?—I do not know that it was alternately, but they played for both.
106. Was the bunk you were lying on open on to the saloon?—Yes. One Mr. Herd, a passenger, was also solicited to play, and refused.
107. Where does he live?—At Tomoana.
108. Have you seen the Inspector frequently?—That was the first time I had met him. He was a stranger to me till he made himself known to me next morning. He sat down on the end of my bunk, and we had a conversation.
109. Were you surprised to find him soliciting people to play cards on the steamer?—Yes. I considered it was altogether out of place. I thought he was breaking the law to play and drink alongside the wharf.
110. They played alongside the wharf?—Yes.
111. That is contrary to the regulations under which the license is held, is it not?—Yes, I think so.
112. Did you remark next day on the playing?—Yes. He said to me, "I suppose you know me?" and I said I did not, and that I did not care. He said, "I am a detective;" and, the Kirby business being in my mind, I said, "Well, if you are a detective, you are a bad lot."
113. Did anything further pass?—This was said more in joke than anything. That was the extent of the conversation.
114. Did the Inspector mention any particular hotel at Wairoa as being a desirable hotel to stay at?—No; but to my mind he was touting to some of the others for Poyzer's Hotel.
115. You were surprised to find the Inspector taking an interest in any particular house?—Yes; I thought it somewhat out of place.
116. And undignified?—Yes.
117. *Mr. Cresswell.*] When you said, "If you are a detective, you are a bad lot," were you referring to the detectives generally?—I said it in joke really.
118. Were you referring to the detectives generally?—I did not mean to refer to any one. I had Kirby in my mind when I said it.
119. You meant that the detectives were a bad lot?—I only meant it as a joke.
120. On other occasions when you have been travelling have you not heard men saying to one another, "Well, which house are you going to stay at?" or, "I know this district, and I am going to stay at this house, or at some other house?"—Frequently.
121. And if you know a district and a publichouse, and you are asked, "What house are you going to?" would you not recommend the house you are acquainted with?—Yes; if I was asked by a friend.
122. You know the Wairoa very well?—Yes.
123. Which house do you generally stay at?—I could not tell you the name of it, but it is above the wharf, and this other house is below.
124. The house you stay at is the one Mr. Flint used to keep?—Yes.
125. The Clyde Hotel?—Yes.
126. If a gentleman met you on board a steamer who was unacquainted with Wairoa, and asked you to tell him a good hotel to stop at, would you have recommended him to go to the Clive Hotel?—Yes.
127. As to card-playing, is it not a common thing on the Union Company's boats for a harmless game of whist or euchre to be played among the passengers?—Yes. I have travelled a deal by the boats, and the Union Company's boats mostly have card-rooms.
128. And the passengers generally play a harmless game?—Yes.
129. If it had not been Inspector Emerson who was playing cards on the Wairoa would you have taken any notice of the game at all?—No; but I should have taken notice of the drinking, because it is illegal to drink alongside the wharf.
130. That was the only thing that struck you?—I thought it was very improper.
131. When did you first mention the matter to any one?—I mentioned it at breakfast at the hotel.
132. And since then?—I got into conversation with a Mr. Taylor at Woodville, and he told me some of his grievances.
133. When was that?—Probably a year ago.
134. Can you fix the time?—I think it is well on to a year ago.
135. Who is Mr. Taylor?—Mr. James Taylor, nurseryman, and Justice of the Peace at Woodville.
136. Is he in Court now?—Yes.
137. Did you know that it was a matter of notoriety in Woodville that he and Inspector Emerson are very much at cross purposes?—I know they had some difference.

138. In your capacity as a Justice of the Peace did you have anything to do with it directly or indirectly?—No.

139. Do you know that Mr. James Taylor laid an information against the Inspector for assault?—I think he told me that himself.

140. Was that on the occasion on which you told him what you had seen on the "Wairoa"?—I believe so, but I could not be positive.

141. Are you sure it was on the "Wairoa" that the card-playing took place?—I said before I was not positive about it, but I believe it was the "Wairoa."

142. On the following morning, when the Inspector made himself known to you, did he tell you his name?—No.

143. When did you first find out that he was an Inspector?—I learned it from Mr. Herd.

144. On that morning?—Yes.

145. Is it not peculiar that if a gentleman in Inspector Emerson's position should introduce himself to you, he should say he was a detective. Are you clear on the point?—It is a long while ago, but I feel certain he did not mention his name.

146. But he said he was a detective?—He asked me if I knew who he was; and I said I did not, and I did not care.

147. Then he said he was a detective?—Yes.

148. *The Chairman.*] Are you clear that he said "I am a detective"?—I am certain about it. I did not know his name till Mr. Herd told me.

149. *Mr. Taylor.*] As to touting for a certain hotel at Wairoa, did not the other passengers also complain?—They remarked at breakfast that it was peculiar he should do it.

WILLIAM WOOD FULLBROOK, examined on oath.

150. *Mr. Taylor.*] You are a gardener?—Yes, at the hospital.

151. Have you been here many years?—About twelve years.

152. Have you known Inspector Emerson since he has been here?—Yes.

153. Have you seen him pretty often?—Occasionally.

154. Where?—Generally in the streets.

155. Sometimes in the Working Men's Club?—Rarely.

156. Have you seen him in any of the hotels?—No.

157. Has he always been perfectly sober when you have seen him?—To the best of my belief he has been.

158. Have you seen him on any occasion when his condition has attracted your notice?—I should not like to say that.

159. I ask you again, Have you seen him on any occasion when his condition has attracted your notice?—No.

160. Did you not make a different statement to a friend of mine and myself yesterday?—No, I did not. When you spoke to me at the hospital yesterday I said I could give you no information.

161. Did you not say that you could fix the dates when you had seen him not perfectly sober?—I said I could give you no information, and that I could fix no dates and give no instance on which I had seen the Inspector under the influence of liquor.

162. Did you not say yesterday, in the presence of myself and another person, that you had seen the Inspector when he was not sober?—No. I said I could give no evidence.

163. Can you remember every word that passed between us?—No.

164. Did you not say that you did not want to be a witness?—Yes. I said it would not be convenient for me to come from the hospital.

165. Anything else?—I said it would do me no good to be mixed up in the case.

166. Did you say you did not want to do the Inspector any harm?—I believe I did.

167. Did you say that the fact that you had left the Force might be brought up against you?—I cannot remember.

168. Did you not say that it might injure you to be mixed up in the business?—I believe I did say so.

169. What was the occasion for your saying that you did not want to get the Inspector into trouble?—I did not wish to do the man any harm.

170. But how could you do him any harm?—It was a general conversation we had, and I said I could not give any evidence at all.

171. And then what did you admit?—I said that because of the position I held I did not wish to be mixed up with the case. I said I had to do with the police, in my position as an hospital servant, and that to give evidence might cause a bad feeling.

172. Did you not say then that you had seen the Inspector under the influence of liquor?—I said I had heard a great deal, but that was not evidence.

173. And then what did you say?—You asked me if I had ever seen him under the influence of liquor, and I said I could mention no instance.

174. You said you could give no dates?—I said I could give no dates, and no occasion.

175. Did you not say you could give no dates?—I said I could give neither dates nor occasion.

176. Will you swear you said "no occasion"?—I cannot remember everything that was said. I told you I had no recollection of any date or any occasion, and that I could give you no occasion of any sort.

177. Do you remember mentioning the name of a member of the Working Men's Club?—In what respect?

178. In connection with the Emerson matter?—I told you a matter I had heard about.

179. Did you mention a man's name?—Yes.

180. Who was it?—Russell Beecham.
 181. Did you see the Inspector in the Working Men's Club?—Yes.
 182. Where?—In the bar. I do not think I ever saw him anywhere but in the bar.
 183. Did you ever play cards there?—Yes.
 184. Have you ever seen the Inspector playing?—No.
 185. When would you regard a man as being under the influence of liquor. There are many stages of drunkenness. A man might be under the influence of liquor and might still be able to do his duty, or he might be helplessly drunk.
 186. Have you ever seen the Inspector in either condition?—No.
 187. What did you leave the Police Force for?—I resigned.
 188. Under what circumstances?—I resigned.
 189. *Mr. Cresswell.*] You are also the porter at the hospital?—No, but I once acted as porter for a few months.
 190. Do you know that Inspector Emerson is Inspector of Clubs and Licensed Premises in Napier?—Yes.
 191. And, as such, has access to them at all reasonable times?—Yes.
 192. As you have known him since he has been in Hawke's Bay, have you ever seen him the worse of drink?—No.
 193. Have you ever known him, since he has been in Hawke's Bay, to be addicted to gambling?—No, I have never seen him play a game of cards.
 194. Have ever known his conduct to be destructive of discipline and injurious to the public interests?—No.
 195. *Mr. Poynton.*] How long is it since you left the Force?—About twelve years.

JAMES TAYLOR, examined on oath.

196. *Mr. Taylor.*] Where do you reside?—I am a Justice of the Peace, residing at Woodville.
 197. Do you remember the occasion of the Woodville races, in 1896?—Yes.
 198. Were there any spiellers at the meeting?—Yes, I believe there were a great many. It was so reported, and I met some myself.
 199. On what date were the races held?—On the 5th and 6th February.
 200. Had you any experience with these men?—Yes, but did not know them to be spiellers.
 201. What was the nature of it?—I was taken in by two of them, who led me to believe that they were horse-owners from Hastings, and that a horse of theirs, in the race about to start, was likely to win.
 202. What was the result? What did you lose?—I permitted one of them to draw £3 from my hand to fetch me three totalisator tickets, as he said it was useless for all of us to go to the ticket-box. He ran off, presumably to get the tickets, but I got no tickets from them, and no return for my money.
 203. Did you see the Inspector on the course?—I saw him with three constables. I went and spoke to him, but he would not listen to me. He said, "If you are such a — fool as to give your money to swindlers I will have nothing to do with you, or them either." I followed him and told him I was a Justice of the Peace, and that I did not consider he was doing his duty in treating me in that way. He said, "I do not care a — who you are, and if you do not clear away I will have you locked up." At the same time he made several lounges at me with his body and jostled me.
 204. Did you see him again?—I saw Mr. C. Hall, the then member for the district, and he spoke to Inspector Emerson about the matter. The Inspector then came to see me at the gate. He said he was sorry for what had happened. I said, "That is all right." He asked me if I would know the men again, and I said, "That is one of them that you have just been speaking to." He said, "Which?" and I said, "That man with the straw hat and the black coat." He said, "Oh, no; that is Mr. Profit's clerk, a respectable man." I said he was a thief, no matter how respectable he was.
 205. Are you sure that was the man?—Yes.
 206. Then the Inspector knew the man?—He was speaking to him.
 207. Did you lay an information against Inspector Emerson for assault?—Yes. But before that Inspector Emerson had said he would see what could be done, and he went behind the grand stand. He came back with Detective Kirby and two constables, and said I could have the use of them to find the men. Kirby afterwards said that it was a foolish thing to go about with men in uniform looking for the men. Afterwards I laid an information against Inspector Emerson for assault.
 208. What was the date?—It was to be heard on the 13th of March.
 209. Did you withdraw it?—Yes.
 210. Had you an interview with the Inspector?—No.
 211. Did you write to the Minister of Justice about the matter?—Yes.
 212. Did you get a reply?—Not for a fortnight. I wrote again, and got a reply within three or four days.
 213. Did you consider that the Inspector acted as he should have acted?—No; he acted like a brute.
 214. *The Chairman.*] Why did you withdraw the information?—My solicitor led me to believe that I would have to give Inspector Emerson a month's notice, under the Police Act; but, as I had gone to some expense over the matter, and as I intended to write to the Minister about other matters, I decided to withdraw it, and to lay the whole thing before the Minister for him to deal with.
 215. *Mr. Taylor.*] Did he do anything?—No.

216. You were told you had a remedy against Inspector Emerson in a Court of law?—Yes.
217. *Mr. Cresswell.*] When you were told that, did you seek any remedy against him in a Court of law?—No.
218. Do you not think that it is rather contemptible to come here now, under the cloak of a Royal Commission, and say all this when you would not take your remedy in the Court of law?—I do not consider it is contemptible at all. The Minister of Justice was the proper party to give me my remedy.
219. But you are now making the charges under the cloak of the Royal Commission?—I made the charges to the Minister of Justice, and not under any cloak.
220. Did you accept the reply of the Minister of Justice?—No; he did not do his duty.
221. And do you consider that it is manly to come here to-day as you do?—Yes.
222. How long have you been a Justice of the Peace?—For some years—about six.
223. Are you in the habit of going to racecourses?—No, I have not been on a racecourse since.
224. Did you go before that?—Sometimes.
225. Before that did you invest money on the totalisator?—Never before that in any way connected with racing.
226. I suppose you know how the totalisator is worked?—I have a good idea.
227. By investing your money with this man did you expect to get more than you otherwise would?—I thought I had a chance of winning rather than losing. I invested with no man.
228. Had you known either of the men before?—No, never.
- 228a. When you invested your money you fancied you were betting on a certainty?—If their opinion was well grounded it was. I was prepared to lose as long as the thing was fairly done.
229. When you invested the money you thought they were telling the truth?—Yes. I believed the men to be respectable, and allowed one of them to draw the money from my hand to fetch me totalisator tickets.
230. You expected, then, that you were betting on a certainty?—I had confidence that their horse was likely to be the winner.
231. Are you in the habit of associating with “welshers” and “spielers”?—No, or I would not have been taken in.
232. They were both “welshers” and “spielers”?—But I did not know it.
233. If the horse had won, and they had given you £15 for your £3, you would have been pleased?—I would not have come in conflict with Inspector Emerson.
234. But you would have been pleased?—Yes.
235. Then the converse holds good—that you were angry because of your paltry £3?—No. I was angry at the men cheating.
236. Were you not angry because you had lost the £3?—No.
237. Did you not say you had been robbed?—Yes.
238. Were you not angry then at being robbed of £3?—I was angry at being taken in.
239. Were you angry at being taken in to the extent of £3?—I was angry at being taken in.
240. You were taken in to the extent of probably £15?—How do you know?
241. There was the prospect of winning it?—I was angry, I tell you, at being taken in.
242. But you were angry at being taken in to the extent of £3?—I have answered the question already. I was annoyed at being taken in, and I was taken in to the extent of £3.
243. When you went and spoke to the Inspector, was he not in company with Constables Siddells and Treanor?—There were three of them with the Inspector—Siddells was one, but Treanor was not there at all, having gone to Woodville.
244. Had the police two spielers in charge at the time?—No, they had nobody, and were doing nothing—that is, Inspector Emerson and the police who were with him at the time had nobody in charge.
245. If Inspector Emerson and two policemen say that when you came up they were escorting two spielers to the station, will you deny it?—I will. Treanor had gone with the prisoners, as I afterwards found out.
246. Did you put your hand on Inspector Emerson?—I touched him on the arm to arrest his attention.
247. There were a great many spielers at Woodville?—Yes.
248. And few police?—Six.
249. Did the Inspector not tell you that if you interfered with him in his duty he would lock you up?—He did not say that to me. He said, “If you do not clear away and leave me alone I will lock you up,” and he launched out at me three times.
250. Was there not a crowd of spielers following up and interfering with the police when you spoke to him?—No; the course was almost clear at the spot where I accosted the Inspector.
251. Were not a lot of these men yelling and hooting at the police for arresting the two spielers?—I did not hear them. I did not hear of the arrest till afterwards.
252. *The Chairman.*] At the time you approached the Inspector, was the crowd yelling and hooting?—No; that part of the business was over, and the people had gone down the course towards Harding’s stables, and some were coming back.
253. *Mr. Cresswell.*] When you spoke to the Inspector, was he and the two constables endeavouring to keep the crowd back?—No; the crowd was in front of them at that time.
254. When you met Inspector Emerson the second time did you explain everything fully to him?—I explained the position as I have explained it here.
255. Did he not then say, “Well, I will give you the assistance of the police to find any men you want”?—Yes.
256. And did you express satisfaction with the Inspector’s explanation?—When he said he was sorry for what had happened, I said, “That is all right.”

257. You had received an explanation and you were satisfied?—No; the explanation was not sufficient for the treatment he had given me. He committed a gross outrage on me.
258. Did you not consider that the matter was at an end?—No. When I said, "All right," I meant it was all right in the meantime.
259. Did you not go round the course with the detective and the two constables?—Yes.
260. How long were you hunting for the men?—For a considerable time Detective Kirby and I went round by ourselves, and I went about by myself afterwards, and also next day.
261. Was Detective Kirby in uniform or plain clothes?—In plain clothes.
262. Did you say, "I will let the matter drop, because if it is exposed it will injure me in my position as a Justice of the Peace"?—No.
263. Or that it would deprive you of your commission of the peace?—No. They can have that at any time they want it.
264. Now, these races took place on the 5th and 6th February?—Yes.
265. When did you lay the information for assault?—On the 3rd March.
266. How do you account for the delay?—There was a difficulty in finding witnesses.
267. Did you issue subpoenas for your witnesses?—Yes.
268. And do you say that a solicitor advised you that you could not lay an information against Inspector Emerson without giving him a month's notice?—I do, and I will give you the name if you want it.
269. That was not your own interpretation of the Act, or Mr. Hall's interpretation, was it?—No.
270. Did you give the Inspector notice of action after that?—No.
271. You did not attempt to remedy the so-called defect?—No. I wished to lay other matters before the Minister of Justice, and I wrote about this one as well.
272. You have taken no proceedings from that day to this?—That was proceeding enough.
273. You have taken no proceedings from that day to this?—Do you mean in a Court of law?
274. Yes?—No, I have not.
275. Do you belong to any temperance lodge?—No.
276. Are you a Prohibitionist?—No.
277. Do you believe in a man having a glass of refreshment when he is inclined?—Certainly.
278. *Mr. Taylor.*] Do you have it yourself sometimes?—Yes; I had it this morning.
279. *The Chairman.*] You initiated legal proceedings after a month, which you withdrew?—Yes.
280. And then the Minister of Justice told you that your remedy was in a Court of law?—Yes; but it was some time afterwards that he told me that. It was on the 21st May, and in the meantime they had promoted Inspector Emerson to be a First-class Inspector without making any inquiry. I was sick of the whole thing after that.
281. You understood that your case was not prejudiced by the delay?—I understood that. The solicitor also urged that the bulk of the witnesses were constables, who, in his opinion, would swear whatever the Inspector wanted them to say.
282. The same solicitor told you that?—Yes.
283. Were you personally acquainted with Inspector Emerson before that day?—Yes. He conducted a case against some spielers when I was on the bench some time before that.
284. Had you reason to believe he knew you?—He might have remembered me. At any rate, when I spoke to him I told him who I was.

JAMES BUCKMAN ELMS HERD, examined on oath.

285. *Mr. Taylor.*] Where do you reside?—At Tomoana. I am foreman of the fellmongery.
286. Have you on any occasion gone from Napier to Wairoa by steamer?—Yes.
287. Can you remember about the date?—11th September, 1896, on a Friday evening.
288. What was the boat?—The "Tekapo."
289. Was Mr. Heslop, of Woodville, a fellow-passenger?—Yes.
290. Was Inspector Emerson also on board?—Yes. He came on the boat that evening in plain clothes. I did not know him at the time.
291. Do you remember when the boat left the wharf?—It was supposed to leave at 3 o'clock, but I do not think it left till half-past 3.
292. Is that not unusually late?—These boats for Wairoa leave at all hours to suit the tide.
293. Did you see any game of cards being played on board?—While Mr. Heslop and I were talking, a gentleman came to us and proposed that we should have a game of cards. That was about 9 o'clock. I said I did not make it a practice to play cards away from home, and Mr. Heslop said he could not play. The steward and the captain then sat down and took hands, and they went on playing for some time. I turned in about 10 o'clock, and shortly after two other men came down and took the places of the captain and the steward. I then went to sleep. About 2 o'clock there was a terrible row, and I turned to see what was going on. The man who turned out to be Inspector Emerson was the man who was doing all the talking. There were glasses on the table, some with liquor and some without, and the steward was drawing what I took to be a bottle of beer. I also saw what I thought was money on the table.
294. Was it a loud conversation?—Yes, very loud; the noise woke me up.
295. Did you hear any of the conversation?—I did not take any notice of it.
296. Did the game stop?—No; they went on playing, and I turned round and went to sleep.
297. Are you sure Inspector Emerson was one of the players?—Yes.
298. Had you watched the game before you went to sleep the first time?—Only when the steward and the captain were playing.

299. Were they playing for money, or drinks?—No; not until later. I saw no money or drinks till I woke up at 2 in the morning.

300. The captain and the steward were not playing for money as far as you could see?—No.

301. Did you hear Inspector Emerson referring to a hotel at Wairoa as being a good one?—Yes, on the Sunday; when we were going back he said Poyzer's was a good one, and that he had been on his usual inspection.

302. Did you see him at Wairoa?—Yes; I saw him with Mr. Poyzer.

303. Did you see the Inspector drinking on the steamer?—No.

304. The drinks were for the parties who were playing?—Yes.

305. Have you ever travelled with the Inspector before or since?—No. I had only seen him twice before that, and on this occasion he was in plain clothes.

306. *Mr. Creswell.*] Did you know during the night that it was Inspector Emerson?—No.

307. You went to sleep at 10, and up to then there had been no playing for drinks or money?—No.

308. Have you travelled on the Union Company's boats?—Yes, and on the "Wairoa" and on the Huddart-Parker steamers.

309. Have you ever seen cards played on the steamers?—Yes.

310. On the large boats they have special rooms for card-players?—I do not know that. I am not a card-player myself.

311. Do you wish us to infer that the Inspector was at all under the influence of drink?—No.

312. When speaking to Mr. Poyzer, was he under the influence of drink?—No. I only saw him speaking to Mr. Poyzer as I was riding past.

313. When at Wairoa, was he incapable of doing his duty?—No.

314. And on returning from Wairoa he was praising Poyzer's Hotel?—Yes.

315. Is that the new hotel?—No, the old one.

316. Was Mr. Heslop on the return voyage?—Yes.

317. Did he say that in the presence of Mr. Heslop?—Yes.

318. Did you hear the Inspector speaking to Mr. Heslop on the morning you went to Wairoa?—Yes.

319. At that time, did you know who Inspector Emerson was?—Yes.

320. Are you aware whether Mr. Heslop then knew?—Yes. Mr. Heslop told me it was Inspector Emerson.

321. *Mr. Taylor.*] Did you hear the Inspector introduce himself to Mr. Heslop?—No.

FRANCIS LOGAN, examined on oath.

322. *Mr. Taylor.*] You are a barrister and solicitor?—Yes; in Napier.

323. Do you know Inspector Emerson?—I do.

324. Were you ever a fellow-passenger of his on any steamer leaving Napier?—Yes.

325. What was the steamer?—I could not tell, and I could not say the year, but it was certainly within a fortnight of Inspector Emerson's appointment to this district.

326. Have you any special reason for remembering that trip, so far as he is concerned?—Yes.

327. In connection with his conduct?—Yes.

328. What was his conduct on that occasion?—He was not sober.

329. Where was the steamer going to?—I went from Napier to Gisborne.

330. Was it the "Southern Cross"?—Probably it was.

331. Did his condition attract the attention of other passengers?—I could not say it did.

332. Can you remember the names of any of the other passengers?—There is only one other I can remember—Mr. Horace Baker, who was also going to Gisborne.

333. Was Mr. Jardine not on board?—I could not say. I have travelled with him to Gisborne, but whether he was on the steamer at this time I could not say. He may have been.

334. Was the Inspector's condition quite noticeable?—The only place I saw him was in the saloon, and that was probably two hours after we had started.

335. He was not sober?—No, he was not.

336. Was his conduct objectionable?—He spoke to me, but I took no notice of him at the time. I did not know who he was.

FREDERICK FORBES, examined on oath.

337. *Mr. Taylor.*] What is your occupation?—I am a hotel employé.

338. Have you been in this district long?—I have been in Napier on two or three occasions.

339. Where is your regular home?—Gisborne.

340. Have you worked in any of the Napier hotels?—Two—the Criterion and the Clarendon Club.

341. Which did you work in last?—The Clarendon Club.

342. When did you leave there?—About eighteen months or two years ago.

343. And prior to that you were in the Criterion?—Yes.

344. Do you know Inspector Emerson?—By sight.

345. Have you seen him frequently since he has been in this district?—I have seen him often.

346. Sometimes in the street?—Yes.

347. And sometimes in the hotel?—I have seen him in the hotel.

348. Which one?—Sometimes in the Criterion.

349. In what room?—I cannot say any particular room.

350. Have you seen him in the bar?—I cannot say that, but I have seen him in the passage.

351. In what rooms have you seen him?—In the club-room.

352. How often do you reckon you have seen him?—Perhaps once or twice—not frequently.

353. Was he sometimes sitting down and sometimes standing up?—I cannot say that.
 354. Was he there resting?—I cannot say that.
 355. What time of the day?—I have seen him go through of an afternoon.
 356. Can you say you have seen him there of a night or of an evening?—Not to my knowledge.
 357. Have you seen him having refreshments?—No.
 358. *Mr. Cresswell.*] Did you ever see the Inspector the worse of drink?—No.
 359. Did you ever know him to be addicted to gambling?—No.
 360. Did you ever know him to act other than as an Inspector of Police should act?—No, I cannot say I have.
 361. Did you ever know him guilty of conduct that was destructive to discipline, or injurious to the public interests?—No.

HORACE BAKER, examined on oath.

362. *Mr. Taylor.*] What are you?—I am a surveyor and land agent.
 363. Did you travel from Napier to Gisborne on one occasion?—I have often travelled on that route.
 364. Do you remember being a fellow-passenger with Mr. Logan on one occasion?—I have some recollection of that—a good many years ago, I think.
 365. Was Inspector Emerson also on board?—Yes.
 366. Did the Inspector's conduct attract your attention?—I was not very well, and I turned in pretty early.
 367. Did you see him at all?—I have no doubt I saw him on board the boat.
 368. Was he sober?—It depends on what you call sober.
 369. If Mr. Logan says he was not sober would you contradict him?—Men's opinions differ.
 370. What is your opinion?—It is so long ago I cannot remember.
 371. It was while the Inspector was in this district?—I think he had just come.
 372. *The Chairman.*] Can you answer the question as to his sobriety? What is your opinion?—I should not like to say that Inspector Emerson was drunk.
 373. *Mr. Taylor.*] Was he sober?—If he was not drunk he would be sober.
 374. *The Chairman.*] Do you consider he was sober?—He had had something to drink, no doubt.
 375. *Mr. Taylor.*] Was his conduct objectionable?—It was rather objectionable to myself.
 376. Did you attribute it to the fact that he had had liquor?—I suppose that would be the natural inference.
 377. Would you have liked to see him in that condition in your own home?—It depends on circumstances.
 378. Well, ordinarily, would you like to see a man in that condition?—I have told you that I turned in after the boat got outside the heads, and, further than that, I do not know that I saw Inspector Emerson at all. There was laughter in the saloon and a little noise.
 379. Did you not express surprise at the man's conduct?—I believe I did.
 380. He made himself obnoxious to you?—Yes.
 381. And you attributed his conduct to the fact that he had liquor?—That is the inference I drew.
 382. *Mr. Cresswell.*] I suppose you have seen men sea-sick on steamers?—Yes.
 383. And there is a similarity in the appearance of a man who is sea-sick and a man who has had liquor?—Yes; a man staggers about if he is sea-sick.
 384. And, seeing a stranger, it would be difficult to say whether he was suffering from sickness or drink?—Yes.
 385. Do you know that, as a matter of fact, Inspector Emerson was in charge of the district?—I cannot say for certain whether he had been appointed or not.
 386. You say that Inspector Emerson was not drunk?—I said he was not actually drunk.
 387. Of course, you recognise that there are degrees of drunkenness?—Yes; there are many stages of it.
 388. A man might be suffering largely from the effects of drink without being drunk?—Yes.
 389. *The Chairman.*] Was he in such a condition as to render himself offensive to others?—I did not see him all the time. I was lying in my berth alongside the saloon, and there was a noise going on, and I believe I was cross because I had been wakened up; but I do not remember going out of my cabin to see what was going on.
 390. *Mr. Poynton.*] Is it the conduct that you refer to while you were in your berth that you considered objectionable?—Yes.
 391. *Colonel Pitt.*] It was not a personal insult to yourself?—Not that I can remember. It is a good many years now since it happened.
 392. *Mr. Poynton.*] You referred to laughter and noise?—I was annoyed at there being a noise. I wanted to go to sleep.
 393. *Mr. Taylor.*] You are clear as to who the offender was?—I think so. There were others in the saloon.
 394. But you observed sufficient of the Inspector to know that you had cause to be dissatisfied with him?—Yes, I think so.
 395. Did you not say that the man ought to be thrown overboard?—I believe I did say something of the sort.
 396. *The Chairman.*] On that occasion was he in a condition to transact business in an ordinary, decent manner?—I cannot say the fact of a man being jolly on board a steamer would prevent him doing his duty.
 397. Had that state of jollity reached a stage that would render him unfit to perform his duty?—I cannot answer that question.

WILLIAM JAMES GRUNDY, examined on oath.

398. *Mr. Taylor.*] Are you in business here?—Yes, I am a draper in Napier.
 399. Do you know Inspector Emerson?—Yes.
 400. You have known him since he came to the district?—Yes.
 401. Are you president of the Working-men's Club?—No.
 402. But you have been?—Yes.
 403. For what terms?—I was president for one or two years.
 404. Who was the secretary?—Mr. C. P. Lound has been secretary for some years.
 405. Have you a large committee to manage the club?—Twelve or thirteen.
 406. Was Inspector Emerson a member of the club?—Yes, at one time.
 407. Did he not cease to be a member on one occasion?—I cannot answer that without looking at the books, as I am not sure about it.

JOHN FERGUSON JARDINE, examined on oath.

408. *Mr. Taylor.*] What is your occupation?—Commission agent.
 409. How long have you been in Napier?—About fourteen years.
 410. Do you occasionally travel to Gisborne by steamer?—Yes.
 411. Has Inspector Emerson ever been a fellow-passenger with you?—He was once.
 412. Can you remember about the date?—It is a long time ago.
 413. Just after he came to the district?—Immediately after.
 414. Do you remember anything as to his conduct or condition that attracted your attention on that voyage?—We noticed that he was not sober.
 415. His state was sufficient to attract the attention of the other passengers?—Yes.
 416. *Mr. Cresswell.*] This was in the saloon, I understand?—We were at the wharf, if I remember rightly.
 417. But you saw Inspector Emerson in the saloon?—I saw him on deck first.
 418. Were you in Mr. Logan's company?—We were going to Gisborne.
 419. Do you know whether Inspector Emerson suffered from sea-sickness on that trip?—I could not say.
 420. Was he any more than jolly in the cabin with the other passengers?—He made a considerable noise in the cabin, and we could not go to sleep.
 421. What was the noise—laughter?—Yes, and shouting.
 422. The others with him were laughing and joking too?—I could not say. I did not go into the saloon.
 423. Were the others laughing and joking with him?—There may have been one, but not more.
 424. It was the laughter and noise that the Inspector and some one else made that kept you from going to sleep when you wanted to go to sleep?—Yes.
 425. That is all you complain of?—I do not complain of it at all.
 426. Is there anything you complain of, then?—At the time I complained of the noise.
 427. *The Chairman.*] Do you know the difference between the noise of hilarity and noise the result of drunkenness? Can you tell me under which head it would come?—I am afraid it would come under the latter.

WILLIAM JAMES GRUNDY, further examined on oath.

428. *Mr. Taylor.*] Can you tell us the dates of your presidency of the club?—From November, 1890, to November, 1891; from November, 1892, to November, 1894; and from November, 1896, to 1897.
 429. You missed one or two terms?—Yes.
 430. During which of those periods was Inspector Emerson's conduct the matter of discussion before your committee?—To the best of my knowledge it was never under discussion. According to the books you will find it was never under discussion.
 431. Is there no record in the minute-book?—I think not.
 432. Is the correspondence of the club copied?—Yes.
 433. Have you examined the letter-books?—I cannot get to them, as I am now out of the presidency.
 434. What was the nature of the communication that you had with Inspector Emerson?—No communication that I know of at all.
 435. Neither written nor verbal?—No. A rumour is nothing.
 436. What do you know of Inspector Emerson's conduct while a member of your club?—As far as I know of Inspector Emerson's conduct as a member of the club he behaved himself as a gentleman.
 437. Were you not commissioned to speak to him about some misconduct of his?—No.
 438. Did you speak to him?—I do not remember. If I did I have altogether forgotten it, but I was never commissioned by the committee to speak to him.
 439. Did you speak to him apart from the committee?—I cannot say I did.
 440. Did you not have a conversation with him about the transgression of certain rules of the club?—No.
 441. Did you see him about any matter?—Personally?
 442. Yes?—No.
 443. Did you instruct any one else to see him?—No.
 444. As president of the club, do you know whether any one else saw him about certain matters?—I do not know.

445. You do not know that he was seen by any officer of the club?—I do not know that. Perhaps the steward or some one else spoke to him.

446. Who was the steward at that time?—At what time? I should like to know what the charge is.

447. I want to know who was steward at the time Inspector Emerson's conduct was discussed among your members?—I have just said it was not discussed among the members.

448. Did you not talk about his conduct among your members?—Only on rumour, but nothing was brought before the committee.

449. Who was steward at that time?—If you would say the time I would answer you. The late steward was Mr. Beecham.

450. Was he the steward the whole of the time you were there?—No.

451. Who was steward at any other part of the time?—The present steward is Mr. Dunlop.

452. I come back to the question, then: Do you swear you had no conversation with Inspector Emerson about the rules of your club?—You are going back a long way—about five or six years.

453. Inspector Emerson has not been in the district six years?—He became a member of the club in 1893; but as to having a conversation with any one that time ago, I could not remember it.

454. It would not be an ordinary conversation. Cannot you remember a conversation with him about a breach of rules of your club?—I have never had a conversation with him in reference to the rules of the club, and Inspector Emerson, I believe, can bear me out in that.

455. When did he cease to be a member?—The secretary will say that.

456. You know he did cease to be a member?—He gave over his membership for the time being.

457. You do not know the date?—It might be six or twelve months after he joined.

458. Did he resign in writing?—I do not think so. It is not necessary.

459. Was he written to about his resignation?—The secretary can answer that.

460. Do you know?—I am not permitted to know that. If I was president of the club I would not get every letter of resignation of members.

461. Do you know of your own knowledge whether his resignation was the subject of correspondence?—I do not. In fact, as far as my memory carries me, it was not the subject of correspondence.

462. Do you know whether Inspector Emerson's name as a member of your club has been mixed up with a breach of your rules re gambling?—From my own knowledge it has never been. It might have been from rumour.

463. *Mr. Cresswell.*] Though you are a draper you are a good deal about the town?—Yes.

464. And since Inspector Emerson has been here how often have you been in the habit of seeing him?—Not daily, but pretty regularly.

465. Almost daily?—Getting on that way.

466. And sometimes more than once in the day?—Possibly.

467. On any occasion have you ever seen him the worse of drink?—No, I can safely say that.

468. Have you ever known him to be addicted to gambling?—No. This is the only rumour I have ever heard of, and the only time it has been brought under my notice.

469. Have you ever known his conduct to be destructive to the discipline of the Police Force?—No.

470. Could you say he is a man of intemperate habits?—I should say not.

CHARLES PHILIP LOUND, examined on oath.

471. *Mr. Taylor.*] Are you secretary of the Working-men's Club?—I am.

472. Was Inspector Emerson a member?—Yes.

473. When did he join?—In the beginning of 1893.

474. When did he resign?—He paid up as far as the end of June. As far as I remember, he never sent in his resignation. It is not usual to do so. Some do and some do not. He ceased to be a member from the end of June, 1893.

475. Have you your letter-book or your minute-book?—No.

476. Can you remember, without reference to them, what communications passed between the club and Inspector Emerson?—I do not remember any, except a notification of his acceptance as a member.

477. Do you not remember a letter going from the committee to Inspector Emerson?—I do not.

478. Do you write all the letters?—I am supposed to.

479. Do you?—I believe I do.

480. Did you get a letter from any member of the club complaining about Inspector Emerson's conduct as a member of the club?—I do not remember.

481. Did you get any complaints as to his conduct while he was a member of the club?—I cannot say I did.

482. Was not his conduct a matter of discussion before your committee prior to his resignation?—I do not remember.

483. Well, try and remember?—It is a long time to look back—over five years.

PATRICK BLACK, examined on oath.

484. *Mr. Taylor.*] When did you join the Force, Sergeant Black?—Twenty years ago next July.

485. Where have you been stationed?—Dunedin, Wellington, Dargaville, Auckland, and Gisborne.

486. How long have you been at Gisborne?—About fourteen months.

487. Where were you before that?—Auckland, where I was stationed for close on two years.
488. Has Inspector Emerson visited your station frequently since you have been at Gisborne? —I think he has been at Gisborne three times since I went there.
489. Have you met him on his arrival?—Yes.
490. And have you been with him pretty well all the time he has been there?—Not all the time.
491. Has he been perfectly sober all the time on each occasion?
492. *The Chairman.*] Excluding the 2nd May, 1897. You must bar that date in answering the question. Was one of the occasions, the 2nd May 1897?—Yes.
493. *Mr. Taylor.*] You have seen him on two other occasions?—Yes. Once when Mr. Kenny came there to inquire into the 2nd-of-May charge, and the other time was when he came there to inspect the station.
494. When was that?—Last July. I met him at the wharf, and after that I saw him off and on while he was there.
495. What was the date in July?—He arrived at Gisborne by the "Tarawera" at 7.30 a.m. on July 3rd, 1897, and left at 7 p.m. by the "Waihora" on the 7th July.
496. Was that the day between the two race-days?—Yes.
497. He did not stay for the second day of the races?—He did not.
498. Did you see him on the 3rd day?—Yes.
499. And on the 4th, 5th, and 6th?—Yes; I saw him each day while he remained.
500. Where was he on the 6th?—I saw him at the Gisborne Hotel, in which he was staying. He went out to the racecourse with Constable Clark and I.
501. Where did you see him after that?—On the course.
502. Up to what time?—I will not be certain when he left, but I think it was between 3 and 4 o'clock.
503. Did you see him leave?—Yes; but I was not close to him.
504. Whom was he with?—When I saw him last he was walking in front of the grand stand with Mr. Joyce.
505. Did he get into a cab?—Yes.
506. When did you see him after that?—Next day.
507. Not that night?—No.
508. Did you go to the Gisborne Hotel that night?—Yes; but I do not think I saw him.
509. Did you ask for him?—Yes; and I think the barman told me that Inspector Emerson had gone to bed, as he was not feeling well.
510. What time was that?—In the evening.
511. You are sure you did not see Inspector Emerson that night?—I do not think I did.
512. Did you not go into a room and see him sitting there?—Not that night. I will not swear positively that I did not.
513. On which night did you go into the hotel and see him?—I was in the hotel to see him almost every night he was there.
514. Whom was he playing cards with on any of these nights?—I cannot say he was playing cards.
515. Will you say he was not playing cards?—I cannot remember. I will not say he was not playing cards.
516. Do you mean to say that if you saw the Inspector playing cards on a night in last July you would have forgotten it by now?—I mean to tell you this: that I saw Inspector Emerson playing cards on one occasion in the Gisborne Hotel; but he made two visits there, and I cannot swear which of those times I saw him, for the simple reason that I did not take note of it, and I will not swear to it.
517. With whom was he playing?—I cannot say. I do not remember the names of the men.
518. Was Mr. Whitby in the room?—Is that the storekeeper?
519. Yes?—He may have been there. There were a number of men.
520. Was Nisbet there?—He may have been, but I do not recollect seeing him.
521. Was Martin there?—I think Martin was in the bar.
522. Is Martin the landlord?—Yes.
523. Was Martin not in the room where the playing was going on?—I do not think so.
524. I see that you have publicly given a definition of drunkenness. In speaking of a certain person you said he was not drunk, nor did he appear to have taken too much. Now, when do you think a man has taken too much?—It is a difficult matter to define drunkenness. There are many different stages of it, and there is a long distance between sobriety and drunkenness.
525. Was the Inspector betwixt and between on the occasion on which you saw him in the Gisborne Hotel?—I saw him on a number of occasions, but when I saw him playing cards he was sober.
526. Was he absolutely sober?—As far as I could see.
527. Would it be equally easy for you to say whether a man was drunk or sober if he was your superior or your inferior officer?—Do you mean that it would be more difficult to determine whether my superior was drunk than whether a civilian was drunk?
528. Yes?—Well, I would judge one as easily as the other.
529. Was Inspector Emerson perfectly sober on each of the other occasions on which you saw him in the hotel at night?—I will not say he was.
530. Have you seen him in a condition likely to cause his men to look upon him disrespectfully?—I do not think I am in a position to answer that question, as I cannot answer for other men. I can only answer for myself.

531. Do you think, then, that he has always acted up to the responsibility of his position?—I do not think it is a fair question to put to me, and I will not answer it unless the Bench order me to do so. It is asking me to pass judgment on my superior's conduct.

532. *The Chairman.*] You must answer it?—I will answer it in this way: I do not think it is calculated to raise a man in the estimation of his superiors or his inferiors if he ever shows the slightest sign of intoxication. In answering the question I am not referring to Inspector Emerson more than to any other person.

533. *Mr. Taylor.*] Of your own knowledge, have other people been about when the Inspector was not perfectly sober?—I suppose they have.

534. You think that other people will have remarked his condition?—I could not say what other people have done.

535. Is it possible for him to have been in that condition without attracting the attention of the people in Gisborne?—It might have been.

536. Without any one seeing him at all, except the hotel people?—The people in the immediate vicinity of the house might.

537. Would not the Inspector's habits be likely to influence nervous members of the police in their enforcement of the licensing laws?—I cannot speak for others. It has never influenced me.

538. What effect might it have on the younger members of the Force?—I am not in a position to answer that.

539. As an experienced officer, what effect do you think it would have on the younger members of the Force?—It would depend very much on the disposition and the temperament of the man. It might affect one and not another.

540. Did you have a conversation at any time with Mr. Hustwick?—Yes. I have accompanied him in his visits to the hotels.

541. Did you see the Inspector when he left Gisborne on the 7th?—I saw him on board the launch.

542. Was he then apparently ill?—I cannot say he was.

543. Was he coughing badly?—I did not notice.

544. Did you notice him coughing on the racecourse on the previous day?—I was not with him much on the course.

545. Was he coughing on his way to the racecourse in the cab?—I could not say.

546. If he had been coughing continuously you would have noticed it?—After this lapse of time I could not say.

547. *The Chairman.*] When you said you had found the Inspector not perfectly sober, did that refer to other occasions during the visit between the 3rd and the 7th?—I do not think I had seen him in that state on other occasions. I confined it to one occasion.

548. *Mr. Cresswell.*] Could you say that Inspector Emerson is a man of intemperate habits?—I could not. I have only known Inspector Emerson since the 2nd May, 1897.

549. From what you have seen of him, would you say he is a man of intemperate habits?—I could not say that. I have not seen enough of him to be able to judge.

550. From your knowledge of him, is he addicted to gambling?—I never saw him gamble. On the occasion I saw him playing cards I cannot say he was gambling. It might have been a game for amusement.

551. When he went up in July it was to see about the erection of a telephone?—Yes.

552. And he was a good deal in your company on that visit?—Yes. I am almost certain that on that occasion he also visited the Ormond Station, and that I went out with him, but I will not swear to it.

553. That is about twelve miles from Gisborne?—Yes.

554. *The Chairman.*] Do you remember what day that was?—I think it was the 5th.

555. *Mr. Cresswell.*] Did he go on duty?—Yes, as far as I understood.

556. Steamers do not leave Gisborne frequently, do they?—In the winter months they do not, but in the summer there are two weekly services.

557. If the Inspector had not caught the boat on the 7th July for Napier was there a likelihood of his getting a boat within a week of that date?—I think if he had not caught the boat on the 7th he would have had to wait till the following Wednesday. The 7th was a Friday, I think.

558. Do you know of any duty that would have kept him there from the Friday till the following Wednesday?—Not unless he had chosen to remain to go to the races.

559. But, outside going to the races on the second day, is there any duty that would have kept him there till the following Wednesday?—Not that I know of.

560. *The Chairman.*] Do you consider that because a man plays cards every day of the week he is necessarily a gambler?—I have not said so.

561. But I am asking you the question?—I do not know much about gambling, but my opinion is that in playing cards unless you play for money or a stake there is no gambling in it. If men play cards for amusement I do not consider it gambling.

PATRICK BLACK, further examined on oath.

562. *The Chairman.*] What is your rank?—I am a second-class sergeant, stationed at Gisborne. I joined the Force in July, 1878.

563. *Mr. Taylor.*] When were you on duty in Wellington?—I cannot give you the date. I was transferred from Dunedin in 1885 or 1886.

564. Did you remain in Wellington long?—I think I was there for seven years.

565. Were you an Inspector of licensed houses in Wellington?—That was part of my duty.

566. Do you remember being in company with Constable Kenny on any particular Sunday afternoon when you were inspecting hotels?—Is this man Kenny still a member of the Force?

567. No. Do you remember about March, 1893, when you inspected a certain licensed house with Kenny?—It is difficult without something to fix my memory.
568. Do you remember anything special occurring in connection with the inspection of the Commercial Hotel while you were in company with Kenny?—Yes, I remember something that occurred on one occasion, but I could not give the year or the month.
569. When you met Kenny, did you ask him to accompany you to visit certain hotels?—That was the practice.
570. Do you remember asking him to go into the Commercial Hotel, when he said, "You had better not"?—I cannot remember what he said.
571. Do you remember going into the Commercial Hotel on any particular Sunday?—Yes.
572. What time of the day would it be?—I think it was between 3 and 4 o'clock.
573. Did you go into the bar?—No.
574. Into the private bar?—No.
575. Where did you go?—Into the passage.
576. Did you open the door leading into the private bar?—No.
577. Were you within view of any place in the house where liquors were served?—Yes, there was a window that opened out of the bar into the passage.
578. Was there some drink there?—No.
579. Was any one standing there with drink before them?—I cannot say there was drink before them.
580. Was the barmaid in the bar?—I cannot say who was in it, but it was a woman. I saw the elbow of a dress, but who the woman was I could not say. I did not go forward to see.
581. You do not remember whether there was any drink there or not?—I cannot say whether there was or not. I did not go to the window where the party was standing.
582. Had you to knock for admittance?—No; the door I entered by was open.
583. *The Chairman.*] Was Kenny with you?—Yes.
584. *Mr. Taylor.*] You do not remember the constable suggesting that you had better not enter the house?—No, and I am inclined to think he did not. If he had suggested such a thing and had given a sufficient reason I probably would not have gone in.
585. Who was it that was talking to the woman?—Colonel Hume. He was standing there, and evidently talking. I did not hear him say anything.
586. Has there not been a feeling among the men in the Force that the use of political influence has been very prevalent?—Yes, that has been the general feeling for a number of years past.
587. *The Chairman.*] You say you saw a woman's sleeve through the window at the bar?—Yes.
588. And where was Colonel Hume?—He was in the passage, and the woman was inside the bar. Whether they were talking I could not say, as I did not go close enough to hear. I might also say that I did not go near enough to the bar to see whether there were any glasses on the counter or not.
589. *Mr. Taylor.*] Did you finish your inspection of that house?—No. I turned and walked out of the house.
590. Have the men not felt that the use of outside influence in connection with various matters affecting themselves was forced on them because other men used it?—I cannot say they considered it forced on them, but, as far as I could gather, the majority of the men were under the impression that if they did not use influence of some kind they would be left behind by other members of the Force who did use influence.
591. Has that not created a good deal of dissatisfaction among the men?—Yes, I believe it has.
592. Do you not think that the discipline of the Force and the condition of the Force would be much improved if they were left entirely to some responsible head such as the Commissioner?—I not only think it, but I am almost sure of it.
593. *Colonel Hume.*] On the occasion of your visit to the Commercial Hotel, did you come down Willis Street or along Lambton Quay?—Along Lambton Quay.
594. Did you see me go into the hotel?—I did not.
595. How many seconds would it take you to go from the corner of Lambton Quay to the door of the hotel?—Not much more than a minute.
596. You could not see who the female was that I was talking to?—No.
597. Do you happen to know who was barmaid at the hotel at that time?—I cannot recollect.
598. Do you know who was housemaid?—No.
599. What did I say to you when you looked down the passage where I was standing?—I said, "I beg your pardon, sir," and you said, "It is all right, sergeant; do your duty." I then did the right-about turn, and walked out.
600. Could the constable see me as well?—From what he said after we came out I am satisfied he saw you.
601. If the constable had said to you when going along the street "I do not think we had better visit that house," would you not have told him to mind his own business?—If he had said such a thing, I think I would have first asked him his reason for saying it, and if his reason had been satisfactory I probably would not have visited the house.
602. If you did not see me going in he would not have seen me?—I cannot say that.
603. He came along Lambton Quay with you?—After this lapse of time I cannot swear whether I picked him up at the end of the street or not, but I am inclined to think I did. I think I had been through the hotels with the constables on the other beat.
604. As regards the political influence, do you know whether for some time past there has been a feeling among members of the Force that if they have any imaginary grievance they have only to

write to Mr. Taylor, as member of the House, to ventilate it?—There is no particular case that has come under my notice; but I am inclined to think that a certain class of the Police Force have had that feeling. They have thought he would be a source of getting any grievance redressed.

605. *The Chairman.*] Do you refer to that as political interference also?—I cannot give any particular case, but I am inclined to think there was the feeling among the men that it would benefit them to represent matters to Mr. Taylor—that is, since the matter of the Commission was introduced into the House.

606. *Colonel Hume.*] Would not a feeling of that sort be extremely prejudicial to the carrying-out of discipline?—I think it would depend very much on what the communication was, and what they wanted Mr. Taylor to do.

607. *Mr. Taylor.*] Have you, directly or indirectly, communicated with me or had any communication whatever with me about police matters?—Never.

608. Have you ever seen me before?—Not before I came to Napier. I cannot mention the case of any person who has had communication with Mr. Taylor.

AGNES PATTON MOORE (formerly Fullbrook), examined on oath.

609. *Mr. Taylor.*] You reside in Napier?—Yes.

610. You were divorced from your husband some time ago?—Yes, in June, 1896. I am now taking my maiden name.

611. Were you once living in Hitchings's Lane?—Yes.

612. Do you know Inspector Emerson?—Yes.

613. Do you remember any particular Sunday night that he called at your house?—Yes.

614. Was your son at home?—Yes, my eldest boy.

615. Did Inspector Emerson come into your house?—Yes.

616. How long is this ago?—I think it was in 1895. It was soon after I returned from Christchurch.

617. Was the Inspector sober when he went into your house?—I would not say he was perfectly sober, and I would not like to say he was drunk.

618. Were you annoyed with his presence?—I know my eldest boy was annoyed at seeing him come in.

619. What did he say to the Inspector? Did he order him out?—The firebell rang while he was in the house, and some of them said that the bell was ringing. The Inspector did not go at the time; and my boy said to him, "Do you think we keep a brothel?"

620. He was annoyed at the Inspector being there?—Yes.

621. Did the Inspector make any remark about the firebell?—I do not remember.

622. Did he not refuse to leave the house?—I know he did not leave the house at the time.

623. Did he not say, "Oh, — the firebell"?—I would not say that.

624. How long did he stay?—Not long.

625. An hour?—I do not think so. It was early in the evening.

626. Would it be much less than an hour?—It would not be an hour. I know I had applied to him to get me some permanent work, as I was very much depressed with the family.

627. But he did not come that night to see you about the work?—No, I do not think he would come that night about the work. I got permanent work at his house afterwards every Monday. The family were all very good to me.

628. Did you know the family intimately before this?—Yes; I knew the Inspector and his family in 1880, in Tauranga.

629. Did he leave soon after your son made the protest?—He did not stop long.

630. Your son was very angry about it?—Yes.

631. What did the Inspector reply when your son said, "Do you think we keep a brothel"?—I do not remember what conversation passed.

632. Was the Inspector quite in the mood for ordinary conversation?—Yes. He did not say anything insulting to me during the time he stopped.

633. Did you want him to leave?—I did not ask him to leave. My eldest boy was capable of looking after the house. He was going on for sixteen.

634. You are quite clear that he was not sober?—I would not say he had not got liquor, but I would not say he was drunk.

635. He was not incapable?—No; I never saw him incapable.

636. Had you ever before seen him in the condition he was that night?—No; I did not come in contact with him except when I would go to the house to work in the mornings.

637. *Mr. Cresswell.*] It is well known in Napier that before and since your husband's divorce you have been in very distressful circumstances?—Very much depressed.

638. And you went to all and sundry persons for assistance to go to Christchurch at times, and to come back and to maintain yourself and family here?—It was through Inspector Pender that I got back last time.

639. You got assistance from persons in Napier to go to Christchurch?—Yes.

640. And also to Palmerston and Gisborne?—No.

641. Only to Christchurch?—Yes.

642. Did you not go and see all the persons you thought could assist you with the view of getting them to help you to maintain yourself and the children?—Yes.

643. You were very handy with the needle, or you do washing?—Yes; I made a mistake, and there are many who were kind to me before who will not speak to me now.

644. Did you go to Inspector Emerson to ask for assistance?—Yes, I applied to him and his family.

645. And also to his daughters?—Yes, I have had to go to them for food.

646. Has not Inspector Emerson done his best to assist you by referring you to people, and using his influence in your favour?—Yes.

647. On this occasion, you say, he never said anything insulting to you. Has he ever said anything to you that he should not have said?—No, I do not believe he has.

648. During the time you were in distressed circumstances you were ejected from six or seven different houses in Napier by landlords?—I do not remember how many times I have been ejected.

649. Am I right if I say seven or eight?—I believe you are correct.

650. And I think the Stipendiary Magistrate has had occasion to visit you when you were in distress?—That was when Jubal Fleming put the bailiff in.

651. But has he not been to your house to talk about it?—Only when the bailiff was put in.

652. Was there anything wrong in that visit?—No, I do not say there was.

653. Do you wish the Court to infer that there was anything wrong in the Inspector's visit to your place?—No, I have no reflection to make on the Inspector, and I do not know how I was entrapped into this case. It was against my wish. I could not go against the Inspector and his family.

654. For what reason?—They have never done me any wrong.

655. They have been kind to you?—Yes.

656. Do you remember once sending to Inspector Emerson saying you had not a bed to lie on?—And we had not. We were sleeping on the floor, and we are not much better now.

657. Did he go with his daughter to speak to you and leave his daughter outside while he went in to see what you wanted?—His daughter and Mrs. Lindergreen came once to my place with some food.

658. And you have nothing to say about him but what is kind?—No, I have nothing against him.

659. *The Chairman.*] What is the present age of your boy?—He is now going on for twenty.

660. *Mr. Taylor.*] Did Inspector Emerson see you about the notice you got from Mr. Fleming to quit your house?—Yes. He told me I would have to leave, as the house had been leased to a coachdriver.

661. *Mr. Cresswell.*] When you got that notice did you send to the Inspector?—Yes.

662. Did you ask him to get an extension of time from Mr. Fleming?—I asked him to speak to Mr. Fleming for me, and I believe he did speak. I do not remember asking for an extension of time.

663. And as a result of the conversation he told you the house had been let to a coachdriver?—Yes.

THOMAS CHARLES MOORE, examined on oath.

664. *Mr. Taylor.*] You are a medical practitioner?—Yes.

665. Have you been in Napier long?—Nearly thirteen years.

666. Do you remember any occasion in connection with a certain gathering here when Inspector Emerson's conduct attracted your attention?—Yes.

667. What was the gathering?—It was on the Recreation-ground, where sports were being held.

668. Can you give us an idea of the date?—Probably it was three or four years ago.

669. Why did the Inspector's conduct attract your attention?—He was walking along with a friend, and I heard him use the word "damn," or something of that kind.

670. Was he sober?—He was quite capable of taking care of himself.

671. But was he sober?—I should say he had had some liquor.

672. It was noticeable upon him?—Yes.

673. Did you attribute the conversation you heard to the fact that he had had liquor?—I thought he was forgetting himself a little bit.

674. Did you take any steps to bring his conduct under the notice of Colonel Hume, the Commissioner?—No.

675. Did you have a conversation with any one about what you had heard?—I must have had, as some one came and asked me questions about it.

676. *Mr. Cresswell.*] You say his conduct was noticeable. Do you speak as a medical man—that it was noticeable to you as a medical man? Would it have been noticeable to any civilian, not a medical man?—I do not say he was drunk, but I thought he was using language that was not proper. There were ladies about. I thought he had momentarily forgotten himself.

677. Since then have you been in the habit of seeing the Inspector frequently?—I see him frequently.

678. Have you seen him the worse of drink?—No.

679. Do you see him at all times, day or night?—I do not think I ever see him at night, but I frequently see him in the day.

680. Would you be prepared to say he is a man of intemperate habits?—No, certainly not.

681. From your knowledge of him, would you say he is a man addicted to gambling?—I know nothing at all about that.

682. Did you ever know him to be guilty of conduct that would be destructive and injurious to the police interests or the public interests?—That is the only thing I ever saw that was in any way doubtful.

683. And even you are doubtful now as to the extent of it?—Yes.

684. Since you have known the Inspector, do you know that he has suffered severely on different occasions from influenza?—Yes. I know that a short time ago he had a very bad attack of influenza and a very bad cough.

685. He is a man well on in years, and he has been thirty-four years in the Police Force.

What effect would a severe attack of influenza have on a man of Mr. Emerson's years?—It might affect him very seriously.

686. Would it tend to make him shaky in his walk and his appearance?—Yes.

687. More especially so if accompanied by a severe and hacking cough?—Yes.

688. If witnesses—not medical men—have said they have seen Inspector Emerson when he looked shaky and has had a severe cough, might they not think he was under the influence of liquor?—Yes.

689. *The Chairman.*] When did he have the attack of influenza?—Within the last year.

690. *Mr. Cresswell.*] You know of only one attack?—Yes. I have been in his office with him and noticed he was bad.

691. On the occasion you have spoken of—the Recreation-ground—was he walking all right?—I do not think there was any unsteadiness in his gait.

692. Do you think he was able to do his duty?—Yes, I think so.

693. *Mr. Taylor.*] You seldom see the Inspector at night-time?—I do not see him at night-time.

694. He might indulge pretty freely and you would know nothing about it?—It is only in the day-time that I come across him.

695. *Colonel Pitt.*] Was it the language, rather than the condition of the Inspector, that you objected to?—Yes.

696. *The Chairman.*] And you attribute the language to his condition?—That is the mental note I made at the time.

697. Having had many opportunities of observing his conduct since that happened, would you give us your opinion of his character with respect to temperance or intemperance? As a public officer has he been in a condition to perform his duty?—As far as my observation goes, I have never at any other time seen signs of intemperance on him.

698. And you have had frequent opportunities?—Yes. I have never attended him as a medical man, but as gaol surgeon and as a Justice of the Peace I have had frequent opportunities of seeing him.

ANNIE PARKINSON, examined on oath.

699. *Mr. Taylor.*] You are a widow?—Yes.

700. Your husband was minister here of St. Augustine's Anglican Church?—Yes.

701. Have you been in Napier long?—Fourteen or fifteen years.

702. Do you know Inspector Emerson?—Not personally, but I know him by sight.

703. Do you see him often in Napier?—Not lately.

704. Have you seen him on any occasion when his condition attracted your attention?—Yes.

705. When?—About fifteen months ago, I think.

706. Are you clear as to the incident?—Yes.

707. What was his condition?—He was quite incapable.

708. *The Chairman.*] Where did you see him?—In Brewster Street. I was living next door to him.

709. *Mr. Taylor.*] Was he standing up?—He was in a cab coming home.

710. Did you see him get out of the cab?—I saw him helped out.

711. What time of the day was it?—About 3 in the afternoon.

712. Was it a holiday?—No.

713. Was there any holiday about the time by which you could remember the date?—No. I saw him on two occasions in the same condition.

714. How long between each occasion?—I could not answer that.

715. Some months?—I should say only a few weeks.

716. On an average, how many times have you seen him weekly since you have been in Napier?—I could not say. When he lived in our street I had an opportunity of seeing him.

717. Did he come home in a cab on the second occasion?—Yes.

718. And you are satisfied that he was intoxicated?—Quite satisfied.

719. *Mr. Cresswell.*] Are you a Prohibitionist?—No, I am not.

720. Do you belong to any temperance bodies?—No.

721. Being the widow of a clergyman I suppose you have a great horror of drink?—Yes; but I may tell you that I have been brought here against my will.

722. Naturally, you have a great prejudice against any one having any connection with drink at all?—No, I was not brought up that way. My people were not so strict as some are.

723. But since you have been married?—Yes, my husband was strict.

724. Are you prejudiced against it, then?—I do not wish to see drinking going on, if you mean that.

725. Would you like to see all the publichouses wiped out of existence?—No.

726. I suppose you are aware that you have come here to lay two very grave charges against Inspector Emerson?—Yes, and I say exactly what I saw.

727. You also saw the cabmen?—Yes.

728. Owing to the gravity of the charges I wish you to tell us the names of the cabmen?—I could not tell you.

729. After having been here for twenty years I suppose you know every cabman in Napier?—I could not give you the names at all.

730. What kind of a cab was it on the first occasion?—It was a closed cab on each occasion.

731. How many horses?—Two horses, I believe; but I will not swear about that. Nearly all these cabs have two horses.

732. Do you think it was the same cab?—I could not say.

733. On the first occasion what colour were the horses in the cab?—I could not tell you.

734. Can you tell me the colour of the horses in the cab on the second occasion?—No; it was purely by accident that I was at the gate at all.

735. Would you recognise either of the cabdrivers again?—No; I did not take that much notice.

736. How was Inspector Emerson dressed on the first occasion?—I could not say, but I think he had a grey suit, with a belt round it. I am not certain about that.

737. That was on the first occasion?—On both occasions. He was dressing that way at the time.

738. Do you distinctly recollect seeing the belt round him on either occasion?—No.

739. What sort of belt was it?—It was the same as his coat.

740. Had he an umbrella with him?—I do not think he was able to carry an umbrella.

741. Did he have a walking-stick?—I could not say.

742. Was there anybody else about on either occasion?—There were some children.

743. No adults?—Not that I am aware of. There may have been some lower down the street.

744. When did you first mention this to anybody?—About the time it happened.

745. Have you mentioned it since?—Not lately.

746. *Colonel Pitt.*] Can you fix the date?—It is within the last eighteen months.

JAMES SMITH, examined on oath.

747. *Mr. Taylor.*] Are you a police constable at Gisborne?—Yes.

748. Are you mounted?—Yes.

749. How long have you been in that district?—About two years and four months.

750. Have you seen Inspector Emerson frequently during that time?—I have generally seen him on his visits to Gisborne.

751. Where did you usually see him?—At the police-station.

752. Did you accompany him sometimes from one station to another?—No.

753. Where else besides the police-station have you seen him in Gisborne?—In the street.

754. Where else?—I have seen him at his hotel.

755. And on the racecourse?—Yes.

756. Can you remember when you last saw him in his hotel?—It was during the time that Mr. Kenny was sitting in Gisborne.

757. Prior to that did you see him at the races in July?—Yes.

758. How often did you see him in July—he was there from the 3rd to the 7th?—I do not remember.

759. Have I ever seen you before to-day?—Yes.

760. Where?—In Wellington.

761. To speak to?—No.

762. Do you know that I went outside the Court to-day and asked for you?—I do not know that.

763. Where were you when I went outside?—I was on the parade on the opposite side of the street.

764. Did you come towards me?—Yes.

765. Before I spoke to you?—Yes, some one had beckoned to me.

766. Some one called you?—I believe so.

767. And you came towards me before I had spoken to you?—Some one either beckoned or called to me, and I met you on the middle of the road, but I was not coming to meet you.

768. Did I ask your name?—You asked if I was Constable Smith.

769. *The Chairman.*] When did this conversation take place?—About three-quarters of an hour ago.

770. *Mr. Taylor.*] What else passed between us?—You told me that Sergeant Black had admitted in the box that Inspector Emerson was drunk on one occasion.

771. Did I not say "tight"?—You said "drunk."

772. And did I not also say that my only desire was that the police should tell the whole truth?—Yes, you said that.

773. Did I suggest to you what you should say?—I took it to be so.

774. Did I not say that I only wanted the truth?—You made some reference of that kind.

775. You remember that I said I only wanted the truth?—Yes.

776. Now, did I put any words into your mouth or prompt you in any way as to what you should say in the Court?—No.

777. Was the condition of the Inspector such on any occasion as to attract your attention?—No.

778. How often have you seen the Inspector altogether?—That is more than I can say.

779. Have you seen him a dozen times in two years?—Probably I have.

780. Do you think you have?—Yes, I suppose I have.

781. Where were you stationed before you went to Gisborne?—In Wellington.

782. When did you join?—In 1892 or 1893.

783. In Auckland?—In Wellington.

784. Were you in Auckland before?—Never.

785. You were not stationed at Masterton?—No.

786. On each occasion you have seen the Inspector has he been absolutely sober?—Bar one occasion.

787. *The Chairman.*] Was that on the 2nd May?—No.

788. *Mr. Taylor.*] Can you remember the time?—It was either in June or July of last year.

789. At the time of the Gisborne races?—Yes.

790. Where was the Inspector?—On the Gisborne Park Racecourse.
791. On what part of the course did you see him?—On the lawn.
792. Was the fact that he had had liquor noticeable?—I do not think it was noticeable to many.
793. You could see liquor on him?—I could see he had had a drink or two.
794. Did you judge from his manner?—From his looks.
795. Was he coughing badly?—Yes, he had a cough.
796. Did you see him when he was leaving the course?—Yes.
797. With whom did he leave?—He left by himself in a cab.
798. Were you in the luncheon-room that day?—Yes.
799. Was the Inspector there?—I saw him come in.
800. Did you see him leave the luncheon-room?—I did not.
801. You did not see him in the stewards' room afterwards?—No.
802. Who left the luncheon-room first?—I did.
803. You left him there?—Yes.
804. Was he at a table?—He was.
805. Can you remember about what time he left the course that day?—It was between 3 and 4 o'clock.
806. Did you not see him after that at night?—No.
807. He left Gisborne the next day?—Yes.
808. You have not seen him at any other time other than that when his condition attracted your attention as far as liquor is concerned?—I have not.
809. Do you not consider that it is likely to destroy the discipline of the Force if an officer holding the responsible position that Inspector Emerson holds takes liquor?—Do you mean in the state he was in in Gisborne that day?
810. Yes?—No, I do not. He was capable of doing his duty.
811. Where was he in the hotel when you saw him there?—In the sitting-room, upstairs.
812. Who was with him?—You ask me something I cannot tell you.
813. Were there several there?—I cannot tell you.
814. Were they playing cards?—No.
815. Was this on the night of the races?—No, previous to the races.
816. During the same visit?—No.
817. Was he perfectly sober then?—He was.
818. Have you ever had any refreshments with him?—Never. As a rule, Inspectors do not drink with constables.
819. Have you ever seen the Inspector drinking with any constable?—No, I have not.
820. *Mr. Cresswell.*] I suppose you know what evidence was given by Mrs. Aislalie, Mr. Joyce, and Mr. Price yesterday?—No. I only arrived here by the "Westralia" at 2 o'clock this afternoon.
821. You are now on your way back to Gisborne?—Yes.
822. When you were told by Mr. Taylor that Sergeant Black had admitted that the Inspector was drunk on the racecourse what did you think of it?—I thought Mr. Taylor wanted me to say the same.
823. Would he have had any other reason to speak to you than to get you to swear the same thing?—Not that I know of. I thought it was to influence me to say the same.

SATURDAY, 28TH MAY, 1898.

WILLIAM JAMES GRUNDY was recalled.

1. *Mr. Taylor.*] Have you looked up those matters which were held in abeyance yesterday?—I may say, so far as the minute in the book is concerned, that yesterday I said to the best of my recollection I did not remember anything of the sort except a rumour, but since then I have found there is a minute on the books in reference to it.
2. Had the minutes reference to the infraction by Inspector Emerson of one of your club rules?—Yes.
3. Was that rule a rule referring to gambling?—Yes; Rule 28, in reference to all offences.
4. Did you turn up any of the correspondence?—No, I had not access to that; I am not on the committee.
5. As a matter of fact, did not the committee decide that the Inspector should be asked to resign?—I think you had better call the secretary with the minute-book, as I cannot trust my memory, and I find I was wrong in the statement I made yesterday. I have not got the actual wording of the minute.
6. *Mr. Cresswell.*] Was this offence a very serious one; was there a large amount of money involved?—I cannot say anything about it. As I said, it slipped my memory altogether yesterday.
7. Now, having refreshed your memory, are you prepared to swear that you ever interviewed the Inspector on that matter?—I can safely say I did not interview him. Inspector Emerson, I believe, left the club soon after the little trouble, or whatever it was.
8. He left voluntarily?—Yes.
9. And can you swear of your own knowledge that he had any notice of this having been brought before the committee?—I cannot. I believe that the committee said that the president should interview him, but personally I never saw Inspector Emerson in reference to it or the other charges.

10. Did you ever go as president of the club and inform Inspector Emerson that an inquiry would be held by the committee as to his conduct?—That I cannot say. Not personally, I never.

11. A great deal of card-playing goes on in the club?—Yes; but not for money.

12. But what do they play for invariably?—I suppose when they finish a game they generally go down and have a drink, or cigars or cigarettes, at the expense of those who lose.

13. Really, they play as to who shall pay for drinks?—I do not know; it is more as a compliment to those who play.

14. Is it not a fact that you go there and have a game of cards and the losers are supposed to pay for refreshments, or whatever a man likes to have—drinks, pies, coffee, or cigars, or cigarettes?—No, it is not a rule.

15. Is it the custom of members?—It is the custom; yes.

16. Has it not been the custom ever since you have been the president of the club?—Yes.

17. And still prevails?—I do not know about the present time; I have not played cards there for a long time.

18. *The Chairman.*] It is not the rule, but the custom, for those who lose to pay for refreshments?—The rule distinctly states that no gambling or anything of that sort shall be allowed on the premises.

19. *Mr. Cresswell.*] If a man plays a game of whist or euchre for a shilling, of course the club would simply warn him, or perhaps expel him?—Yes.

20. But if four men go in there and play euchre, as has been the universal custom there, and the losers pay for refreshments, such as drinks, pies, coffee, cigars, or cigarettes, that is not gambling?—I am not a lawyer. I do not know exactly what is the definition of gambling.

21. Is that the definition you put on it as president?—I do not say that is gambling. I do not say it is not gambling. I say, according to my own opinion, it is not gambling.

22. Then, it is not gambling if they play for drinks or pies or coffee, but it is gambling if they play for money?—Yes.

23. *The Chairman.*] In some clubs it is the custom to play to take instead of drinks or coffee boxes of chocolate—is that the custom here?—No.

24. *Mr. Taylor.*] Although you had no regular interview with the Inspector, had you a conversation with him in the club?—No, I am not certain about that.

25. As a matter of fact, do you not remember his saying, “Well, it is only a trifling affair after all”?—No.

26. Do you know anything about the game of euchre loo?—No, I do not know what it is.

27. Can you not remember that the matter was discussed before the committee, and that it was a game of euchre loo for half-crown points which had been played?—No; I told you I had really forgotten all about this particular affair.

28. But there was money involved in it?—When the minutes are read you will see.

CHARLES PHILIP LOUND was recalled.

29. *Mr. Taylor.*] Have you the minute-book of the Working-men’s Club?—I have the letter-book.

30. I want the minute-book?—I am instructed by the president and officers of the club not to produce the minute-book.

31. *The Chairman.*] Who has charge of that minute-book?—The president has charge.

32. Who is he?—Mr. Holder.

MARY ELIZABETH TANNER, examined on oath.

33. *Mr. Taylor.*] You are the wife of William Tanner, of Napier?—Yes.

34. Have you resided in Napier long?—Yes.

35. How long?—Six or seven years.

36. Do you know any shop in Napier kept by a man named Eagleton?—Yes.

37. Do you know where Eagleton’s shop is?—Yes.

38. Do you know Mr. Smythe?—By sight.

39. Does he keep shops in Napier?—A stationer’s shop, and nothing else that I know.

40. Will you tell the Commission what transactions you have had with Mr. Eagleton?—I have had no transactions with Mr. Eagleton.

41. Not personally, but indirectly?—I have had nothing to do with him.

42. No business transaction?—I have had no transaction with Eagleton.

43. Were you in Napier in January last?—Yes.

44. Where are you living now?—At Taupo at present.

45. How many children have you got?—Four.

46. What ages are they?—Nineteen, seventeen, ten, and three.

47. Were they all living with you last January?—Only the little ones were at home last January.

48. What age is the eldest of the two little ones?—Ten.

49. Do you sometimes use the children for message purposes?—No, I never do; unless to send them to the draper’s or grocer’s shop—not otherwise.

50. On what occasions have you sent them messages with letters?—I have sent them several times to the post-office.

51. In Napier or Taupo?—Napier.

52. Where were your other children last January?—My daughter was at home. My son was out, as he has to work for his living.

53. Then, they were living at home?—Not the boy; the girl is working at home.

54. You said you had only two at home last January?—I had to keep my daughter at home, as I have to work.

55. *The Chairman.*] What is the sex of the child who is nineteen years of age?—The boy is nineteen and the girl seventeen. The other two are boys.

56. *Mr. Taylor.*] What is the boy aged ten named?—Charley.

57. What is your daughter's name?—Polly.

58. Is your son at work?—Yes, on a station.

59. Did you ever send your daughter on a message anywhere?—Yes.

60. Did you ever send her with a letter for delivery to any one in Napier other than the post-office?—No; I never did.

61. Do you know by repute a horse named Rangipuni?—I have heard the name several times, but I do not know one from another.

62. Do you know a horse named Target?—No.

63. Do you know the names of racehorses?—Yes, I know the names of several horses.

64. Did you ever send any message either by your children or anybody else to Mr. Eagleton?—No, I have not. I do not invest money in that style.

65. Have you been yourself to a shop?—Yes; I have been there on private business—not business of that kind.

66. Now, what kind of shop does he keep?—Tobacconist's shop and hairdresser.

67. When were you last there?—I was there some time ago with my little boy to have his hair cut. I have been in Taupo for months.

68. Try and remember when you were last at his place?—I cannot remember.

69. Was it two years ago?—No; it was about twelve months ago. I cannot remember things of that kind.

70. When did you go to Taupo?—In April of this year.

71. Did you not take your boy to get his hair cut in January?—I do not know. I take him when it is necessary and not otherwise.

72. What was the nature of that private business with Eagleton?—To have my children's hair attended to.

73. But that is public business—hair-cutting?—That is what I call private business. I go for no other purpose.

74. What was the nature of the business other than getting the children's hair cut?—There was no other business.

75. *The Chairman.*] Had that business any relation to Inspector Emerson?—Not the slightest.

76. *Mr. Taylor.*] When did you see Inspector Emerson last?—I saw him this morning.

77. Did you talk to him?—No; I have not spoken to him for twelve months. I do not know the gentleman, except by seeing him.

78. Did you ever see him in his office?—No.

79. Did you ever see him anywhere else?—Yes; I have seen him in the streets.

80. Do you know Detective Chrystal?—Yes.

81. Have you ever spoken to Chrystal?—Yes; he has come to our house to speak to my husband about work.

82. Do you know Smythe's shop?—Yes.

83. Ever been there?—Yes.

84. What did you go there for?—I went there and backed a horse.

85. How much money did you put on?—I put on £2 10s.

86. Will you tell the Commission what happened after that: do you remember the name of the horse?—I really cannot remember the name of the horse.

87. Was it Rangipuhi?—No.

88. Do you remember what dividend your horse paid?—Something about £10.

89. And you had two tickets and a half on it?—Yes.

90. Can you remember what day in January that was?—No; I really cannot. I really cannot say whether it was in January.

91. Where were the races being held?—I really cannot tell you. It is a long time ago, and I was so disgusted with the result that I have never backed anything since.

92. Was it at Hastings?—No; it was somewhere in an out-country place.

93. Was it at the Wellington meeting?—No, nothing connected with the Wellington meeting.

94. Do you remember what time in the day it was when you sent the money down?—About 12 o'clock.

95. Was the race run at 2 o'clock?—I cannot say.

96. What time did he send your money back and say it was too late for investment?—I do not know; I was away from home.

97. Do you say the money was sent back?—I do not say. I generally go out to sew, and I was out that afternoon.

98. When you got home were you not offered an envelope containing your £2 10s.?—No; I saw no money whatever. I saw the newspaper in the evening, and saw the horse had won, and I went down next day.

99. What happened next day?—Mr. Smythe would not pay out at first, but he ultimately paid out.

100. Did you get a cheque or cash ultimately?—Cash.

101. Do you remember whether it was in £10 notes?—It was gold and some notes. I really cannot remember; it was such a long time ago.

102. *The Chairman.*] How long ago?—I really cannot tell you.

103. Is it six months or twelve months?—It is about twelve months ago.
104. *Mr. Taylor.*] It is within a year?—I cannot remember. I know I did get the money, but that is all.
105. You have no memorandum?—No; I kept no memorandum of anything.
106. When did you see Detective Chrystal about this matter: the day after Smythe refused to pay out?—I do not know when I spoke to a solicitor about it. I consulted Mr. Cresswell about it, but afterwards Mr. Smythe sent for me and paid me the money in full. Of course I let the case drop then.
107. In the interval where did you meet any police-officer and mention this matter to him?—I do not know that I met any police-officer.
108. Surely your memory is good enough for that: can you not remember meeting either Detective Chrystal or Inspector Emerson and mentioning the matter to them?—No; I spoke to neither of them. I spoke to my solicitor, and that is the only gentleman.
109. What was his recommendation: were you told not to make a noise about it?—No; Mr. Cresswell said nothing to me about it. I merely asked him to speak to Smythe about the money, and the next day I was told I would be paid, and was told to say nothing about it, and of course I said nothing about it.
110. Do you swear positively you did not go into Inspector Emerson's office about this matter?—I never spoke to Inspector Emerson about this. I only spoke to my solicitor.
111. On another occasion how much did you invest with Smythe—when you had money on six or seven odd races?—I never had anything to do with other races since. I was so disgusted with that affair that I have had nothing to do with races since.
112. But you were there a fortnight after that?—I have never had anything to do with the people since. I have gone to the course and put my money on the totalisator, and not otherwise.
113. Have you known Inspector Emerson long?—I have known him five or six years, but I do not know the gentleman further than saying he is a straightforward gentleman. I know nothing further about him.
114. Did the police go to see you, or did Detective Chrystal go to your house to see you about the matter?—No; I have not seen Detective Chrystal.
115. You do not know him?—I know him by sight, but I do not know him to speak to.
116. Did you see Mr. Cresswell professionally about this matter: did he charge you for his services?—Certainly.
117. Have you not personally ever been in Smythe's shop and put money on the totalisator?—Never but once.
118. Now, have you not friends who patronise Mr. Smythe in this connection?—I know none. When I do business of that sort I do it of my own accord.
119. *Mr. Cresswell.*] When were you served with a subpoena on this matter?—On Wednesday night, I think.
120. When did you arrive from Taupo?—Yesterday afternoon, about 4.30.
121. When Mr. Smythe refused to pay this money out, you say you consulted me on the matter. Your intention was to lay an information against him?—Yes; but he sent to my place and paid the money, so of course I let the matter drop.
122. But was there anything said to you about your being equally liable to punishment with Mr. Smythe?—I do not remember.
123. Do you know now, if Mr. Smythe had been punished, that you were equally liable by law to the same penalty he was liable to?—I know now, but I did not know previously.
124. But in consequence of inquiries over this matter did you ascertain that fact?—No; I never knew anything about that.
125. *The Chairman.*] Did you find that out after betting with Mr. Smythe?—I heard of it afterwards.
126. Did you find that out at the time when you consulted Mr. Cresswell?—No.
127. When did you first learn about it that you were liable to prosecution yourself?—Shortly after the affair was withdrawn.
128. *Mr. Cresswell.*] Have you ever known Inspector Emerson to be under the influence of liquor at any time?—No; I never saw the Inspector drunk at any time, or under the slightest influence of liquor.
129. Have you ever known him to gamble in any way?—No; I know nothing about the gentleman.
130. Have you been in the habit of attending racecourses?—Yes, several times.
131. Have you seen Inspector Emerson at the racecourses?—Yes; I have seen him walking up and down, but I know nothing about the man's business.
132. Have you ever seen anything wrong in his manner or behaviour?—No, never.
133. *Mr. Tambridge.*] When you put this money on, what odds did you expect to get if the horse won?—I think it was 10 to 1.
134. When you put the money on, did you expect to get the same money that the totalisator paid?—I really do not understand the totalisator-betting business. I put £2 10s. on Crescent.
135. You put money on a horse called Crescent, and expected, if the horse won, you would get the same money as the totalisator paid: is that so?—I do not understand how they pay the money for races away from home. I simply put the money on to take as much as was paid out on the totalisator.
136. Is that what you understood—that you were to be paid totalisator odds?—I supposed I would get whatever the odds would be.
137. What did you tell Mr. Smythe when you went to see him?—I said, "I want to put this £2 10s. on Crescent," and if the horse won I supposed he would pay out.

138. You saw by the papers that the horse had won?—Yes.
139. Did you see what dividend was paid?—£10 and some odd shillings.
140. Then, when you went to Mr. Smythe did you ask for that amount: tell me what took place?—When I went to Smythe's shop only the boy was there. I went back, and he said the race had been run when I put the money on, and he would not pay out.
141. What did he pay you out?—About £30.
142. At the same rate as paid by the totalisator?—I really do not know.
143. If the newspapers showed the dividend was £10 and odd shillings, and if you put £2 10s. on the horse, that would mean that you would have to receive somewhere about £25?—Yes; I do not remember how much I did get, but I know I did get some money. I know it was something over £20.
144. Are you sure you did not pay Mr. Smythe £3?—No, £2 10s. I gave him two notes and half a sovereign.
145. So far as you remember, what was the amount you received from Mr. Smythe?—I think it was something over £20.
146. Did you ask or demand from Mr. Smythe according to the dividend that was paid by the totalisator?—No; I simply asked him for the money the horse had paid, and he said the race had been run.
147. Did you tell him what you saw in the newspapers?—No; I thought he would see the newspapers. I called in the morning at Smythe's for the money, and he said he would not pay, as the race was run when I put the money on. I said the race was not run. He said he would not pay. I left the shop, and two or three days afterwards he sent up to my shop and said, "I will pay you out," and he paid me the full amount coming to me; but what it was I really cannot tell you.
148. Did he mention odds?—He mentioned odds, but I cannot remember what.
149. When did he mention odds?—When I put the money on: there was no mention of totalisator.
150. However, when you saw the horse had won, and had paid a dividend of £10 odd, you knew you were entitled to something over £20?—I saw I would get something over £20.
151. Would you have been prepared to receive £10?—Not quite. The horse paid £10, and I should look to receive something similar.
152. Did you not expect to get a dividend at the rate of £10 odd?—I looked to get whatever the horse paid.
153. *The Chairman.*] Paid where?—On the totalisator.
154. Is that what you expected?—On the horse, whatever the dividend would be.
155. What odds did you expect to be paid when you called on Mr. Smythe for the money?—What the horse paid.
156. Where?—On the totalisator, I suppose, or the odds, whatever they were.
157. Did you not expect to receive from Mr. Smythe the same dividend that the totalisator paid?—I do not know what odds he gave.
158. Was any sum mentioned as to your claim when you instructed Mr. Cresswell?—No; I simply told him I put my money on the horse, and mentioned no money.
159. Where did the race take place?—The race was run at Otaki.
160. How long ago?—Some time ago.
161. There was a meeting two days ago?—I had nothing to do with that.
162. Was it the meeting before that?—I really cannot tell.
163. Would it be six months ago?—It would be over six months.

HENRY JOHN HOLDER, examined on oath.

164. *Mr. Taylor.*] Are you a resident of Napier?—I am.
165. Are you president of the Working-men's Club?—I am.
166. Have you got the minute-books?—I have.

WILLIAM JAMES GRUNDY was recalled.

167. *Mr. Taylor.*] Will you read the minutes which have reference to Inspector Emerson?—The date of the minute is the 2nd June, and it was confirmed on the 16th June. It is as follows: "Resolved, that the president interview Inspector Emerson and Mr. Russell Beecham, and inform them that it has been reported that they have played cards for money on the club premises, and that if the same occurs again they will be expelled."
168. How soon after did Inspector Emerson cease to be a member of the club?—So far as I can remember, I never saw Inspector Emerson on the club premises for a long time after that.
169. Until quite recently?—Yes; I believe he has been made an honorary member by one of our past presidents, but during my time there I do not think Inspector Emerson was on the premises. He might have been, but I do not know.
170. Is there any subsequent minute in reference to that transaction?—No, not in reference to that. Of course, I have not had access to the books.
171. What was the nature of the communication that was made to Mr. Russell Beecham and Inspector Emerson: were the letters copied when they were written?—I do not know. The president is here now, and can say.
172. *The Chairman.*] Do the minutes bear your signature?—Yes, they are signed by me.
173. *Mr. Taylor.*] Do you copy the correspondence of the club?—Yes, all correspondence, but in this case it says the president should interview the parties. Well, I believe I must have neglected my duty and not have done so. I never saw Inspector Emerson on this matter.

174. Well, how would Inspector Emerson get to know of the existence of this minute?—Inspector Emerson, so far as I know, never knew of this minute.

175. Why did he cease to visit the club?—I do not know. He will be able best to tell you that. I know personally I never saw Inspector Emerson about this matter.

176. When did Mr. Russell Beecham write to the club—immediately afterwards?—I know that Mr. Beecham ever wrote about the matter.

177. I think you will find that Beecham wrote to the club about it?—No, there is no in the minutes of the next two or three meetings.

178. Have you the letter book there?—Yes.

179. Is there any letter to Inspector Emerson or to Mr. Beecham?—There are two letters to Russell Beecham, but they have no reference to that matter.

180. How far does that minute-book go after the 2nd June?—It goes up to the 19th October.

181. Will you examine that carefully and see if there is any subsequent minute to the one you read: what did you report to your committee?—I do not see anything.

182. Would not that be regarded as rather an unusual incident in connection with your club? You would not very frequently have to deal with a similar matter?—I saw two or three letters as I was turning over the book with reference to complaints. We very often have complaints, and deal with them as quietly as we possibly can.

183. Do you think it is likely you did not report to your committee in connection with that resolution?—Well, I can give a reason for that. Just about the time that this occurred, or shortly afterwards, I was down in Wellington, and stayed there for the opening of the Working-men's Club in Wellington, so it might possibly have slipped my memory during that time, and all this might have occurred in the meantime.

184. Did Mr. Smith lodge the complaint that the committee dealt with?—That I cannot remember. The secretary might know. The record simply gives the minute as I read it.

185. *The Chairman.*] Would a matter of that kind be entered in a complaint-book or anything of that sort?—No, there is no such book as that kept. There is a suggestion-book.

186. *Mr. Taylor.*] Did this matter come up in any form in the minutes of the previous meeting?—No, there is nothing.

187. Would you deal with a complaint of that character if it was made verbally: would you not require it to be in writing?—Very often some of the committee make a bit of a report and it is dealt with.

188. Do you remember Mr. J. W. Smith on your committee at that time?—I do not think so. I think Mr. Smith was auditor, and he does not sit on the committee.

189. *Mr. Cresswell.*] Are you prepared to say that that matter was a rumour or an absolute report. I simply say what is in the book. It is a report.

190. You cannot say whether it was reported verbally? Would you not require it to be in writing?—I cannot say that. My memory would not carry me back to anything like that. It simply says it was reported.

CHARLES PHILIP LOUND, recalled.

191. *Mr. Taylor.*] When did Inspector Emerson cease to be a member of your club?—I have his resignation here. It is dated the 13th July, 1893. The resignation is indorsed on our form of demand for subscriptions.

192. Do you know whether the complaint referred to was in writing or verbally: have you any letters?—I have no letters referring to it.

193. Have you looked them up?—Yes, I have searched for any letters referring to the matter.

194. What has become of a letter from Mr. Russell Beecham: he wrote to the club about it?—I do not remember.

195. What becomes of your correspondence?—I keep it.

196. Have you a letter from Mr. J. W. Smith about the matter?—I have not seen one.

197. Have you looked for one?—I looked through my letters this morning to find that resignation of Emerson's.

198. *The Chairman.*] Have you found any letters from Mr. Smith about it?—No.

199. You did not see one?—No.

200. *Mr. Taylor.*] Was the matter referred to at any subsequent committee meeting to that at which the minute was confirmed?—I do not remember it.

201. Then it was practically dealt with?—I cannot say anything further about it than what I see on the minute. I have no recollection of it.

202. Do you not remember the charge: do you know that it was in connection with a game of euchre loo being played for half-crown points?—No, I do not.

203. Is that not on record in some of your papers or books?—No.

204. When the minutes were confirmed of the 2nd June Mr. Grundy signed them: what did he report in regard to the minute instructing him to interview the Inspector and Mr. Beecham?—I have no recollection of him reporting anything.

205. Would not that be regarded usually as unfinished business?—Usually, I suppose it would.

206. Would the minutes be confirmed unless the instruction was carried out?—I cannot remember.

207. Does it not follow that any unfinished business is dealt with before the minutes are confirmed?—It should be.

208. Would it be, do you know as secretary of an organization, that where definite instructions are given to an officer to do something he would have to report before the minutes are confirmed?—I do not know that that course is usually carried out with us. Confirming the minutes is the first thing done at the meeting, and the report would follow.

209. Do you remember what the nature of the report was?—I do not remember hearing of any report, and there is nothing, so far as I know, in the minutes of any report.

210. How recently did the Inspector commence to revisit the club. Within the last six months?—I cannot say exactly when I saw him there—very rarely.

211. As a matter of fact, is it not within the last six months?—No, I believe it would be further back than that.

212. For some period he was not in the habit of going to the club?—He resigned his membership, and I cannot say how long it was before he ever came to the club again. It would be some considerable time.

213. *The Chairman.*] You say you have no recollection of anything having been done in regard to the resolution?—No recollection whatever.

214. Have you made a search for any record, or correspondence, or note of action taken under that resolution?—I have looked in our letter-book, which I have here. There is no copy of any letter sent to the Inspector

215. Have you any other letter-book?—No; this was the only one in use at that period.

216. You have examined it, and find no record of any communication outward in connection with this matter?—No.

217. And you find no record in the minutes in connection with the action taken under the resolution?—No.

218. *Mr. Cresswell.*] And, so far as you recollect, did you ever notify Inspector Emerson, directly or indirectly, of that minute?—Never.

219. And are you aware that it never came to his knowledge before to-day?—No, I am not.

220. Did you ever see or hear of a game of euchre loo being played in the club?—I may have, but, as a rule, I take no interest in card-playing.

221. Do you know the game?—No, I cannot say that I do. I may have heard the term.

222. The Inspector, I believe, is an honorary member of the club at the present time?—Yes.

223. And he is also Inspector of Clubs appointed by the Governor?—I believe so.

224. Do you know that he is?—By hearsay. I have not been officially notified to that effect.

225. I suppose you are in the habit of seeing the Inspector very frequently?—Not very frequently. I see him from time to time.

226. You have been in Napier longer than he has been?—Yes.

227. And been secretary of the club for a great many years?—Yes.

228. On any occasion have you ever seen the Inspector the worse of drink?—No, I cannot say that I have.

229. Have you ever known him to be addicted to gambling?—No, not to my knowledge.

230. Have you personally ever known his conduct to be other than that befitting his office?—I never saw anything wrong with his conduct so far as it came under my observation.

231. *Mr. Taylor.*] How do you appoint honorary members to the club?—They are selected the same as ordinary members.

232. By vote of the club or committee?—By vote of the committee as a whole. All members are elected every meeting of the committee.

233. Had you any conversation with the Inspector about this gambling business?—Never.

FREDERICK BADLEY, examined on oath.

234. *The Chairman.*] What is your occupation?—I am a merchant at Dannevirke.

235. *Mr. Taylor.*] Do you know Inspector Emerson?—Yes.

235A. Have you seen him pretty frequently?—Not very frequently, just occasionally.

236. Do you remember any specific occasions on which you have seen him?—I have seen him on different occasions when he has been visiting our district.

237. What hotels have you seen him at?—I do not think I have seen him at any hotel at Dannevirke with the exception of the one he stays at—the Railway Hotel.

238. On that occasion where did you see him?—Just about the hotel.

239. What room?—I cannot say in any room in particular.

240. What other towns have you seen him in?—Napier.

241. Where else?—Hastings.

242. Where did you see him at Hastings?—I might have seen him in the street.

243. Have you seen him in a hotel there? Whose hotel was it: the Hastings Hotel, kept by O'Reilly?—Yes.

244. Where did you see him in the Hastings Hotel?—I might have seen him in the passages.

245. In some of the rooms?—Yes.

246. Did you on one particular occasion, or on any particular occasion, see him engaged in card-playing at Hastings?—Yes.

247. Where?—At Hastings, in the Hastings Hotel.

248. Do you remember where the room was?—Yes.

249. Where was the room?—The upstairs parlour.

250. What was the game?—Euchre.

251. Do you remember the stakes?—I cannot remember whether there were any stakes. It was for something or other. I played myself.

252. Some small sum on each game?—Yes, just to make it sufficiently attractive to keep one awake.

253. Can you remember approximately what hour you knocked off playing?—No, I cannot; we played for two or three hours.

254. Would it be as late as 2 o'clock in the morning?—Yes, it might be.

255. Was the Inspector sober on that occasion?—Yes.

256. Were drinks served during the course of the game?—On two occasions.
257. Who was present besides yourself and Inspector Emerson?—There were three besides the Inspector and myself; I do not remember who they were.
258. Was not a police constable present?—No.
259. They would be strangers to you?—Yes; I have no recollection of them.
260. *The Chairman.*] You say positively there was no police constable?—Yes, I say that positively.
261. *Mr. Taylor.*] Whoever were there were in civilians' clothes?—Yes.
262. And if they were constables you would not know them?—No.
263. On other occasions have you seen the Inspector card-playing?—No.
264. Has he, whenever you have seen him, invariably been sober?—Yes.
265. Absolutely?—I have never seen him the worse of liquor.
266. *The Chairman.*] How long is it since—referring to the card-playing?—It was the last time I was in Hastings, and that was on the occasion of the October, 1896, meeting.
267. *Mr. Cresswell.*] You have not been in Hastings since?—No.
268. Had you before then, or since, seen the Inspector with any signs of liquor on him?—No.
269. Have you known him to play cards before or since?—No.
270. Now, do you know whether the Inspector was boarding there at that time?—I think, if I remember rightly, he was staying at the house.
271. And with what object did you go there?—I went to the hotel for a bed. I had my dinner there, and intended to stay there for the night, but there was no bed available.
272. Did you stay in the hotel the whole night?—Yes.
273. That is a common thing at Hastings?—Yes, I think so, at race-times.
274. Were the other gentlemen who were there lodgers in the house, do you know?—I cannot say.
275. Did you make any attempt to get a bed there?—Yes.
276. Now, you say it was a private parlour you were in. Had the public access to that room that night?—No; it was upstairs.
277. And do you consider that the Inspector was committing any crime in having a game of cards with you and your friends? No, I do not.
278. *Mr. Taylor.*] Did the landlord take a hand in the game?—No.
279. Was a bottle of liquor left on the table when the game was finished?—Yes, I believe a bottle of whiskey was brought up by the landlord.
280. And the landlord knew the game was going on?—Yes.
281. *The Chairman.*] Did the landlord know you were playing for money?—I cannot say he did.

SIMON LINDSAY FLYGER, examined on oath.

282. *Mr. Taylor.*] What are you?—I am a baker, living in Napier.
283. How long have you been in Napier?—About thirteen years.
284. Have you any house property that you let?—Yes.
285. Where?—Shakespeare Road.
286. Were you summoned on one occasion for letting one of your houses to women of ill-fame?—Yes.
287. When was that?—September, 1896.
288. How long were the people in your house?—For a week, when I was told what they were, and I gave them a week's notice.
289. Who told you?—Sergeant O'Donovan told me on a Saturday, and on Monday I gave them notice to quit.
290. How did you find out what their character was?—I was told by him in the street on Saturday that I had women of ill-fame in the house.
291. And did you give them notice immediately?—I sent along notice on Monday.
292. And did they conform to it?—They left on the following Friday. They were in my house just a fortnight.
293. *The Chairman.*] Were you fined?—Yes.
294. *Mr. Taylor.*] Were you present at the time the charge came up in the Court against you?—No, I was in the country.
295. Was it dealt with in your absence?—Yes.
296. Is that the only time you have been charged with such an offence?—Yes.
297. Is that the only time your house has fallen into the possession of such people?—Yes.
298. Are you in the habit of letting your houses to people whose characters you do not know?—No, not at all.
299. Were you reluctant at all in giving them notice to quit?—Of course, when I found out who they were I thought it was necessary I should do so rather than damage my property.
300. Did not the police tell you that if you got rid of them they would withdraw the information against you?—Nothing of the sort.
301. *Mr. Cresswell.*] You say the charge was dealt with in your absence. After you got notice that an information was laid against you where did you go to?—I was out of town before I ever knew of it.
302. Where did you go to?—To Papakura.
303. To whose place?—Mr. Willan.
304. *Mr. Taylor.*] Where did these people go to out of your house?—Milton Road.
305. How long did they stay there?—About seven or eight days to a fortnight, I think.
306. Are they in Napier now?—Yes, they were up to a little time ago; one was living in White Road.

307. Was there any prosecution against them for keeping houses of ill-fame?—Yes, and I was fined for not appearing as a witness in the prosecution against these prostitutes.

308. *Mr. Cresswell.*] You say the case was adjudicated in your absence. Did you not apply for and obtain a rehearing?—That is so.

309. And did you not bring down Mr. Willan?—No, the police brought him down as a witness.

310. And on his evidence was not the original conviction sustained?—Yes, and you told me it was utterly useless for me bringing a case into this Court, because I could never get a satisfactory result.

311. On account of your bad name, did I tell you?—No, there was nothing about a bad name.

312. Did the Magistrate threaten that he had a good mind to consider whether you were guilty of perjury?—No, I never heard him say anything of the sort.

313. You were fined £4 odd for letting your house to two women for immoral purposes?—Yes, but there was no proof to show that I did.

314. Did you give evidence against the two women when they were fined in this Court for being prostitutes?—No; how could I when I was not here?

MONDAY, 30TH MAY.

ARTHUR JAMES COTTERILL, examined on oath.

1. *The Chairman.*] What are you?—I am a solicitor, residing in Napier.

2. *Mr. Taylor.*] Do you know Inspector Emerson?—Yes.

3. Have you seen him at any time when his condition has attracted your attention?—Yes.

4. Under what circumstances?—As well as I recollect, it was one evening about 6 o'clock about twelve to eighteen months ago. I was walking up the Shakespeare Road with some friends, and it was getting dusk. It was not broad daylight. When opposite my own office I saw Inspector Emerson under Mr. Carnell's verandah with two other persons, each of whom had hold of one of his arms.

5. Can you say whether the Inspector was sober?—I cannot.

6. What judgment did you form as to his condition?—I formed none. The only judgment I formed was that these two persons were supporting him.

7. Have you seen him in a like condition at any other time?—Never.

8. Do you see him frequently?—Very frequently. I am Crown Solicitor and have a deal to do with him.

9. Do you frequently see him after dark?—No.

10. *Mr. Cresswell.*] I suppose you have known a great many people suffering from this dreadful complaint influenza?—Yes.

11. Dr. Moore tells us that in a man of Inspector Emerson's age the influenza is likely to make him suffer, and that it would be difficult for a stranger to say whether he was suffering from influenza or from the effects of drink?—Quite possible.

12. Is it not possible that he may have been weak through influenza or any other disease?—Yes, quite possible. I have not said he was drunk.

13. You do not suggest that he was drunk?—I do not suggest anything. I just speak to facts.

14. Has the Inspector to attend the Supreme Court sessions here in his official capacity?—Yes.

15. The Court sits three times a year?—Yes.

16. Has he, outside attending Court, to attend you in your official capacity?—Frequently.

17. Leaving out this occasion, have you at any other time seen him with any trace of liquor on him?—I have not.

18. Could you say he is a man of intemperate habits?—I could not say that from personal knowledge.

19. Have you ever known him to be addicted to gambling?—My relations with Inspector Emerson are merely so far as our respective duties are concerned.

20. You like to attend the sport of kings, so-called—race-meetings?—Sometimes I go.

21. Have you ever seen Inspector Emerson at any of the meetings?—Yes.

22. Have you there or at any other time known his conduct to be other than it should be?—No, I have never observed anything.

23. With the exception of the time you went to England you have been Crown Solicitor here for many years?—I have conducted Crown prosecutions here since 1874, and I have been Crown Solicitor since 1877.

24. Continuously with the exception of the time you went home to England?—Yes, I was absent on leave.

25. *Mr. Taylor.*] Who were the persons who were assisting Mr. Emerson?—Mr. Swan, the Mayor, was one, but I forget who the other was.

JOHN FERGUSON JARDINE, examined on oath.

26. *The Chairman.*] What are you?—I am a commission agent in Napier.

27. *Mr. Taylor.*] Do you remember, in the company of Mr. Cotterill and Mr. Logan, on one occasion when Inspector Emerson's condition attracted your attention?—I do not know. It is a very vague question indeed. While I have been with these two gentlemen I suppose I have seen the Inspector many a time.

28. Do you remember seeing him in Shakespeare Road one evening about 6 o'clock?—I have no doubt I have seen him there. I see him every day.

29. Do you recollect seeing him assisted by two persons near Carnell, the photographer's?—I saw him with two people there.
30. Was he being helped by them?—He was walking arm-in-arm with them.
31. How near were you to them?—I was not near at all.
32. Were you on the other side of the road?—I think so, but I could not say.
33. *The Chairman.*] What was the locality?—At the corner of Brewster Lane, by Mr. Carnell's.
34. *Mr. Taylor.*] Did you pass on the same side of the street?—I think I did.
35. What was Inspector Emerson's condition? Was he sober?—He may have been ill.
36. What is your judgment?—I am not prepared to say what might have been my construction at the time. It is not fair. It was purely an inference.
37. What inference did you draw?—I thought he was being assisted.
38. *The Chairman.*] Are you an expert in these matters?—Certainly not. I could not say what his condition was.
39. *Mr. Taylor.*] What was your opinion at the time?—Is one obliged to give all the opinions one has come to at any time.
40. What conclusion did you come to at the time?—I thought he looked as if he was being assisted home.
41. Did you come to the conclusion that he was intoxicated?—I do not think there was anything about his behaviour to lead any one to say he was absolutely intoxicated. As I said before, he may have been ill.
42. Did that enter into your theory at the time?—No, it did not.
43. Was Mr. Swan one of those helping him?—I believe so.
44. Who was the other?—I forget—in fact, four days ago I could not have remembered anything about it. It was since the sittings of the Court that I was reminded of it. It made so little impression on my mind that I had almost forgotten all about it.
45. Is it not remarkable that an incident like that in connection with the Inspector of Police should make a slight impression on your mind?—It made only a slight impression.
46. Were you not surprised to see the incident? Seeing the position the man occupied, did not the incident strike you as very remarkable?—No, I cannot say I thought much about it at the time.
47. *Mr. Cresswell.*] Mr. Taylor has put a word into your mouth, saying they were "helping" him along?—I said they were walking arm-in-arm with him.
48. Is it not a fact that certain men in this town, whose names I need not mention, are in the habit of walking arm-in-arm?—Yes.
49. So that there is nothing extraordinary in that, whether the man be an Inspector or otherwise?—No.
50. You yourself have been attacked with influenza?—Yes.
51. And I think it is a matter of common report within your own knowledge that Inspector Emerson has suffered severely from it?—I was told so.
52. And Dr. Moore has told us that on a man of the age of the Inspector the action on him would be very like the action of a man under the influence of drink. Can you say whether this man was with friends through illness or through drink?—I could not possibly say. I should say that the other witnesses could say better than I can.
53. You are not prepared to say whether he was suffering from illness, or drink, or the effects of the influenza, or whether he was simply walking arm-in-arm with his friends?—No, I am not.
54. *Mr. Taylor.*] When you are suffering do you walk home arm-in-arm with your friends?—No; I would probably be in bed.
55. Did your influenza give you a hacking cough?—No.
56. Did it make you swear?—I expect it did.
57. Had you been on board a steamer would you have sworn in the presence of others?—I think the question is rather absurd.
58. Yes, like those that led up to it. Did the influenza suggest itself to you when you saw the Inspector on this occasion?—No.

GEORGE HENRY SWAN, examined on oath.

59. *The Chairman.*] You are the Mayor of the borough?—Yes, and I have been for thirteen years.
60. *Mr. Taylor.*] Do you know Inspector Emerson?—I do.
61. Can you remember on any occasion being in the company of Inspector Emerson in Shakespeare Road?—Yes, several times.
62. Can you remember any special occasion when his condition attracted your attention?—No.
63. Do you usually walk arm-in-arm with him?—No; but I have done so.
64. When?—I could not remember.
65. Do you remember walking arm in arm with him one evening about dusk?—Not on any special occasion. I remember one evening we walked up from the Napier Club round to the Marine Parade Hotel, and he took hold of my arm on that occasion.
66. Were you alone—he and you?—Yes.
67. He had hold of your arm in a friendly way?—Yes.
68. On another occasion can you remember having hold of his arm when somebody else had hold of his other arm?—No, I cannot say I do.
69. Do you remember being near Carnell's shop with him on one occasion when you had one arm and some one else the other?—No. I remember walking up in that direction with the Inspector, but whether there was anybody else there or not I could not say.

70. Did he have hold of your arm?—I think he did.
71. What was his state that night?—He was in his ordinary condition. He might have had a glass or two perhaps, but I should say he was sober and able to take care of himself.
72. Have you on any other occasion been with him when he has had a glass or two?—No; I have met him frequently, but I have never seen him the worse of liquor.
73. Never incapable?—No.
74. *Mr. Cresswell.*] Your own words were that you had never seen him the worse of liquor?—Yes.
75. You did not say “incapable”?—No.
76. Have you met Inspector Emerson frequently in different parts of the colony?—Yes.
77. Have you met him on racecourses?—Yes.
78. Have you ever seen anything in his conduct other than that befitting an Inspector of Police?—No.
79. Have you ever known him to be addicted to gambling?—No.
80. Have you ever known anything in his conduct to lead a person to say that he is a man of intemperate habits or a gambler?—Certainly not.
81. When he took your arm when you were walking up by Carnell’s place, was it taken for the purpose of assistance to himself, or why did he take your arm, or you take his?—I cannot remember, I am sure. That has happened more than once when we have been walking along. We have frequently got into conversation about one matter and another. We have always been on very friendly terms.
82. In his position as Inspector and in yours as Mayor, which position you have held for thirteen years, I suppose you have had many a quiet chat on the street?—Yes.
83. And you would take his arm as often as he would take yours?—Yes.
84. *Mr. Taylor.*] Who was with him on the occasion that you were near Carnell’s verandah?—I cannot remember. I am not sure there was any one.
85. Would it be a stranger?—I really cannot remember. I do not know the date or anything to guide me. On two or three occasions we have met about that quarter.
86. Would it be something unusual for you to have hold of one of the Inspector’s arms and somebody else to have the other? Your walks have generally been alone?—Yes.
87. *Colonel Pitt.*] Would that be your way home, or Inspector Emerson’s?—It is Inspector Emerson’s.
88. Do you remember when he had this attack of influenza of which we have heard?—I do not remember the date.
89. Was it before that time, or after, or at that time?—I cannot fix the date of the occasion that you speak of.
90. From your recollection, was he ill at that time from influenza or not?—I cannot say.
91. *The Chairman.*] As you cannot call to mind the occasion, I will ask you, Was he in a state of intemperance or intoxication when you were at Carnell’s shop when you assisted him, or when you walked arm-in-arm?—We may have had a glass or two, but he was quite capable of taking care of himself.
92. And if you did put your arm in his, was it for the purpose of preventing his staggering?—That I could not say. I do not think so. I have not a very distinct recollection about the matter.
93. If he was in such a state that he required to be steadied from staggering, would that have been such a circumstance as to have impressed itself upon your mind?—Yes, I think so.
94. Then, is it impressed on your mind that he was staggering from intoxication at that time?—No. I do not know how the circumstance came about.
95. You say that generally his conduct has not been inconsistent with his position as Inspector of Police?—Certainly not, as far as my observation goes, and I have come in contact with him a good deal in inspecting houses and one thing and another.

THOMAS HARVEY, examined on oath.

96. *The Chairman.*] What is your rank?—First-class constable, stationed at Napier.
97. *Mr. Taylor.*] How long have you been in the Force?—Thirty-three years on the 9th of the present month.
98. What districts have you served in?—Napier and the Spit the whole time.
99. Have you served under Inspector Emerson anywhere else than in this district?—No.
100. Have you not been stationed in any country stations?—No.
101. Have you seen the Inspector frequently?—Yes.
102. Tell us what you remember about the prosecutions of Robinson (“Murrumbidgee”) for spieling?—I arrested him on the Town and Suburban racecourse.
103. Who was arrested with him?—No one. He was arrested for laying totalisator odds, being given in charge by the secretary of the club.
104. Who was the secretary?—Mr. Louis Binnie.
105. What club is Mr. Danvers secretary of?—The Park.
106. Is he a resident of Napier?—Of Hastings, I think.
107. What was the result of the arrest?—I took him to the Taradale lock-up and searched him, and then went back to the course.
108. Did a prosecution follow?—No.
109. Do you know why?—He was released by Mr. Heslop, J.P.
110. How did that come about. Was he not a prisoner?—Yes.
111. How did the release come about?—The Justice of the Peace went down and released him.

112. *Mr. Poynton.*] He admitted him to bail?—No.
113. *Mr. Taylor.*] How did he come to be released?—I cannot say.
114. What is the usual course when you arrest a man for an offence like that—do you not make an entry in the charge-book?—Yes.
115. Did you do that on this occasion?—No. I was in charge of the course, and I went back there.
116. When did you put it in the book?—It was not put in the charge-book at Taradale that I am aware of.
117. *Mr. Poynton.*] Who had the keys of the lock-up?—Constable Thomas Leitch, who had charge of the district.
118. *Mr. Taylor.*] Where is he now?—In Auckland.
119. *The Chairman.*] When you left him at the lock-up, did you hand him over to Constable Leitch?—I think I did, but I would not be positive.
120. *Mr. Taylor.*] Did you get the keys from Constable Leitch?—I think I got them from Mrs. Leitch.
121. And you gave them back to her?—I do not know if I did.
122. When did you make a record in the charge-book about the matter?—I made none.
123. Why?—Because he was released before I had finished my duty on the course.
124. Did you make a report about the matter?—Yes, to the Inspector. Constable Kennedy also made a report.
125. Did anything result from the report? Were you examined by Inspector Emerson?—Not that I am aware of.
126. Would that report be in the police-office?—I am not sure.
127. Were you mixed up with the arrest of Adams or Martin?—No.
128. Do you know them?—I may have seen them, but I do not know them by name.
129. What Inspectors have you served under besides Inspector Emerson?—Inspectors Scully, Bullen, and Keiley.
130. *Colonel Pitt.*] Would you make an entry in the watch-house book, or would Constable Leitch?—I would.
131. *Mr. Taylor.*] On what occasion have you seen Inspector Emerson playing cards?—I think I saw him playing a game of cards one time at Wairoa.
132. At Poyzer's?—I think it was there.
133. Who was playing at the same time?—I think it was Mr. Poyzer.
134. Did you have a hand yourself?—I have never played cards in my life.
135. Who else was playing?—I could not say.
136. Cannot you remember?—No, I cannot. I think it was a stranger.
137. What were the stakes?—I do not think there were any. My Inspector was in the room sitting down, and I think the landlord also. I went and asked the Inspector a question and at once walked out again. I was not there two minutes.
138. Did you see what the game was?—I do not understand cards.
139. On what other occasions have you seen Inspector Emerson playing cards?—I do not remember any.
140. Not in this town?—No.
141. Have you not seen him playing in the Criterion?—Never.
142. Have you ever seen him with signs of liquor on him?—I might have seen him with the signs of a drink or two.
143. Can you remember when?—I think it was at Wairoa about twelve months ago.
144. Would that be on the same occasion that he was playing cards?—We went to the race-course on a wet, cold day, and I saw him in the evening, and I should say he had had a drink or two.
145. Was he at the hotel?—Yes, we stopped at the hotels. Inspector Emerson was at one, and I was at another.
146. Was he at Poyzer's?—Not at that time. He was at the hotel further up the valley.
147. In Napier, when have you seen him with signs of liquor on him?—I do not remember any occasion. I am seldom in the town.
148. Where are you stationed?—At Carlyle Street.
149. How frequently do you see the Inspector at night?—Seldom.
150. You are not in a position, then, to say what his habits are at night?—No.
151. Do you consider that under Inspector Emerson the discipline has been very strict?—It has been very fair.
152. On the occasion at Wairoa would not his condition have caused his men to regard him with disrespect?—Not the least.
153. How is that?—Because the man had no signs of drink on him to interfere with his work.
154. He was not drunk?—No.
155. But you noticed he had had liquor?—I would take it he had had a drink or two.
156. Could he talk coherently?—Yes, and he gave me instructions.
157. Do you think that so long as the Inspector is sober enough to give instructions his habits are not such as to cause the men to treat him with disrespect?—Certainly not.
158. *Mr. Cresswell.*] On the Taradale occasion you were in charge of the course?—Yes.
159. Was the Inspector there that day?—Yes.
160. Was he there before or after Robinson was given in charge?—Before and after.
161. I think Mr. Heslop was president of the club?—I think he was.
162. And at this racecourse, in addition to the police, the clubs have private detectives to watch the persons who lay totalisator odds?—Yes, some of them have.

163. This man Robinson was given in charge by the secretary, Mr. Binnie?—Yes.
164. And you took him to the watch-house which had the nearest lock-up?—Yes.
165. And Robinson was searched, had his boots taken off, and his bag and his money were taken from him?—Everything was taken from him, but his boots were not taken off.
166. And he was put in a cell?—Yes.
167. Constable Kennedy was associated with you in the arrest?—Yes; he was under my instructions, and assisted me to take the man to the lock-up.
168. You are not prepared to say whether Kennedy made an entry in the charge-book or not?—I am not.
169. I think Robinson was in the lock-up about an hour and a half?—He was in for some time, but I could not say how long.
170. And a Justice of the Peace went and released him?—Yes.
171. I think Robinson brought an action against the stewards of the club, and against you and Constable Kennedy also?—Yes.
172. Claiming £500 damages for false imprisonment?—Yes.
173. You and Kennedy both defended through your solicitor?—Yes.
174. You retained Mr. Lascelles, the club Mr. Sainsbury, and the secretary Mr. Cornford?—Yes.
175. And Robinson lost his case under section 35 of the Police Offences Act?—Yes.
176. You got your costs, as also did the jockey-club, as against Robinson?—Yes.
177. And I think the club officials paid your costs and Kennedy's?—Yes, they paid all costs. I would like to mention that I did not know the right name of the man at the time. He goes by the name of "Murrumbidgee."
178. Is your Inspector in the habit of getting the worse of liquor?—Not that I am aware of.
179. Is he a man addicted to gambling?—I never saw my Inspector gambling.
180. You have been twenty-three years in the Force, and you have served under a good many Inspectors. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—No.
181. *Colonel Hume.*] How did you know that Mr. Heslop had released the man?—My Inspector told me he was going to release him.
182. Was that after you had got back to the course?—Yes.
183. Did he say why he was going to release him?—Not that I am aware of.
184. Had the secretary at that time laid any charge against the man?—He said he would give him in charge for laying totalisator odds.
185. But he had made no written charge?—No.
186. Did he go to the station and prefer the charge against the man?—No, not at the time.
187. Did he go afterwards?—I went to the secretary and told him he would have to sign the watch-house book, and he said he would do so after the races.
188. In the meantime the Inspector told you Mr. Heslop was going to release the man?—Yes.
189. Did the secretary tell you that?—Not that I remember. I think I saw my Inspector and the secretary having a talk after I got back.
190. *The Chairman.*] Can you say from your own knowledge that Mr. Heslop was president of the club?—I believe he was.
191. *Colonel Hume.*] Who handed the prisoner over to Mr. Heslop?—I do not know.
192. Were you present at the time?—No; I think Constable Leitch went down from the course.
193. Were you present at the civil action?—Yes, but the charge against Constable Kennedy and myself was withdrawn.
194. Did you hear at the trial what the reason was that the man was released?—No; we were outside.
195. *Mr. Taylor.*] Did you always regard the Inspector as being very diligent in dealing with spielers?—Yes, as far as I know.
196. Did it not strike you as being strange that he should tell you they were going to release the prisoner?—I thought it rather strange.

JAMES SIDDELLS, examined on oath.

197. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Dannevirke.
198. *Mr. Taylor.*] How long have you been in this district?—Eighteen years and four months.
199. You have served here all the time Inspector Emerson has been here?—Part of the time—two years—my station was attached to the Taranaki district, under Inspector Pardy.
200. Have you seen the Inspector very often?—Not very often.
201. Where did you last see him before to-day?—At the Woodville Station.
202. Have you always had a country station?—Yes.
203. When did you see him at Woodville?—Two months ago the Inspector and I went to the Woodville Station on a visit of inspection. Woodville is in my sub-district.
204. When have you been at Hastings with him?—At various times when races have been held.
205. Were you at the last race-meeting?—No.
206. Or at the one before?—The last time I was at Hastings when the Inspector was there was in October, 1897.
207. Were you with him at the Woodville races?—Yes, in January or February, 1896.
208. Do you know Sandel's Hotel there?—Yes; the Inspector and I stayed there.
209. What part of the hotel did you see him in?—In various parts. We were there for three days.

210. Will you tell the Chairman particulars of the card-playing at Sandel's Hotel on that occasion?—It was upstairs in the private sitting-room.
211. Who was present besides the Inspector?—My brother and I.
212. Who was the fourth?—I am not aware that there was a fourth.
213. What game were you playing?—Euchre.
214. What were the stakes?—There were no stakes.
215. How long did you play?—Not more than half an hour.
216. On what occasion did you play in the hotel till the lights were turned out?—Never; and I have only played with the Inspector on that occasion.
217. You played absolutely "for love"?—I think drinks were brought up once or twice.
218. Did you not play on either of the other nights you stayed there?—No; I had my work to do.
219. Do you remember the card-party at which you were only an onlooker?—No.
220. Is that the only recollection you have of seeing the Inspector playing cards?—Yes.
221. You did not see him play again?—No.
222. In ordinary conversation does the Inspector address the men in familiar terms or by their Christian names?—He does with me. The Inspector and my family have been intimately acquainted for thirty years. I have known the Inspector, for I suppose, twenty-eight years. He knew me as a boy in Blenheim, and he knows my mother, my father, and my sisters, and he would address me as "Jim."
223. In the presence of the other constables?—I do not know that he would do it in the presence of the other men, but by ourselves he has always treated me as a friend.
224. As a matter of fact, has he not in the presence of the other men said, "Come here, Jim," or "Do this, Jim"?—It is possible.
225. Is that the only occasion when you were present with him in Woodville at the races?—I believe the Inspector was there the year before, and the year after he was not.
226. Were you there?—I was there the year after, and also last year.
227. Were you there twice when the Inspector was there?—Yes.
228. On the former occasion, cannot you call to mind the card-playing that you saw take place?—I cannot.
229. Is that the only occasion in Woodville on which you have seen card-playing on the Inspector's part?—Yes.
230. You were at the Hastings races in October last year?—Yes.
231. Was the Inspector there?—Yes.
232. Where did you stay?—At O'Reilly's.
233. That is where the Inspector stays?—Yes.
234. What card-playing did you see going on there?—None.
235. You did not see the game at all?—No.
236. Were you with the Inspector in the evening?—I may have been.
237. Were you in the private sitting-room with him?—No.
238. You do not know whether cards were played there or not on that occasion?—No. I was doing plain-clothes duty in the town, and I would be about the streets.
239. Do you know Fred Bradley?—Yes.
240. Did you ever see him playing cards with the Inspector on any occasion?—No.
241. On what occasions have you seen the Inspector with signs of liquor on him?—I would not like to say that I have. He has always been perfectly sober at the times he has attended races with me.
242. I want to know on what occasions you have seen liquor on the Inspector?—I should not like to say that I have ever seen him under the influence of liquor. It may have been noticeable, and he may have taken a glass without showing the signs of it.
243. I do not suggest he was noisy or incapable. Can you say when he has noticeably had liquor?—I cannot give any dates.
244. How often have you noticed liquor on him?—My experience is that the Inspector has always been sober when attending the racecourse.
245. Did you not say that he might have had a glass or two?—Yes.
246. Would that be at Hastings?—I could not say where.
247. You would not like to give a definition of what constitutes drunkenness?—It is a wide subject to give a definition on.
248. How many nights were you at Hastings in October, 1897?—Two, I think.
249. Did you see the Inspector each night?—I am not clear that the Inspector stayed at the hotel at night.
250. *The Chairman.*] What year was that?—1896.
251. *Mr. Taylor.*] Did you see the Inspector on both nights when you were at the hotel?—No.
252. Was that the occasion when the Hon. Mr. Seddon was in the town?—No.
253. Do you remember being present when both the Inspector and the Hon. Mr. Seddon were at Hastings?—No.
254. In what other towns have you done duty when the Inspector has been there?—I think, at all the other racecourses in the district.
255. Have you ever seen the Inspector in Napier?—Yes.
256. Do you consider that his relations with the men are such as are calculated to maintain a high state of discipline?—I know nothing about his conduct with the other men. As far as I am concerned discipline is always maintained. Of course, different Inspectors have different modes of enforcing discipline. Some are very strict and others are more lax.
257. Were you ever present in plain clothes in Woodville or Hastings when the Inspector was gambling?—No.

258. *The Chairman.*] Were you ever present at any hotel in plain clothes when the Inspector was playing cards except on the occasion you mention?—No.

259. *Mr. Cresswell.*] Have you ever known the Inspector's conduct to be other than that befitting an Inspector of Police?—No.

260. Have you ever known him to be under the influence of drink?—No.

261. Do you remember the incident between the Inspector and Mr. James Taylor at Woodville?—Yes.

262. Can you tell us the date?—The 5th February, 1896.

263. Do you remember the subject of dispute between the Inspector and Mr. Taylor?—No.

264. Do you remember two spielers being arrested?—Yes.

265. Tell us what was done by the other spielers and the crowd when the arrest was made?—Constable Treanor had ejected a boy from the lawn and a large number of people congregated and objected. They began hooting the police and jostling them, and Constables Treanor and Reardon arrested two men. The people were howling at the police, and it was with difficulty that the men were removed. They were taken away in the direction of the township.

266. What was the Inspector, yourself, and the other men doing?—Keeping the crowd back.

267. Did you see Mr. Taylor come up to the Inspector at that time?—Yes. He spoke to the Inspector, but I did not hear what was said. The Inspector pushed Mr. Taylor to one side, and walked towards the constables. Mr. Taylor followed him and again spoke to him.

268. If Mr. Taylor or any one else had spoken to you at that juncture what would you have done?—I would have told them to wait till the men had been removed.

269. Was there any chance of there being a rescue?—Yes, the people were very excited.

270. And it took you and the others all your time to keep the crowd back?—Yes.

271. Was any civilian with the Inspector?—I noticed Mr. Wilson and several others helping.

272. On that particular occasion there were about a hundred spielers there?—There were a great many.

273. If the police had not been prompt in getting the prisoners away, do you think there would have been a rescue?—It is very probable.

274. *Mr. Taylor.*] Were the people in front or behind the police?—They were in front, going along the course.

275. Within fifty yards?—Nearer than that.

276. Was Mr. Wilson assisting to keep off the crowd?—I could not say that.

277. Was he talking with him?—I could not say that.

278. Will you swear he was not?—He may have been talking to him as they were going along.

279. How far would the prisoners be away?—Not more than twenty yards. We would naturally be close to them.

THOMAS REIDY, examined on oath.

280. *Mr. Taylor.*] What is your occupation?—A carpenter, working at Mr. Holt's mill in Napier.

281. When I spoke to you in the Court a few minutes ago did you not say, "You will get nothing out of me"?—I did, because I knew nothing.

282. Did I tell you I would call you in connection with "tote" business?—Yes.

283. And that I was attempting to prove that the police knew of the existence of a "tote" shop, and that they had not dealt with the matter?—Yes, and that they all knew about it.

284. Do you know a shop kept by Eagleton?—Yes.

285. Do you know one kept by Smythe?—Yes, a book-shop.

286. How often have you been in those shops?—That is my business. I go in to buy a bit of tobacco or a book. I cannot say how often I have been in.

287. How often have you had betting transactions with either of them?—That is my business. I refuse to answer the question. I earn my money, and I can bet or do what I like with it.

288. Have you been in either of the shops within the last three months?—Yes.

289. Have you been in there for "tote" business?—That is my business. I have been in to buy cigarettes.

290. Before December, 1897, what transactions did you have with either Smythe or Eagleton?—I am not going to give you any information whatever. I tell you straight I cannot tell you anything about it, and I will not. It is my business, and you can do what you like about it. I am not going to give information about anybody. You might strike out that last.

291. *Colonel Pitt.*] Have you been subpoenaed in this case?—Yes.

292. *The Chairman.*] Are you aware that "tote" betting was conducted in Eagleton's shop up to six months ago?—I refuse to answer that. It is none of my business whether they do or not.

293. Are you aware that "tote" betting was, previous to the last six months, carried on on Smythe's premises?—I refuse to answer.

294. Are you aware whether it is a matter of public report that "tote" betting is carried on on Eagleton's and Smythe's premises?—I have heard so.

295. Do you know whether Inspector Emerson was aware that "tote" betting was carried on on those premises?—I know nothing of the kind.

296. *Mr. Taylor.*] I wish to ask the witness whether, on the Wellington races in January last, he did not lay "tote" odds in one of those two shops?

297. *The Chairman.*] Did you make a bet in one of those shops on those races?—I refuse to answer.

298. *Colonel Pitt.*] You understand that if the Commissioners direct you to be prosecuted and you are found guilty you are liable to a penalty not exceeding £20?—Yes.

[Subsequent to the adjournment the witness was further examined on oath.]

299. *The Chairman.*] Are you aware that "tote" betting was, previously to the last three months, carried on in or upon the premises of one Eagleton in the Town of Napier?—I refuse to answer the question.

300. Are you aware that "tote" betting was, previously to the last three months, carried on in or upon the premises of one Smythe, in the Town of Napier?—I refuse to answer that question.
[A fine of £10 was thereupon inflicted upon the witness.]

ANNIE PANTON, examined on oath.

301. *The Chairman.*] Are you a married woman?—Yes. I live in Chaucer Road.

302. *Mr. Taylor.*] Do you know a book-shop kept by Mr. Smythe?—No.

303. Do you know Eagleton, the tobacconist's shop?—Yes.

304. When were you last at Eagleton's shop on business?—I went last week for tobacco.

305. When were you there last in connection with betting business?—I do not bet, except when I go to the racecourse.

306. Were you ever in Eagleton's shop in connection with betting?—No.

307. When did you go to Eagleton's shop to put money on the totalisator?—I do no horse-betting.

308. But you do on the course?—Yes, 5s. or half-a-crown, with other ladies.

309. Have you not put 5s. or half-a-crown in Mr. Eagleton's shop?—No. I never go there to bet, but I go for tobacco, cigarettes, scent, and other goods.

310. You never go there to put money on the totalisator?—No.

311. And you only bet on the course?—Yes, and when I am in Christchurch.

312. *Mr. Creswell.*] Do you know Inspector Emerson?—No.

BARRETT RUTLEDGE, examined on oath.

313. *Mr. Taylor.*] Where are you stationed, Constable Rutledge?—Taradale.

314. When did you join the Force?—1885.

315. How long have you been in this district?—Since the latter part of 1892.

316. Was Inspector Emerson the Inspector when you came here?—He was in charge of the district, but he was not here.

317. Have you done duty in Napier?—Yes.

318. And in what other parts of the district?—Gisborne, Wairoa, Woodville, and Hastings.

319. Temporary duty?—Yes.

320. Have you attended any race-meetings with the Inspector while you have been here?—I have.

321. Where?—At Wairoa, Hastings, and Taradale (Napier Park racecourse); and I attended the Kaikora races once, but I am not sure whether the Inspector was there or not.

322. Have you had anything to do with "spielers" at those meetings?—No. I am mounted, and my duty would be out on the course.

323. Have you been with the Inspector in the evening of any of the race-days?—Only when he was giving orders to the men to stay in different places for the night.

324. You have not seen him after that?—Only on the street, perhaps.

325. Were you at Hastings with him within the last eighteen months?—Yes.

326. Have you seen him card-playing?—I have never seen him in a hotel at Hastings.

327. At any other place?—Yes; at Wairoa.

328. Did you see him playing cards there?—No.

329. Have you never seen the Inspector when he has had signs of liquor on him?—No.

330. And you have never seen him playing cards on any occasion?—No, I have never seen him with a card in his hands.

331. He has always been perfectly sober when you have seen him?—As far as I could judge.

332. Are you a good judge?—Fairly good.

333. Has he always been absolutely sober when you have seen him?—Yes, always.

334. Has his conduct always been, in your judgment, such as was calculated to maintain a high state of discipline?—Yes, from what I have seen.

335. Were you ever in a private room with him in any of these hotels after any of the race-meetings?—No.

336. You never saw him in a private room?—No. At Wairoa I stayed in a private boarding-house, and the Inspector at the hotel, and at Hastings I stayed in one hotel and the Inspector in another.

337. And at Woodville?—I was never at Woodville at race-meetings.

338. What has been your experience as far as spielers are concerned? Do you know many by sight?—A fair number; but none of them have come under my notice at race-meetings, as my duty has kept me on the course proper.

339. Have you had any hotel prosecutions since you came here?—One.

340. Where?—In Napier.

341. Did you have any trouble over it?—The licensee reported me for taking another constable off his beat to the hotel, but nothing was done.

342. You were not reprimanded?—No.

343. Did the publican make any threat against you?—There was a rumour that he had threatened to get me shifted, but I was not.

344. How long after was it that you were removed?—Shortly after I went to Gisborne, and then to Wairoa.

345. *The Chairman.*] Was there a conviction?—No; the case was dismissed.

346. *Mr. Cresswell.*] Have you been subpoenaed to give evidence?—No.

347. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—No. I have always found him the same as other Police Inspectors I have been under.

348. A good Inspector?—Yes.

ALFRED JAMES MITCHELL, examined on oath.

349. *The Chairman.*] What is your rank?—I am a second-class sergeant, stationed at Napier.

350. *Mr. Taylor.*] How long have you been in this district?—A little over five years, off and on.

351. You have practically been here since Inspector Emerson took charge?—No, I was in the Thames district when he took charge of this one.

352. How long have you been in this district the last time?—Since the 24th July last.

353. Where were you before that?—In Wellington for four months, and before that at Hastings.

354. Do you know Mr. Fred Bradley, a storekeeper, of Dannevirke?—No.

355. Do you remember Inspector Emerson being at Hastings while you were there?—Yes.

356. At a race-meeting?—Yes.

357. What meeting was it?—To the best of my recollection, he was present at every race-meeting.

358. When was the last race-meeting he was at while you were there?—Probably the New Year meeting of 1897.

359. Would it be a year previous to that that he was there before?—No. I think the meetings in Hastings take place three times a year.

360. Did the Inspector stay at O'Reilly's Hotel?—I think that as a rule he stayed at Gorman's Carlton Hotel.

361. Did you see him every night he was there?—I could not say from memory whether I did or not, but the probabilities are that I did.

362. Did you ever see him in the hotel?—I do not think I did.

363. Did you not see him in the private sitting-room?—No; not in any hotel in Hastings. If I went into the hotel at all it would be a matter of passing through the passage to see about any rowdyism that might have attracted my attention. I can say positively that I have never gone into any private room in any hotel in Hastings and found the Inspector there.

364. Have you ever seen him playing cards?—Never in my life.

365. Have you ever seen him with liquor on him?—No, and I have known him for nearly ten years.

366. You have never seen him with the signs of liquor on him?—No.

367. Have you had any convictions or prosecutions in licensing cases?—Yes; nearly everywhere I have been I have had them.

368. Were you mixed up with the prosecution of Mrs. Mitchell for keeping a house of ill-fame in this town?—I prepared an information and summonses in the case.

369. Had you anything to do with it prior to that point?—Yes; I think it was I who took the initiative step; by that I mean that I received an anonymous letter, and I instructed one or two of the constables to keep an eye on a house in Munroe Street, with a view of locating the residence.

370. Were you in the company of Constable O'Brien when he spoke to two youths who went in there?—No.

371. *Mr. Cresswell.*] During the last ten years you have known the Inspector you have had every opportunity of judging as to whether he is a man of intemperate habits?—I have had a great many opportunities.

372. During those ten years you have known him in different hotels in various parts of the colony?—Yes. During the time of the miners' strike at Huntly I resided under the same roof with him—in Herrie's Hotel—for some weeks. There were a number of men and the Inspector quartered at the hotel.

373. Have you ever known him to be addicted to gambling?—No; I have never seen him card-playing.

374. Since you have been in the Hawke's Bay District what sort of a time have the spielers had—an easy time, or otherwise?—It is not my fault if they have had an easy one. I have done my best to give them a rough time.

375. It is suggested that the police, and especially Inspector Emerson, have been lax in dealing with the spielers. What do you think the spielers will say to that?—I do not think they will say that has been their experience.

376. Generally, is the district better now than it was five years ago in that respect, or worse?—As far as Napier is concerned I do not know what it has been, except within the last twelve months.

377. Well, how does Hastings stand?—I think Hastings is now as it was four or five years ago, with the exception that there are a large number of stables there, and therefore a large number of hangers-on. I do not think any of the residents there could be termed spielers.

378. And, so far as the Licensing Act is concerned, do you find the same trouble there with the licensed houses as you did when you first came to Hawke's Bay?—No. I have no right to speak in other than a favourable way of the licensed houses in the district. I see that they "toe the line," and they do it.

RUSSELL BEECHAM, examined on oath.

379. *The Chairman.*] What are you?—A commission agent in Napier.

380. *Mr. Taylor.*] Do you belong to the Working-men's Club?—I do.

381. Do you know Inspector Emerson?—Yes.

382. Do you remember in 1893, in June, a question arising as to his having been gambling with you?—I heard it mooted in the club that such had been the case.
383. Did you receive correspondence from the club about it?—No.
384. No letter?—No.
385. Were you interviewed by any of the officials?—No.
386. Is gambling at the club very common?—I never saw it there.
387. Have not you yourself been more than once reprimanded for it?—Never.
388. If the letter-book of the club says you have, would it be wrong?—I should say so, certainly.
389. Did you see the committee about the rumour that was in circulation?—No.
390. Did they see you?—No.
391. Did any one see you about it?—Several of the members spoke to me, but the committee did not.
392. Are you not aware that there is a minute on the books of the Working-men's Club in reference to it?—There may be.
393. You know nothing about the record?—I do know something of the record, certainly.
394. What do you know of it?—I will tell you how it happened from the commencement. I was in the club one day, about half-past 4 or 5, and two gentlemen and Inspector Emerson were also there. They asked me to make one at a game of euchre, and I said I would. We went upstairs, and some one in a jocular way suggested that we should have "half a crown on." Nothing else was said. We were dealing the cards out for partners at the time. I may say I had heard that Inspector Emerson was looking round to try to get a case of gambling if he could; but, although I have been twelve years a member of the club, I have never known any gambling to be done in it.
395. Who invited you?—I do not know who it was.
396. Did you play for half a crown?—No. When the suggestion was made that we should play for half a crown, I said, "Oh, that's all right," and we then took our seats and the game commenced. Inspector Emerson was my opponent, and my partner and I lost.
397. *The Chairman.*] You had a game, then?—Yes; a rubber of three games.
398. *Mr. Taylor.*] What followed?—We went down and had a drink. I then said, "Oh, here's your half-crown"; and the fact of the matter is that I was the only one who had anything to do with it. That is the whole of the matter.
399. You have not been reprimanded on any other occasion for gambling?—No; I never gambled in my life before or since, whether at the races, on the totalisator, or anything of the kind.
400. No prosecution followed?—No.
401. And the Inspector did not get a case out of it?—It was mooted that he was trying to find one.
402. *The Chairman.*] By playing himself?—Well, that is the reason I made the offer. I wanted to see what would come of it. I wanted to see if he really did want to find a case.
403. *Mr. Cresswell.*] You say it was mooted that the Inspector wanted to find a case: was that before or after the gambling?—Before the day I met him. I had heard the rumour, and fancying there might be something in it I thought I would try if there was. After that it was said we had been gambling. It was the gossip among the members.
404. Did you ever see euchre loo played in the club?—I never heard of it till I saw it mentioned in the paper this morning, and I can solemnly say I have never seen it played in the club during the thirteen years I have been a member.
405. Have you ever seen cards played for money there?—No, nor billiards.
406. Did you provoke the Inspector to play with you?—No; it was the other two members, but who they were I cannot say.
407. Did you deliberately play for half a crown?—No, certainly not. It was done more out of bounce and fun than anything else.
408. Did the losers pay the half-crown?—I handed the half-crown to Inspector Emerson, but he would not take it. I had to pay for my share of the refreshments, my partner paying an equal share.
409. *Colonel Pitt.*] What do you mean by saying you understood they wanted to get up a prosecution, and that it was for that reason you offered to play?—I had heard that the Inspector was going round, and that he would be into the club to find cases. I said, "He won't get many cases here," and when the offer was made to me to play I said I would make one. I thought possibly he might have been trying to make a case.
410. Did you want to help him to make a case?—No; I wanted to see if such was his object, but I found he was acting in a very gentlemanly way—just having a game of cards.
411. *Mr. Cresswell.*] You have known the Inspector since he has been here?—Yes; I frequently see him when I am in the Court with cases.
412. But outside the Court, have you seen him?—Yes, numbers of times.
413. Did you ever see him under the influence of drink?—Never.
414. Omitting the occasion in the Working-men's Club, have you ever known him to gamble or play cards?—I have never met him in any place but the club.
415. Have you ever known him to play cards?—Only on that one occasion.

ALFRED THORNTON DANVERS, examined on oath.

416. *The Chairman.*] Where do you reside?—I am a veterinary surgeon, and also secretary of the Napier Park Racing-club. I reside at Hastings.

417. *Mr. Taylor.*] Can you remember on what occasions you have been to the Wairoa races?—Nearly every year for the last ten years. I am handicapper for the club.

418. How often has Inspector Emerson been at the meetings?—Nearly every time, I think since he came into the district. He may have missed once or twice.

419. Do you remember his being there in February, 1893?—I could not remember the date.

420. Is that the race month?—Yes.

421. Do you see much of Inspector Emerson when he is on the Wairoa racecourse?—I think we generally stop at the same hotel.

422. Do you meet him frequently apart from the race-meetings?—I often see him in Napier when I come in.

423. Have you ever seen him card-playing?—The only time I can call to mind was at Wairoa one evening after a race-meeting.

424. How long ago?—About three years.

425. Who was playing with him?—Two Hastings men—tailors by trade.

426. Do you know what they were playing for?—I do not think it was for anything, unless it was for drinks. I looked in for a horse-owner, and as I looked in the game was going on.

427. You cannot say, then, whether there were stakes or drinks?—No.

428. Do you remember when Robinson was on the course while Inspector Emerson was there?—Yes.

429. Was he arrested?—Not that I know of.

430. He was not arrested?—No. I remember that Inspector Emerson reported him to the secretary, saying he was there. The secretary said to him that as long as Robinson did not play or make a fuss they would not bother about him.

431. *Mr. Cresswell.*] Wairoa is a place where they allow games on the course?—Yes, they used to. Robinson has a monkey and a marble, and a goose and a pack of cards.

432. There were other policemen there on that occasion, and also Detective Kirby?—Yes.

433. And if Robinson had done anything wrong they would have taken him in charge?—Yes.

434. What sort of time do the spielers get on your course from the Inspector and his men?—We do not see any of them now.

435. Was it always so?—At one time things were very bad.

436. And whom have you to thank for clearing the spielers off the course?—No doubt we have to thank Inspector Emerson. When he came here he got instructions from me as to what to do in the matter, and a short time ago I wrote to him on behalf of the club thanking him for what he had done.

437. You wrote by direction of the club?—No, not by direction.

438. During the last few years have you had a known bookmaker, or his agent or clerk, on the course?—Not without being turned off immediately.

439. I suppose you attend the Hastings racecourse too?—Yes.

440. The Hastings racecourse holds some of the best meetings in the colony?—Yes.

441. You attend that course and also other courses in the colony?—Yes.

442. Does what you have said about the Napier Club hold good to the Hastings and other clubs?—Yes, to all the clubs in the district.

443. That is, the spielers have been cleared off, and if they or their clerks or agents are seen they are immediately turned off?—Yes.

444. To whom do you attribute that?—To the Inspector and the police generally.

445. It has been suggested that the Inspector has been rather lenient with spielers: is that your experience?—No; I am certain the reverse is the case.

446. Have you ever seen the Inspector the worse of drink?—Never.

446A. In your opinion, is he a man addicted to gambling?—No.

447. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

BARRETT RUTLEDGE, examined on oath.

448. *Mr. Taylor.*] Has there not been a feeling among the men in the Force that political influence was necessary to secure attention to their wants?—That is so. It has been commonly remarked in the service.

449. Has it not caused a good deal of discontent and dissatisfaction?—There are some men who would not be content if they were made Inspectors.

450. But has there not been considerable dissatisfaction because men have felt that political influence has secured irregular transfers?—I have heard it so rumoured.

451. Has there not been a strong feeling to that effect?—It has been rumoured.

452. In regard to the enforcement of the licensing-laws, has there been a feeling among the men that diligence in that direction would not usually lead to promotion?—The man who does his duty need be frightened of no one.

453. But have the men not talked among themselves to that effect?—I cannot say so.

454. Have you any knowledge of the use of political influence being used by the men?—No.

455. *The Chairman.*] How many hotels are there in your own district?—Ten.

456. Have there been any prosecutions for breaches of the licensing-laws in that district in the last twelve months?—None since I have been in charge of the district.

457. How long ago is that?—Since 1895.

458. *Colonel Pitt.*] And you have had only one case of drunkenness this year?—Yes.

459. *The Chairman.*] Are you prepared to take steps when you observe any breach of the law?—Certainly. When I went to the district I gave the licensees to understand that if they did not keep within the bounds of the law I would take steps to make them, and I am satisfied they are now keeping within the law; otherwise I should have reported them immediately.

460. Are there any complaints or representations made to you as to repeated breaches of the licensing-laws in that district?—No. The only complaint I ever got was through an

anonymous letter, and I inquired into the complaint and found there was nothing in it. I had been in the district only a few days when I got the letter.

461. Are you the only constable in the district in which there are licensed houses?—I am. The house furthest away is fifty-three miles distant.

462. Where is that?—At Tarawera, on the Taupo Road.

463. Are you a mounted constable?—I am.

464. Are you able to say for certain as to the way that house is conducted?—I pay it visits at times, and I am told about its good conduct by travellers.

465. How many of the hotels are within an area of seven miles of you?—Five, including the one in Taradale.

466. *Colonel Pitt.*] Are you able to carry out the police duties in your district?—Yes.

467. *The Chairman.*] Do you perform any other duties than those of constable?—Yes; I am Inspector of Factories (no extra remuneration) and Ranger for the Taradale Town Board (extra salary, £5 a year).

468. *Colonel Hume.*] You were concerned in the Gleeson publichouse case?—Yes; the case was dismissed. It was in 1894.

469. Your going to Taradale was a betterment for you?—Certainly, it was decidedly better.

470. Notwithstanding your having endeavoured to get convictions against this publican it told in your favour instead of going against you?—I should say so.

471. Do you know of any case where a man has exerted himself in getting convictions against publicans and his action has told against him in any way?—No.

472. As regards political influence, do you know anybody in the service who has been at all benefited by it?—I cannot say I know any one.

473. You have never used it yourself?—No.

474. And you have got on very well in the service?—Very well.

ALFRED JAMES MITCHELL, examined on oath.

475. *Witness:* I am a police sergeant, stationed at Napier. In reading the *Wellington Times* and *Post* I noticed that Commissioner Tunbridge proposed introducing a new grade at the four centres, one of the duties to be to take control of the district during the absence of the Inspector. This I regard as a step of great importance, inasmuch as it must necessarily tend to preserve discipline; but I would suggest that it might be carried a little farther and made to apply to all district headquarters as well. By that I mean that the principle of transferring the control and responsibility to the next in rank during the absence of the Inspector should be made to apply also to all district headquarters. I believe it has been said here by inference that the sergeant does not understand the work. I submit that that is no attack on the principle, but that the statement should be regarded merely as evidence to prove that the right sergeant is not in charge of the station, for surely it will not be suggested that a competent sergeant cannot be found in the service.

476. *The Chairman.*] As a matter of fact, is it not now as you suggest it should be—that when an Inspector leaves the charge is handed over to the sergeant in charge of the station?—No. Evidence has been given to the Commission that it is not so as far as Napier is concerned. I would like to add that I for one feel thoroughly convinced that any departure from the rule that the control should be undertaken by the next in rank during the absence of the Inspector must necessarily cause friction and unpleasantness, and tend to undermine discipline.

477. Do you refer to handing it over to a district clerk?—Yes, or any person other than the man next in rank. I desire to speak exclusively of the principle, without being personal in the matter. I think the rule that control should be handed over to the one next in rank should be a hard-and-fast one.

478. *Colonel Pitt.*] At present if a telegram is received by the district clerk requiring action he hands it to the sergeant in charge?—No; the sergeant knows nothing at all about it. The work in the district office is done without the sergeant's knowledge in any shape or form.

479. If a telegram came reporting that a larceny had been committed, and that the perpetrator was supposed to have come to Napier, what would be done?—The message would be opened by the district clerk and minuted by him, and sent by him where he should feel disposed to send it.

480. Not necessarily to the sergeant?—No, unless it had reference to Napier Township; then it would be minuted and handed to me.

481. I understand from you that the sergeant does not necessarily know anything that goes on in the district office in the absence of the Inspector?—Nothing whatever. There is one exception I might make, and that is that if the Inspector be absent from the station for one or two or more hours in the township he has invariably asked me (if the clerk be away) to open telegrams in his absence. But during the absence of the Inspector from the station on tours of inspection I naturally conclude that, being the next in rank, I should have the charge of the district; but I have no such thing.

482. *The Chairman.*] In the absence of the Inspector your position is not altered?—No.

483. And in the absence of the Inspector the district clerk takes charge of the district outside the town?—Yes; and correspondence that comes that should be attended to in the township is minuted by the clerk as the Inspector himself would minute it.

484. Under the present system of telegrams, is not the Inspector practically always in touch with the district clerk?—Yes, necessarily.

485. The clerk has only to repeat the wire to the Inspector and take his instructions?—I do not know that that course is pursued.

486. *Colonel Hume.*] You have been very active in looking after the publicans, have you not?—Yes; I am generally credited with it.

487. Did you get any credit for what you have done?—I do not know that I got any special credit, neither did I ever receive any censure. I have steered my own course independently of all others.

488. Has it told against you?—I do not think so, judging by the position I at present hold.

489. Has anybody in authority over you ever tried to prevent you from using that activity in keeping the publichouses in check?—Never. I have always been allowed to do as I thought fit. If I thought I had a case I laid an information, and did my best to get a conviction.

490. Have you used any political influence to get on in the service?—I have left no stone unturned to advance myself; but I do not know whether it would be termed political influence or not.

491. Do you mean that you have tried to advance yourself by your own exertion?—Yes, I have done all I could to bring myself under notice.

492. *The Chairman.*] Have you ever had recourse to the influence of those not connected with the department to secure your promotion or advancement in the service?—No.

493. *Colonel Hume.*] Have you gone to politicians, clergymen, or Freemasons to speak for you?—No. I have never left a stone unturned to go ahead, but I have always tried to do it legitimately; that is to say, not against the rules of the service.

494. *The Chairman.*] Have you induced any influence to be brought to bear on the department to secure your advancement?—No.

495. *Colonel Hume.*] The exertions you have used have been through the Inspector?—Yes; through the prescribed channel.

496. Can you tell the Commissioners of any case of political influence where a man has been improperly promoted or rewarded improperly?—No. I think every man in the service is doing his best to push himself ahead, and all credit is due to him for it. I am one of the crowd, and I am trying to go ahead as rapidly as possible.

497. You were in Wellington lately?—Yes.

498. You would probably get to hear the opinions there of a good many men in the Force?—Yes.

499. Do you consider that the Force has been disorganized?—I cannot say I have seen anything to warrant me in saying it was in a disorganized condition. In this Force, like all other Forces, there have been a few black sheep, but they have generally found their level. It has been only a question of time with them.

500. You have found men discontented because they were not promoted?—Yes.

501. But because there are a certain number of malcontents in a Force you would not say that that force was disorganized?—No, certainly not; I do not think any Force exists without that element.

502. *Colonel Pitt.*] In the districts in which you have served, do you think there has been much reported crime undetected?—No, I do not. I think a very fair percentage has been detected.

503. Do you think men should be promoted in the Force for other than the detection of crime?—I think the general ability of a man should be taken into consideration.

504. Should he be promoted for saving life, or for putting out fires, for instance?—I think not. It has a tendency to cause dissatisfaction.

505. *Mr. Tunbridge.*] You were an acting-sergeant for some time?—Yes. I was appointed acting-sergeant on the 1st May, 1893.

506. And you were advanced to third-class sergeant on the 1st January, 1894?—Yes.

507. Are you aware that Acting-Sergeant Dwyer was advanced to third-class sergeant on the 1st February, 1897?—I have seen that by the *Gazette*.

508. Do consider yourself senior or junior to Sergeant Dwyer in the rank of sergeant?—Senior, now.

509. Do you think Sergeant Dwyer has any right to be placed over your head, dealing with the matter on the point of seniority and not on the point of merit?—I think that if the thing be limited to seniority alone as the ground for promotion he would have no right.

510. *The Chairman.*] He is below you in seniority?—Yes. I was made a third-class sergeant before he was, and now I have been made second class, and he is still third class. I know that Sergeant Dwyer was in the service before me.

511. You say you have generally been credited with looking after the publicans: you do not wish it to go forth that you have devoted the whole of your attention to looking after the publicans?—No. I wish to say that if it came under my notice that a breach had been committed I would do my best to bring the offender before the Court.

512. As you would do if a breach of any other law had taken place?—Yes.

513. What you mean to say is that if a publican breaks the law he has a right to be proceeded against like any other person?—Yes.

514. And you have always acted on that principle?—Yes.

TUESDAY, 31ST MAY.

FRANCIS LOGAN, examined on oath.

1. *Mr. Taylor.*]—Do you remember seeing Inspector Emerson on any occasion when in company with Mr. Jardine and Mr. Cotterell?—Yes, I do.

2. Do you remember where it was?—Just at the bottom of Shakespeare Road on the opposite side from the post-office.

3. Near Carnell's photographer's shop?—About there, or Mr. Cotterell's office.

4. Was he in company with any one?—Yes; he was in the company of two other individuals.
5. Was the Mayor one of his companions?—Yes.
6. Was he being assisted by these men?—Well, he was between them, and they either had hold of his arm on either side or he had hold of their arms on either side—I cannot say which.
7. Did you consider him sober at the time?—Well, we had no opportunity of knowing whether he was sober or not; it was towards dusk.
8. What was your judgment at the time: what conclusion did you come to?—Well, I should, of course, conclude, as I concluded then, that he must either have been very ill or else intoxicated.
9. Had you any doubt in your mind as to what his condition was?—Well, of course, as I said before, I concluded nothing except that he was either distinctly ill or else he was intoxicated.
10. Did the suggestion of sickness come to you at the time?—No, I cannot say that it did.
11. Was your conclusion at the time that he was intoxicated?—Well, I can hardly say that I should have arrived at any conclusion; but I do not think I can say anything more than I have said: either he was ill, or, from the manner in which he was being assisted, he was intoxicated.
12. *Mr. Cresswell.*] Of course, you are not prepared to say one or the other?—No, I cannot say.
13. Now, I think you frequently take part at the Napier Park and the Hastings race-meetings?—Yes.
14. Have you seen Inspector Emerson at those meetings?—Yes.
15. What has been his conduct on those occasions?—I should say from my observation that his conduct was quite exemplary on the occasions I have seen him at the races.
16. And I think you are one of the stewards of the Hawke's Bay Jockey-club?—Yes.
17. They hold their meetings at Hastings?—Yes.
18. At one time you were troubled with spielers and like gentry on the course?—I do not think we have been troubled with spielers for some time back.
19. At one time were you troubled with them?—I cannot recall any particular occasion when we were troubled with spielers; but, as a matter of fact, there have been spielers in times gone by on the course from time to time.
20. But now in the last few years has Inspector Emerson taken any action so far as they were concerned?—I do not know. I am not sure whether he has taken any action, but the fact remains that for some time past we have never had any reports from the club officials that there have been spielers on the ground.
21. If they go there is it not a fact that they are immediately warned off, and if they refuse to go they are prosecuted?—Yes.
22. And, so far as you can speak, the Hastings course is practically free of that class of people now?—So far as my judgment goes, it is.
23. Can you say the same applies to the Napier Park racecourse?—Yes; I think the same condition of things exists there as at the jockey-club's meetings.
24. And even bookmakers and their clerks and agents are excluded also, as well as the speling gentry?—Yes, bookmakers are excluded from both courses.

JOHN CULLEN, examined on oath.

25. *The Chairman.*] You are Inspector of Police, stationed at Greymouth?—Yes.
26. *Mr. Taylor.*] When did you come to the Hawke's Bay District?—I came to Napier in February, 1887, as sergeant.
27. And remained here until when?—Until February, 1894.
28. Did you serve under Inspector Emerson from the time he arrived here until you left?—Yes; Inspector Bullen was here when I came, and when he retired he was succeeded by Inspector Kiely, and when he retired Inspector Emerson assumed charge of this district. This end of the district was attached to Inspector Emerson's district when his headquarters were in the Waikato.
29. What was your attitude in regard to the speling fraternity when you were here?—Well, spielers were not allowed at all here until the latter part of my time in Napier. During the time Detective Grace and myself were here together we made it very hot for the spielers.
30. Well, now, for the latter part of the time you were here what was the state of affairs?—From the time Detective Kirby replaced Detective Grace in October, 1892, the spielers flocked here. I can use no other expression.
31. Do you suggest that the presence of Detective Kirby was one of the explanations for their increasing numbers?—Decidedly it was.
32. Was it not a well-known fact that the detective was strongly sympathetic with that class of people?—That was the impression amongst police and public.
33. What was the attitude of Inspector Emerson in regard to them while Kirby was here?—How do you mean?
34. Was he, do you think, leaning towards them, or did he endeavour to suppress them?—Well, of course, I can only speak from my own experience. I do not know what he may have done otherwise.
35. *The Chairman.*] Was Inspector Emerson living at Napier at the time?—I think he came here about January, 1893, and I left in February, 1894.
36. *Mr. Taylor.*] And you left Kirby here?—Yes.
37. During the time you were here under Inspector Emerson were the same efforts made to suppress the speling nuisance as prior to the Inspector's arrival?—No; at least, efforts were made, but they were not successful. I made efforts, but they were not successful.
38. What did you attribute the non-success to at the time?—Well, principally to Detective Kirby's influence over Inspector Emerson.

39. Did he try to frustrate the efforts of the police to get at these men?—That is what I understood from his actions.
40. *The Chairman.*] That is the opinion you formed?—Decidedly.
41. You feel your action was opposed by Kirby?—Decidedly; he was working against us.
42. *Mr. Taylor.*] Do you remember the prosecution of Adams and Martin?—Yes, I do—Hyams, *alias* Adams, and Martin, *alias* Cleary.
43. Were these men well-known spielers?—They were convicted spielers, expert three-card-trick men and confidence-trick men.
44. Well known to the police?—Yes; notorious spielers.
45. Were they tried in this Court?—They were.
46. Who was in charge of the prosecution?—I was prosecuting.
47. Was Detective Kirby in the Court?—He was.
48. Was Inspector Emerson here?—He was.
49. Did Kirby give these men a good character?—He did.
50. Was he the first witness called for the defence, do you remember?—He was.
51. Did the Inspector take any part at all in that case?—Not as regards prosecuting or assisting to prosecute.
52. As a matter of fact, what happened in this Court, so far as you remember, on that occasion: where did the Inspector sit?—He sat here, alongside Mr. Dinwiddie, who was defending the accused, and Detective Kirby stood or sat behind him. I was at the opposite end of the table.
53. Now, did the Inspector carry on a pretty continuous conversation with the solicitor for the defence?—Yes.
54. What was your opinion at the time as to his conduct?—Well, I thought it was extraordinary conduct for an Inspector of Police to indulge in. I felt satisfied he was prompting Mr. Dinwiddie.
55. Could you hear any conversation?—No.
56. Now, did he approach yourself or the other officers engaged in the prosecution during the case?—No, he never came near us. He knew nothing of the facts of the police cases against the spielers.
57. Did you regard him as antagonistic to the prosecution?—Certainly I did.
58. What was the result of that action?—The case was dismissed against them.
59. Was the dismissal largely due to Kirby giving them a good character?—Undoubtedly it was.
60. Was the matter of their previous conviction brought up?—It was.
61. Do you remember whether these men cleared out of the district straight away?—Well, no; Martin did not. I was afterwards successful in getting Martin convicted here for assault, and then he cleared out.
62. And the other man Adams?—He went away the day after the case against him was dismissed.
63. Now, have you at any time seen the Inspector, either at Napier or on the racecourses, in an apparently friendly conversation with spielers?—I have seen him talking to them.
64. Pretty often?—Yes.
65. As an officer serving under him, what effect would such familiarity have upon you?—Well, it depends on the individual. So far as I was concerned myself, it was not likely to have much effect upon me, because I am not easily influenced.
66. Do you think it would influence some men prejudicially in the discharge of their duty?—Undoubtedly it would.
67. Do you remember a character named “Murrumbidgee,” or Robinson?—Yes, Thomas Robinson, commonly known as “Murrumbidgee.”
68. Was he frequently knocking about here and the racecourses?—Yes.
69. Do you remember his being arrested at Taradale races?—I remember he was arrested, but I was not there. I was at Napier that day.
70. Do you know whether the men under you in the district regarded “Murrumbidgee” as a privileged spielers from a police standpoint?—Well, of course, I do not know what the other men may have thought.
71. Did you regard him as being a privileged spielers?—Not so far as I was concerned myself.
72. Do you believe, then, so far as Robinson was concerned, he was on friendly terms with Kirby and the Inspector?—Yes.
73. *The Chairman.*] You yourself understood that he was on friendly terms with the Inspector and Kirby?—Yes; from what I saw I could draw no other conclusion.
74. *Mr. Taylor.*] Were you surprised to hear of “Murrumbidgee’s” release without a trial?—I was.
75. Did you hear at the time a sufficient reason for it?—No.
76. Now, in regard to the habits of the Inspector so far as sobriety is concerned, have you seen him at any time you were here with him under the influence of liquor?—Yes.
77. Can you remember any particular occasion?—I can call to mind one particular occasion. That was during the time he had his headquarters at Hamilton, and he was down here on inspection duty.
78. *Mr. Cresswell.*] How many years ago would that be?—I suppose in 1892.
79. *Mr. Taylor.*] Under what circumstances did you see him then?—On the occasion when he was going away by steamer.
80. Was he intoxicated?—He was noticeably under the influence of liquor.

81. Can you fix any other occasion when you saw him in the same condition?—No, I do not think I can.

82. Have you noticed liquor on him more than once?—Yes, I should say so, but never so perceptibly as on that occasion.

83. *The Chairman.*] You are speaking of the period from 1892 until you left in 1894?—Yes.

84. Did you see much of him during that time?—After he came to the station here about fourteen or fifteen months I saw a good deal of him, of course. That is, while he was on the station here.

85. *Mr. Taylor.*] Do you consider from your knowledge of the Inspector that his conduct was such as to maintain discipline in the Force and command the respect of the men?—No, it was not.

WALTER WILLIAMS, examined on oath.

86. *The Chairman.*] What is your rank?—Second-class constable, stationed at Woodville.

87. *Mr. Taylor.*] When did you join the Force?—I joined on the 7th August, 1883.

88. What Inspectors have you served under?—Inspectors Shearman, Emerson, Goodall, Pender, and then Emerson again.

89. How long have you been in your present station?—Two years on the 9th March last.

90. Where did you serve under the present Inspector previously?—In the Westland District, at Kumara and Ross.

91. Has Inspector Emerson been as strict in maintaining discipline as the other Inspectors whom you have named?—Well, no; I cannot say that he has been.

92. In what respect do you say that?—Well, I hardly understand what you mean.

93. Take Inspector Pender, for instance: does Inspector Emerson compare favourably as regards the maintenance of discipline?—Well, in my opinion, he does not.

94. Is he more familiar with his men than Inspector Pender?—Well, yes. Of course, I have not seen very much of Inspector Pender, but Inspector Emerson has been familiar.

95. Can you give any instance to support that?—In what way do you mean?

96. Give us an instance of any act of familiarity that you think would be prejudicial to discipline?—Well, he has called men by their Christian names, and in my opinion that is one thing derogatory to discipline—at any rate, it is not conducive to discipline.

97. Has that happened in the presence of other men?—Yes.

98. *The Chairman.*] Has he addressed more than one person by his Christian name?—Yes, I think I can say more than one. He has never addressed me by my Christian name.

99. One witness said he had known the Inspector from a boy, and for the last twenty-eight years he had always addressed him by his Christian name: do you refer to any other case than that where he calls men by their Christian names?—I cannot call to mind many instances, nor recollect the dates.

100. Have you heard him call any men other than Sergeant Siddells by their Christian names?—Yes; I have heard him call Constable Bowden, of Pahiatua by his Christian name.

101. *Mr. Taylor.*] Do you know where Bowden is stationed now?—At Pahiatua.

102. Now, as to his general demeanour towards the men, does it conduce towards discipline?—Well, it is free and easy. I may say that it is certainly not conducive towards military discipline.

103. Have you had military experience?—Yes.

104. Have you attended any race-meetings with him on duty at any time?—Yes.

105. In regard to the spieler question, have you believed that the Inspector desired you to suppress the spieler nuisance?—I do not think that he was desirous that I should suppress it on one occasion that I could mention.

106. When was that?—It was ten years ago, at Ross.

107. Has the Inspector always been absolutely sober when you have seen him?—Yes. I have never seen him the worse of drink.

108. Have you ever seen him card-playing?—Yes; I might have seen him playing a game of cards.

109. For stakes?—Never.

110. *Mr. Cresswell.*] What rank do you hold?—Second-class constable.

111. How long have you been a second-class constable?—I think about three years; I am not quite certain.

112. And because you are a second-constable do you think yourself competent to sit in judgment on the Inspector?—I simply answer questions as they are put to me.

113. Is it a complaint of yours that he is familiar with the men by calling them by their Christian names?—It is no complaint of mine.

114. What objection is there to it?—we had the case yesterday of Siddells, where he had known him for twenty-eight years, since boyhood, and always called him by his Christian name: is there any offence in that?—I should say it was not conducive to good order and discipline.

115. Would you not rather say it is childish of you to say so?—I should certainly not.

116. You think a man who has known another man from boyhood—a man who is old enough to be his father, who has known him right through, and served him, and calls him by his Christian name—is not conducive to discipline in your idea?—No, not if they are working in the public service.

117. What military service have you had?—I have served twelve years in Her Majesty's army.

118. What rank?—A trooper in the Life Guards.

119. Now, has there been a little bit of friction between you and the Inspector?—Yes, he has reported me on one occasion lately.

120. What for?—There were various charges.

121. Particularly one?—There was one charge of insubordinate language used towards him.
122. What was done to you?—Nothing.
123. Nothing beyond the report?—Oh, yes, I was cautioned.
124. By the Commissioner?—Yes.
125. Now, you say you have served in the police under four different Inspectors: did you ever serve under Inspector Bullen?—Never.
126. I suppose you have heard a good deal about Inspector Bullen?—Yes.
127. Was he the sort of Inspector you want to serve under?—I know nothing about him.
128. I suppose you have served under different military officers—I suppose they were not all martinets?—I do not say the Inspectors were martinets.
129. You say some men are stricter than others, and some carry out discipline in a harsher manner than others do: now, in what respect does Inspector Emerson differ in carrying out his duties as a police-officer from, say, Inspector Pender?—I think he is too familiar, in this way: he mixes too freely with the men to keep up a proper state of discipline. That is my impression.
130. What opportunities have you had of judging that he mixes freely with his men within the last five or six years?—Within these last two years, and previously to that—from 1885 to 1889.
131. Take these last five or six years?—I have had two years' experience under him.
132. How many opportunities have you had of judging that he mixes with the men too freely: you do not come to Napier?—Yes, I have been in Napier since I have been here.
133. On duty?—With prisoners and others.
134. What opportunities, then, have you had of judging: have you had twenty opportunities of judging?—No, I have not.
135. Have you had five?—Yes.
136. Now, have you been in correspondence with Mr. Taylor?—No.
137. Did you write to Mr. Taylor last Wednesday?—Yes, I wrote to him.
138. Did you say in that letter you wrote to him it would be inadvisable to call you as a witness before this Commission?—Yes.
139. Why?—Because I really did not want to be mixed up with it.
140. No other reason?—No.
141. *The Chairman.*] What reason had you to suppose that you would be mixed up with it?—Mr. Taylor informed me I would be called.
142. *Mr. Cresswell.*] When?—When he came through Woodville on his way to Napier.
143. How many letters have you written to Mr. Taylor in connection with this Commission?—One.
144. When?—The one I mention on the 25th of this month, I think.
145. *Mr. Taylor.*] When I told you as I was going through Woodville that I purposed calling you, did not you then tell me you would not appear?—Yes.
146. *The Chairman.*] Did you say you would not appear without a subpoena?—Yes.

WILLIAM COUGHLAN, examined on oath.

147. *The Chairman.*] What is your rank?—First-class constable, stationed at Clive.
148. *Mr. Taylor.*] You were stationed at Wairoa some time ago?—I was.
149. How long have you served under Inspector Emerson?—Close on six years in Inspector Emerson's district.
150. Do you remember any one in Wairoa reporting a case of furious driving to you just before the death of young Lindergreen?—Yes.
151. Did they give you the names and addresses of the persons?—No.
152. What information did you get?—The information I got was that young Lindergreen had been driving rather furiously.
153. Did you take any steps to prosecute?—I did.
154. What steps?—I sent a constable to make inquiry, but he could get no evidence.
155. What constable did you send?—Constable Ramsay.
156. Did Constable Ramsay board at the same hotel as Lindergreen?—Yes, he did at that time.
157. Do you know whether Ramsay and Lindergreen were boon companions at Wairoa?—I know nothing beyond that I thought they were civil, as young men should be.
158. Now, do you not know they were very friendly?—I believe they were, as young men would be when boarding in the same house. I heard that Lindergreen boarded there, but beyond that I do not know.
159. Where did they board?—At the Wairoa Hotel.
160. Who was landlord then?—Poyser.
161. What was the report?—The report was that he could find no evidence to support the statement of the parties who said they saw Lindergreen driving furiously. He said there was no such thing as furious driving.
162. After Lindergreen's death were you satisfied that Lindergreen and Ramsay used to drink together of an evening at this hotel?—Not from my own knowledge.
163. How many hotels at Wairoa?—Three hotels.
164. Did you ever have a prosecution against any of them?—Yes.
165. Against which?—Against Crarer, for breach of the Beer Duty Act.
166. Did you ever have a prosecution against Poyser?—No.
167. Where used the Inspector to stay when he came to Wairoa?—Sometimes at the Wairoa Hotel and sometimes at the Clyde Hotel.
168. Do you remember Constable Shaw prosecuting Poyser?—No.
169. Were you not there then?—No.

170. How often was Inspector Emerson at Wairoa when you were there?—About four or five times.
171. Where did you use to see him when he was there?—Sometimes in the street, and once I called on him after 11 o'clock at night at the hotel to confer with him respecting a death that occurred owing to a football match.
172. Where did you see him?—I did not see him—spoke to him from outside the bedroom door.
173. Where did you see him on any other occasion?—In the streets.
174. Have you seen him under the influence of liquor at Wairoa?—No, nor anywhere else. I have never observed the slightest signs of liquor on him.
175. Where have you seen him besides Wairoa?—At Napier, Waipukurau, and Hastings.
176. Has the Inspector been up to Wairoa on more than one occasion to inquire into complaints?—I do not think so.
177. What was the nature of the complaint?—I think sly-grog selling in the back districts.
178. Where was the inquiry held?—At the police-station.
179. Who were the complainants?—I think it was the effect of an anonymous letter.
180. A charge against who?—Nobody that I know of.
181. Did the Inspector ever go up to inquire into the sobriety of any policeman in the district?—No, not during my time.
182. Were you there when Constable Shaw was removed?—No, I was not; I took his place.
183. What has been your feeling in regard to the enforcement of the licensing-laws in the Wairoa: had you the feeling that you had a perfectly free hand?—A perfectly free hand.
184. How long have you been in charge of a country station?—About eighteen years.
185. Ever had any complaints against your efficiency?—Very likely I may have.
186. On what score?—I do not remember. I have not known any.
187. I do not mean from the public, but from your officers?—No. I do not remember any complaints ever having been made of me in writing.
188. Did you make an application for removal to Clyde?—I did not. The man who was there said he was anxious to get away, and I thought the place would suit me best because I have a grown-up family, and it is near a place where they would find employment. That is why I felt inclined to exchange.
189. Did you make an application for the move?—No; I was asked through the constable if I was willing to exchange, and I said I would have no objection. We arranged it between ourselves.
190. Who was the constable?—Constable Kennedy.
191. Did he tell you why he wanted to go to Wairoa?—Yes; his wife was delicate, and he thought Wairoa would suit her.
192. Did you ever see the Inspector playing cards anywhere?—No.
193. Has he always been very strict in discipline with you?—Yes, very strict.
194. Did the Inspector ever complain to you about your inefficiency?—No. I never remember him to have found fault with me except in his minutes. I always found him very strict in his minutes.
195. That is, the correspondence you have had with each other?—Yes.
196. How long were you in the Force before you got a country station?—I have been seven or eight years.
197. And then you have been in a country station ever since you first struck one?—No; I was in the City of Auckland for about four years and a half.
198. How long have you been in charge of a country station?—Nearly eighteen years.
199. The whole time of your service?—No.
200. Did you make the application originally for appointment to a country station, or was it given to you without an application?—It was given to me voluntarily.
201. *Mr. Cresswell.*] I think you were stationed at Awanui, on the East Coast?—Yes.
202. Did the Inspector ever go up there to see you?—Yes; I met him there on one occasion.
203. Did you ever see him under the influence of liquor there?—No; never at any place.
204. Or card-playing there?—No.

SAMUEL PERCIVAL NORWOOD, examined on oath.

205. *The Chairman.*] What is your rank?—First-class constable and district clerk, now stationed at Napier.
206. *Mr. Taylor.*] How long have you been in this district?—About ten years.
207. Have you been here the whole of the time Inspector Emerson has been here?—Yes; he came here in 1893.
208. Do you remember Mr. Hustwick calling on you at all?—He has, on several occasions.
209. Do you remember a conversation regarding Inspector Emerson taking place with Hustwick?—I remember a confidential conversation with Mr. Hustwick.
210. Have you on any occasion ever seen Inspector Emerson under the influence of liquor?—Never.
211. Have you always been doing clerical duties since he has been here?—Yes.
212. Never street duty?—No.
213. Do you see anything of him outside of your office?—Very rarely.
214. Do you remember whether any correspondence took place with regard to the man Robinson at Taradale?—Yes, there was correspondence.
215. Is it in Napier?—No; the original is in Wellington.
216. Did you conduct the correspondence?—I recorded it in the books. I have full extracts in the office.

217. *Colonel Pitt.*] Do you see the Inspector daily at Napier?—Yes.
218. And every night?—Not every night. Latterly, this last six months, I have seen him nearly every night, but previous to that I very rarely saw him at night-time.
219. *The Chairman.*] You have seen him every day?—Yes, when in Napier.
220. Have you at any time when he has been in his office seen him at all affected by liquor?—I can truthfully say I have not.
221. *Mr. Cresswell.*] You have a very large amount of correspondence in your office?—Yes, about three thousand files in the year.
222. Who minutes the instructions on all correspondence?—I do at the Inspector's directions in most cases. In minor cases I do so myself.
223. But on all matters requiring attention he always gives you instructions as to the replies and as to the correspondence?—That is so.
224. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No, not from my personal experience.
225. Have you ever known him to be addicted to gambling?—My connection with the Inspector is confined to the office, and I have never seen him gamble.
226. Have you ever known the Inspector to be unwell?—Oh, yes.
227. What does he suffer from?—Influenza on two occasions—three weeks, I think, he was laid up.
228. Was he very bad?—Yes.
229. *The Chairman.*] How long since were these attacks?—The first one was about the time Kirby was arrested.
230. *Mr. Cresswell.*] That would be over two years ago?—Yes.
231. And the next time?—Sometime about the flood, in 1897.
232. On one of these occasions he was about three weeks ill?—On both occasions he was ill, I think, about three weeks.
233. Now, on these occasions used he always to walk to the office?—I think once or twice he came in a cab.

WEDNESDAY, 1ST JUNE, 1898.

HERBERT JOHN BENNETT, examined on oath.

1. *The Chairman.*] What rank do you hold?—Third-class constable, stationed at Wairoa, where I have been since last November.
2. *Mr. Taylor.*] When did you join the Force?—About three years ago.
3. Have you been under Inspector Emerson the whole time?—Yes.
4. In what stations have you done duty?—Napier, Hastings, and Wairoa.
5. Did you see the Inspector every day when you were in Napier?—I saw him pretty often, but not every day.
6. How often did you see him at Hastings?—Occasionally.
7. Have you been stationed at Hastings?—Yes, temporarily for two months.
8. Were you at any race-meetings at Hastings?—Yes.
9. Did you see the Inspector there?—Yes.
10. Has the Inspector always been perfectly sober when you have seen him?—Yes, at the race-meetings.
11. On what other occasions have you seen him when his condition has attracted your attention?—I do not know that there has been any occasion.
12. Have you on any occasion seen him when he was not perfectly sober?—I recollect seeing the Inspector on one occasion when he may have been slightly under the influence of liquor. It was in Wairoa.
13. What was about the date?—I do not know day or date, but it was during the last winter race-meeting there.
14. Where was he?—In Poyser's Hotel, where he was boarding.
15. Was he in the bar?—No; in a private room.
16. Were they card-playing?—No.
17. Have you at any time seen the Inspector card-playing?—No.
18. When in Napier have you on any occasion seen him with signs of liquor on him?—I do not recollect any occasion in Napier.
19. Have you ever seen him drunk in Napier?—No.
20. Have you seen him card-playing at any time?—No.
21. Not even in Hastings?—No.
22. Who was present at Poyser's when you saw him?—I do not know that any one was. He was in a private room by himself and was lying down. I went in to speak to him.
23. Is that the only occasion on which you can distinctly remember seeing him under the influence of liquor?—Yes.
24. Were you stationed at Wairoa when Constable Shaw was there?—No; Constable Coughlan was there when I was transferred to that place.
25. *Mr. Cresswell.*] When you went to see him in the hotel did you go on business matters?—No.
26. You went to see him privately?—I did not exactly go to see him. I went into the room and he was there.
27. Was he able to transact business?—I could not say. He did not attempt to.
28. There was no necessity?—No.

29. What makes you say you think he was under the influence of drink?—By the way he spoke.

30. Was he then suffering from any complaint?—Not that I am aware of.

31. So far as the spiellers are concerned on racecourses, what are your instructions from the Inspector?—I do not think I ever got any from the Inspector.

32. What are your instructions, then, from the sergeant?—To watch them closely, and to detect crime if possible.

33. Have you always carried out your duty in that respect?—I have; and, so far as I know, the other constables have done the same.

34. Have you ever known the conduct of Inspector Emerson to be other than that befitting an Inspector of Police?—He is the only Inspector I have ever served under, so I can hardly say.

35. Has his conduct been such as an Inspector's conduct should be?—I could not say.

36. Are you personally friendly with the Inspector?—Well, I am a third-class constable and he is an Inspector.

37. But you are well disposed towards him?—Yes, certainly.

38. *Colonel Pitt.*] When you say you do not know whether his duties as Inspector are properly carried out do you mean that you, being a constable, are not capable of judging?—I mean that he is the only Inspector I have ever served under, and that I do not know how other Inspectors conduct themselves towards their men.

39. *Mr. Cresswell.*] The Inspector had you on the carpet on one occasion, I think?—Yes, and fined me 10s.

40. You were rather annoyed?—Yes, as I did not consider I deserved it.

41. Have you communicated the fact to Mr. Taylor?—No, and I do not know whether Mr. Taylor knows it.

42. *The Chairman.*] Why do you think the punishment was not deserved?—I think the offence was trivial. The complaint against me was that I was a little late on the 5 a.m. relief. I told my reasons, and I was not asked to prove them. I forget what was put down as the time that I was late. Sergeant Mitchell told me he was quite satisfied with my reasons.

43. Who inquired into the complaint?—I do not know that there was an inquiry. I was called on by Sergeant Mitchell to explain why I was late, and I did so, and the next thing was that I was taken into the office before Inspector Emerson and fined 10s., without any further inquiry.

44. Do you feel, then, that the Inspector has done you an injustice?—It was the first time I had been reported. I have been nine years in the Government service in various branches, and I thought that, under the circumstances, the punishment was severe.

45. Does this feeling prejudice your opinion of the Inspector's conduct in any other matter?—No, not in the least.

46. Do you wish us to look into the complaint made against you?—No; I did not wish it to be brought up at all. I am under the impression that the punishment will not be put on my defaulter-sheet. I understand that when any mark is put on a man's sheet he is informed of it, but in this case I have not been informed that there is a mark. I do not know anything about it.

47. *Mr. Cresswell.*] What time are you supposed to be on duty in the morning?—At 5 a.m.

48. And at what time were you found in bed that morning?—I was not found in bed at all. I think I turned up to duty about 6 o'clock, but I am not sure.

49. Would it be nearer 7?—It was between 6 and 7, but I think it was nearer 6.

50. Are you a single man?—No.

51. Were you quartered at the station?—No; I was living in my own house.

52. Before the Commission sat did you say to any one that you expected to get that fine removed?—No.

53. Did you say that unless it was removed you would bring it before the Commission?—No.

54. What conversation did you have with Constable Ramsay about the matter?—I do not know.

55. Have you spoken to him about it?—Probably I have. It was the talk of the barracks at the time.

56. Did you say, "Unless the charge is wiped off the sheet I will bring the matter before the Commission"?—I do not recollect saying anything of the kind to Constable Ramsay.

57. *Colonel Hume.*] When was this offence committed?—I do not know the date. It was some time before I left Napier.

58. If you had not been asked a question about it you would not have brought it up?—No.

JAMES HANNAH SMYTH, examined on oath.

59. *Mr. Taylor.*] Do you live at Wairoa?—Yes.

60. Are you keeper of the bridge there?—I am the lessee of the toll on the bridge.

61. How long have you been in Wairoa?—About thirty-five years.

62. Are you a steward of the racing-club there?—I was previous to this year.

63. While you were a steward do you remember a written application coming from Robinson (known as "Murrumbidgee") for a right to play games on the course?—Yes.

64. Did the club accept £20 from Robinson for the right to play games of chance on the course?—No.

65. How much did they accept?—£15, I think.

66. Do you know what kind of game Robinson was playing?—It was a game with a machine—a table and a marble.

67. Did the people put money on certain numbers?—It was something like that—either numbers or colours.

68. As one of the stewards, did you regard it as likely that that game would ordinarily be interfered with by the police?—We knew the police might stop it.
69. Was Inspector Emerson present on both days when the game was being played?—Yes.
70. You were clerk of the scales?—Yes.
71. Was the man interfered with for playing?—Not that I know of.
72. You would have heard if there had been a prosecution?—Yes.
73. How long ago is this?—About two or three years ago.
74. Was the same game played by any other person at any time?—Years ago, but not lately.
75. Can you tell us why it has not been played lately?—Until that year the club set themselves against anything like that, as it militated against the totalisator.
76. As a steward of the club, were you under the impression that this game was played with the knowledge of the police and practically with their permission?—I could not say that. The police were there and could not help seeing it.
77. Did you at any time report a case of furious driving to the police at Wairoa?—Yes, about a week or ten days before Lindergreen's death.
78. To whom did you report the matter?—Constable Coughlan.
79. Was it a bad case of reckless driving?—Yes.
80. You would be a good judge of careless or careful driving?—Yes, but it did not require much of a judge in that case.
81. Were you interviewed by the police about the case?—I went to the police about it.
82. Did you tell them where they could get witnesses?—Yes.
83. Did the police in making inquiries come to you?—No.
84. Did you see Inspector Emerson about Coughlan when you came to Napier?—I saw him in Wairoa.
85. What did you tell him?—That Coughlan was utterly useless.
86. What did the Inspector say?—He said he knew he was.
87. Do you know who investigated that case of furious driving?—I knew nothing but what I saw in the paper—that Constable Ramsay was sent to investigate it.
88. Who was the man who was driving furiously?—Lindergreen.
89. Were Constables Ramsay and Lindergreen boon companions in Wairoa?—I have seen them together very often.
90. Do you remember on one occasion a serious disturbance by larrikins at a wedding?—Yes; I went to the place to see what was the cause of the disturbance.
91. Were the police there?—Constable Coughlan was there.
92. Was it a serious disturbance?—Nothing was broken, but the peace of the night was disturbed from about 11 to 2 o'clock.
93. And there was no prosecution?—No.
94. Did the larrikins have a good time with the police?—Yes; they played with the constable.
95. Do you remember reporting to Inspector Emerson the existence of a sly-grog-selling establishment in your neighbourhood?—Yes.
96. Can you remember when it was?—About four or five years ago.
97. Did he send any one to investigate?—I believe he did. I saw a man who came there.
98. Did anybody in the Wairoa district know his mission?—Yes. I do not know whether the Inspector sent him or not.
99. Was there a prosecution?—No.
100. Did you consider such an effort to detect sly-grog selling ridiculous?—Most ridiculous.
101. Have the liquor-laws been fairly well enforced in Wairoa?—I think so, lately.
102. Have you not seen drunken men and women lying there for hours?—Some Maoris, occasionally.
103. In the public streets?—Yes, but not since Coughlan left.
104. *Mr. Cresswell.*] You do not agree with the means the Inspector adopted to detect the sly-grog selling. Do you know what means he adopted?—No, I do not.
105. You are telling us something "the man in the street" said?—Yes.
106. Are you not the walking newspaper of Wairoa, Mr. Smyth?—Perhaps I am.
107. If a man wants to know anything about Wairoa, past, present, or future, he will go to you?—And he would have a very good authority.
108. You have known Inspector Emerson since he has been in the district?—Yes.
109. Have you ever known him to be the worse of drink?—No.
110. Has the Inspector always been in a fit state to transact his business when you have seen him?—Yes; I have never known him otherwise.
111. Have you ever known his conduct to be other than that befitting an Inspector?—No, not as far as I know.
112. So far as this game of Robinson's is concerned, do you suggest there was any unfairness about the game?—I did not attempt to play it, as I had my own work to do; but I do not suggest that there was any unfairness.
113. How was the game played?—I do not know; I never examined it.
114. Personally, have you any objection to the game?—Personally I have no objection to any game.
115. In your capacity as steward did you hear of any cheating by Robinson, or any unfair treatment?—No.
116. *Mr. Poynton.*] As a steward of the club, were you in favour of accepting the offer of £15?—No; several of us were against it.
117. *Mr. Tunbridge.*] You say you think Coughlan is useless?—Yes, because he will not do any duty.

118. Is he getting too old?—That may be the case, and too lazy too.
 119. Are the police duties in Wairoa now performed satisfactorily?—I think so.

ARTHUR HUME, examined on oath.

120. *Witness.*] I produce the file of papers relating to the result of an action, *Robinson v. The Town and Suburban Racing-club*, for false arrest, &c. The Inspector at Napier, in reporting the matter to me on the 2nd June, 1893, says: "Mr. Cresswell, solicitor to plaintiff, has informed me that he only intends calling the police as witnesses against the racing-club, and that the constables' names were inserted in writ for that purpose.—John Emerson, Inspector." As to the release, the papers merely say that Mr. William Heslop, J.P., released the prisoner. On the 26th May, 1893, Inspector Emerson wrote to Constable Kennedy, Clive, as follows: "Please report fully as to what part you took in the arrest of the man Robinson, otherwise 'Murrumbidgee,' on the Taradale racecourse on the 24th instant, narrating all conversation which took place relative thereto in your hearing." On the 27th May, 1893, Constable Kennedy reported:—

Police-station, Clive, 27th May, 1893.

Re attached correspondence: I beg to state that I was present on duty at Town and Suburban racecourse on the 24th instant, about 2.50 p.m., when Mr. Binnie, secretary to the club, came up to me and said, "I want you." I said, "What is the matter?" He replied, "There is a man here laying totalisator odds, and I want you to put him off the ground"; at the same time he pointed to Robinson, who was standing in the centre of a crowd taking money and issuing tickets on the race which was going to start. I replied to Binnie, "Inspector Emerson is on the ground, and Constable Harvey is in charge, you had better see one of them." Harvey was then on the course. Binnie went over to the rails, and called out to Harvey that he wanted him. Harvey came up to Binnie, when he told him that he wanted a man who was laying totalisator odds put off the ground. He pointed out Robinson to Harvey. Constable Harvey then requested Robinson to leave the ground. He refused to leave, saying he would not leave unless he was given in charge. Binnie then gave Robinson back his shilling which he paid for admission to the ground. Robinson still refused to leave, when Binnie called out, "Harvey, do your duty. I give him in charge to prosecute him." I insist on you taking him to the lock-up." Harvey replied, "Very well, you will have to prosecute him." Constable Harvey then took the man in charge. They walked down towards the entrance-gate. I walked close behind them. When near the gate they went on a few yards ahead of me. When I got to the gate Constable Harvey and the prisoner were in a cab in front of the gate. I spoke to Harvey, and said, "You don't want me now?" He replied, "Yes, I do. Come along in here." I then went into the cab. Harvey then told the driver to drive to the police-station, Taradale. When we got to the station I got out and spoke to Mrs. Leitch. She handed me the keys. Harvey and the prisoner went on to the lock-up. When I got to the lock-up the prisoner was counting his money. For fear of mistake I counted the money after him. He asked me if I would be good enough to put the amount in his pocket-book. I done so at his request. Harvey then put the prisoner in the cell, and closed the door on him. There was no charge entered up against the prisoner, and no property-sheets were made out. His money and effects were placed together in the police-office.

JOHN KENNEDY, Constable.

J. Emerson, Esq., Inspector of Police, Napier.

On the 26th May, 1893, Inspector Emerson wrote to Constable Harvey as follows:—

Police-office, Napier, 26th May, 1893.

Please report fully as to what part you took in the arrest of the man Robinson, otherwise "Murrumbidgee," on the Taradale racecourse, 24th instant, narrating all conversation which took place in your hearing relative thereto.

JOHN EMERSON, Inspector.

Constable Harvey, Spit.

On the 27th May, 1893, Constable Harvey reported as follows:—

Police-station, Spit, 27th May, 1893.

Report of Constable Thomas Harvey relating to the arrest of man referred to in the attached report.

I beg to report to officer in charge that I was on duty at Town and Suburban racecourse on the 24th instant. About 4 p.m. I was on the racecourse when Mr. Binnie, the secretary of club, came and called Harvey, and said, "I want you at once." Binnie then said, "There is a man laying totalisator odds here. I want you to put him off the course." I then came up, and Binnie pointed out the man that was laying the odds mentioned. I then requested him to leave the course, but he refused to leave. Binnie then gave him back the shilling he had paid for admission, but he still refused to leave, and said he would not go unless he was given in charge. Binnie then said, "Harvey, I give him in charge; lock him up." I still refused to remove the man, when Binnie remarked, "Harvey, I insist on you doing your duty. I give him in charge; lock him up." I said to Binnie, "You will be responsible and have to prosecute." Binnie said, "Right." Constable Kennedy was present and heard all that passed. The man was given in charge by Binnie for laying totalisator odds.

THOMAS HARVEY, First-class Constable, No. 165.

J. Emerson, Esq., Inspector of Police, Napier.

On the 26th May, 1893, the Inspector wrote to Constable Leitch as follows:—

District Office, Napier, 26th May, 1893.

PLEASE report as to what you know in connection with the arrest of Robinson, otherwise "Murrumbidgee," on Taradale racecourse, on 24th instant, detailing any conversation you heard between members of the club and myself relative thereto, also as to charge entered up in books at Taradale watch-house.

JOHN EMERSON, Inspector.

Constable Leitch, Taradale,

Constable Leitch reported:—

Police-station, Taradale, 27th May, 1893.

REPORT of Constable Leitch re arrest of Robinson on Taradale racecourse on 24th instant:—

I respectfully report that I was doing duty as mounted constable on the Taradale racecourse on the 24th instant. The other members of the Force present were Inspector Emerson, Detective Kirby, and Constables Harvey, Norwood, and Kennedy. After the fourth race had been run Constable Kennedy told me the secretary, Mr. Binnie, wanted to have "Murrumbidgee" removed from off the course, and that he was going to get Tom (meaning Constable Harvey) to go with him. I remained on the course for some time, and then rode round to the saddling-paddock. While there Inspector Emerson came to me, and told me that Robinson had been locked up and that there was no charge against him, and told me to get a Justice of the Peace and go down to the lock-up and have Robinson discharged. I went and found Mr. William Heslop, who is a Justice of the Peace, and brought him to Inspector Emerson, Mr. Binnie and whom we met, coming with us. Mr. Binnie then said that he had no charge against Robinson, and that he had not given him in charge to the police, but that he had requested Constable Kennedy first and then Constable Harvey to remove him from off the ground. Constable Harvey asked him (Binnie) if he would lock him up, and that he (Binnie) replied, "Lock him up, or do whatever you like with him, but take him away from here." I went to the lock-up accompanied by Mr. Heslop. I found the man Robinson in the lock-up, but no charge entered in the book against him. I found his property in the office, but no property-sheet had been filled in. Mr. Heslop then discharged Robinson, and I handed him over the property, getting a receipt from him.

J. Emerson, Esq., Inspector of Police, Napier.

THOMAS LEITCH, Constable, No. 304.

Constable Kennedy reported :—

Police-station, Clive, 1st June, 1893.

REPORT *re* service of writ for damages.

I beg to state that yesterday, 31st May, 1893; I was served with a writ for damages, £500, in the case of Robinson *v.* the officers and members of the Town and Suburban Racing-club, first set of defendants; Constable Harvey and Kennedy, second set of defendants; and Louis Binnie, third defendant. The case is set down for hearing at the first sittings of the Supreme Court holden at Napier.

J. Emerson, Esq., Inspector of Police, Napier.

JOHN KENNEDY, Constable, No. 432.

Constable Harvey reported :—

Police-station, Spit, 31st May, 1893.

REPORT of Constable Thomas Harvey, relating to writ been served on Constable by Cresswell, solicitor, Napier.

I beg to report to officer in charge that the writ referred to as above is relating to the arrest of Robinson, *alias* Murrumbidgee, on the 24th May, 1893, at Town and Suburban racecourse.

J. Emerson, Esq., Inspector of Police, Napier.

THOMAS HARVEY, First-class Constable, No. 165.

Inspector Emerson then reported the matter to me as follows :—

I beg to forward herewith correspondence relative to an action pending in the Supreme Court here on the 13th instant.

The facts of the case are as follows : On the afternoon of the 24th ultimo, after the fifth race had been run at the Town and Suburban races held at Taradale, I was informed that a man named Robinson, otherwise "Murrumbidgee," had been arrested by Constables Harvey and Kennedy for laying totalisator odds. I immediately went to the secretary, who informed me that he had only ordered Robinson's removal from the course, and repudiated any responsibility for Robinson's arrest. I made further inquiries from the president of the club, who also would not take the responsibility of the arrest. Robinson had been conveyed to the Taradale lock-up in a cab before I was made aware of the arrest. On ascertaining how the matter stood, and it being a well-known fact that laying totalisator odds on a racecourse was no offence, I obtained the services of a Justice of the Peace, and asked him to go to the Taradale lock-up with Constable Leitch for the purpose of having the man discharged from custody, which was accordingly done.

Robinson is now suing the racing club as the first set of defendants, Constables Harvey and Kennedy as the second, and the secretary as the third, set of defendants, to recover £500 for illegal arrest. As the matter at present stands, Constables Harvey and Kennedy assert that the secretary gave Robinson in charge for laying totalisator odds, the secretary is as positive that he did not. The constables are corroborated by Robinson, the plaintiff, who says that the secretary ordered Constable Harvey to take him (Robinson) in custody for laying totalisator odds after he (Robinson) had refused to leave the grounds at the secretary's request. There is no doubt that the steps taken by the constable throughout the affair were most irregular.

Regarding the latter portion of the leader in the *Hawke's Bay Herald*, I intend investigating this matter, and will also endeavour to find out who gave the information to the editor, as it appears from the tone of the article that it originated from police-quarters.

On the 15th July, 1893, Inspector Emerson wrote to me : "I beg to return herewith reports in connection with the case Robinson *v.* Town and Suburban Racing-club for illegal arrest, and to forward Press reports of the three Napier papers on the case. I think the report of the *Hawke's Bay Herald* is a fairly correct outline of the proceedings." The remainder of the Inspector's report deals with the manner in which certain information was obtained by the newspaper. His Honour the Chief Justice, in giving judgment, said :—

"It was quite clear that plaintiff had been given in charge not for any offence against the law, but in order to procure his removal from the course. He would not leave it, and a policeman was called in. The policeman wanted to know if the man was given in charge, and the reply practically was, 'Yes, I cannot get him away otherwise.' In his Honour's opinion the plaintiff was given in charge because he would not leave the course, and not for any breach of the general law. He would not leave the property of the club except by compulsion, and he was therefore taken away by force. The policeman did what was quite unnecessary, under the circumstances, in locking the man up, although the circumstances might have rendered such a course necessary. They might have waited to see if plaintiff would persist in coming back again after removal, when it might have been said, 'It's no use taking him away, he will persist in coming back again.' He could then have been arrested, but as a matter of propriety the policeman should not have resorted to the arrest at once. As a matter of law, however, the policeman was perfectly justified in taking plaintiff to the lock-up, but he ought then to have been taken as speedily as possible before a Justice. The Act contemplated that if a person wilfully trespassed on another's land and refused to leave when called upon to do so, that was an offence, and upon sight of that it was lawful for a constable to take a person so offending into custody, and to keep him in custody until a charge against him could be properly laid and investigated. In this case it was manifest that the stewards thought it was not necessary to lay an information after the arrest, and that they thought the constable had done more than he was wanted to do. All he was wanted to do was to remove the man and take him in charge if necessary. It was quite evident that the plaintiff was not entitled to recover. If his Honour had come to the conclusion that there had been a technical offence he would have given the smallest possible amount of damages, because plaintiff brought it on himself. Judgment would be for defendants, with costs on the middle scale."

121. *Mr. Taylor.*] Do you say the remainder of the Inspector's report states how the information leaked from the police-office?—Yes; it refers to how the information was got.

122. Was the charge that some person had divulged information inquired into?—Yes; and the men were paraded, and all denied it.

123. So far as you ascertained, then, the Inspector was wrong, then, in thinking that one of the men was to blame?—I did not ascertain it at all.

124. Do you know how the Inspector found out Robinson's intended defence?—The case was *sub judice*, and I did not interfere in it.

125. There is a paragraph in the Inspector's report saying that "Robinson says" so-and-so. Do you know that the Inspector had had communications with Robinson?—I do not know. I may say that Mr. W. Heslop, the Justice of the Peace who released the prisoner, has been subpoenaed to give evidence to show why the man was released.

126. *Mr. Cresswell.*] Let us suppose a case in which the police had not noticed a man laying totalisator odds, but it had been reported by the secretary that the man was laying totalisator odds. Would the police be justified in laying the charge against the man, or would they be justified in saying to the club officer, "Lay the information yourself and we will take the case"?—They should have said, "Lay the information yourself." The police had a right to put the man off the course, but, beyond that, they should have said, "Lay the information yourself."

127. Accordingly, when Binnie did not lay the information the police felt they were in an insecure position?—I should not like to say what the police felt.

128. *Mr. Poynton.*] Having heard that the police had made an illegal arrest, what would you have done as a responsible officer over the men who made the arrest?—I should have said, "I am sorry for you, but you must take the consequences now and go to Court."

129. But if the man who gave him in charge had said the arrest was not legal, what would you have done?—I should have let the man fight it out with him. I would not have released the prisoner, but I would not have objected to his getting bail.

HARRY ROLLS, examined on oath.

130. *Mr. Taylor.*] Do you live at the Spit?—Yes.

131. Do you know Mr. Eagleton's shop?—Yes; it is in Hastings Street, Napier.

132. Do you go there at times?—I do.

133. How often have you been there?—Not very often.

134. What do you go for?—I have been on different missions.

135. Have you been there to get your hair cut?—Yes.

136. What other business?—To enter for swimming-races.

137. And what other business?—I have taken letters there for my father.

138. What was the last business—was it connected with the totalisator?—I do not know.

139. Apart from your father, have you not yourself invested on the totalisator there?—Not at Eagleton's.

140. At Smyth's?—No.

141. Where, then?—At no shop at all.

142. What happened when you took a letter to Eagleton's?—I passed it over the counter and left.

143. What did he do?—I know not.

144. Did he not go upstairs?—I do not think he has an upstairs.

145. Did he not make an entry in a book?—Not that I know of.

146. Did he open the letter in your presence?—No.

147. Did he know who it was from?—Yes.

148. You told him?—Yes.

149. Did you ever give him the names of horses?—Never.

150. Have you been there for information about the totalisator for your father?—No.

151. You simply took the letters there?—Yes.

152. Can you remember when you took the last?—No.

153. Can you remember if it was near a race-meeting?—I could not say.

154. Will you swear it was not near one?—I will not swear anything of the sort.

155. How many letters have you taken there?—I could not say.

156. You got nothing in exchange?—Nothing.

157. *Mr. Cresswell.*] Your father is a storekeeper and baker at the Spit?—Yes.

158. And has been there for twenty or thirty years?—Yes.

159. Have you had to take letters to other places besides Eagleton's for your father?—Yes.

160. I think your father is rather a heavy man and does not get about the town much?—That is so.

161. Is not Eagleton the secretary of the swimming-club?—As far as I know, he is.

162. And the most active member we have in it?—As far as I know.

163. Does he not hold classes for teaching children and ladies swimming?—Yes.

164. And you get tickets for membership there and the meetings are held in his place?—Yes.

165. Do the rowing-men meet there?—I do not know that.

166. Can you not purchase tickets and book seats for the theatre at Eagleton's?—Yes, as far as I know.

167. Is it not so advertised?—Yes, as far as I know.

168. There is a plan of the theatre exposed there?—Generally, I believe, but I could not say for certain.

169. The *Telegraph* posts the results of races at Eagleton's?—I have seen extras there.

170. And is not Eagleton's a common resort for news and information?—Yes.

171. Mr. Eagleton is a sporting-man?—As far as I know.

172. Does he take a great interest in athletics?—Yes, as far as I know.

173. If you want any information about athletic matters or the latest news of races, where do you go?—I never want to know, and I do not go anywhere.

174. Where do the public go?—I could not say.

GEORGE BICKERSTAFF, examined on oath.

175. *Mr. Taylor.*] Do you live in Napier?—Yes; I work for Mr. R. T. Smyth, in Hastings Street. I have worked for him for eight years, for six years of which I worked only part of the day, and I was with him continuously for fifteen months, since leaving school.

176. What were your duties?—Errand-boy and shop-assistant.

177. *The Chairman.*] Is Mr. Smyth a bookseller and stationer?—Yes.

178. He has bibles and prayer-books, &c.?—Yes, plenty of them.

179. *Mr. Taylor.*] Did every one who went in buy bibles and prayer-books?—I could not say.

180. On race-day was the shop not particularly busy?—Not extra.

181. On race-days did you not receive telegrams?—A few.

182. What do you call "a few"?—I could not say. I am not in the shop all the day.

183. *The Chairman.*] How long ago is it since you left the shop?—About two months ago.

184. What age are you?—Eighteen.

185. What are you doing now?—I am a clerk at Mr. Fielder's (the Hawke's Bay Permanent Building Society).

186. *Mr. Taylor.*] Was Mr. Smyth always in the shop or were you sometimes alone?—I was often alone.

187. Did people come in at times and leave messages for Mr. Smyth?—Yes.

188. Did some of them refer to horse-races?—I could not say. I never open the letters.

189. Did you not get verbal messages?—Never.

190. Did he receive many letters?—Not a great many. Perhaps one now and again.

191. No transaction connected with horse-racing ever came under your notice?—I am positive of it.

192. Did you not know the nature of the business the people came in for?—No; my duty was to serve people with books or stationery.

193. And what did you do with the letters?—I gave them to Mr. Smyth when he came in.

194. If any one came in wanting to buy a book, what would be the procedure? Would Mr. Smyth take anything from them and go upstairs?—No.

195. Do you recollect stating to me yesterday that some of the transactions were connected with racing?—I said that we got a telegram or two, but I did not know what they were about. I said, "thought they might be about racing."

196. Did you not say that some of the transactions over the counter were about races, but that you were not supposed to know anything about them?—No.

197. *Mr. Cresswell.*—How long has Mr. Smyth been in business here as a stationer?—About eighteen years, as far as I understand.

198. Is it not a fact that Mr. Smyth is the leading stationer in Napier?—I believe so.

199. And his shop is in the Criterion Buildings—one of the leading streets?—Yes.

200. Is there an upstairs portion of Mr. Smyth's buildings?—No.

201. Mr. Smyth has to send you out with letters?—Yes.

202. And was there anything extraordinary in you going into a shop and leaving a letter here and another there?—No.

203. Is there anything extraordinary to see letters coming to Mr. Smyth?—No. It is quite a common thing.

204. Do you know Inspector Emerson?—Yes. I have known him ever since he lived in Carlyle Street.

205. Have you ever known him to gamble?—No.

206. Have you ever seen him the worse of drink?—No.

WALTER WILLIAMS, examined on oath.

207. *Mr. Taylor.*] At any time in your experience of the Police Force of the colony have race-horses been stabled in the police-stables of the colony?—I remember one instance at Ross, on the West Coast.

208. Were you in charge of the station?—Yes.

209. Were the horses quartered in your stable?—Yes. There was only one horse, belonging to Inspector Emerson.

210. When was that?—I think it was in the summer of 1888-89.

211. Did he stay there any length of time?—The races, I fancy, lasted two days. I am not certain whether it was one or two. The horse was not there all the time.

212. Have you seen an Inspector of Police rubbing a racehorse down on a racecourse in the presence of the public?—I have seen Inspector Emerson patting his horse on the course, but not grooming it.

213. Have you ever known an Inspector of Police arrange a pugilistic encounter for any of his men?—No.

214. Has there been at any time during your experience of the Force among the men a feeling that a strict enforcement of the licensing-law would probably bar promotion or bring about sudden transfers of the men?—I have heard the men say so.

215. Has it also been a general impression among the men that the use of political influence was forced on them by the conditions of the service?—It has been common talk among the men.

216. Do you think if the service was moved entirely from political control it would increase the efficiency of discipline?—I think it would.

217. *Colonel Hume.*] Have you ever been thwarted or threatened in any way if you carried out the liquor-laws?—Not directly.

218. Or indirectly?—I have been informed that threats have been made against me.

219. By whom were you informed?—By several persons whose names I cannot call to mind now.

220. *Mr. Poynton.*] Were you so informed by any one over you in the department?—No.

221. *Colonel Hume.*] Do you know of any constable or any other officer who has felt that for enforcing the liquor-laws or any other laws he has lost by it in any way?—No.

222. *Inspector Emerson.*] Was there any other horse in the stable at the time? Was there not a Government horse, then or at any other time?—No.

223. *Mr. Poynton.*] Was there any Government forage?—No; it was not a mounted station, but it had been in the early days.

224. *Inspector Emerson.*] Who was the means of sending you to the charge of the station?—I received my orders from you.

225. I suppose you consider that I removed the best men to the charge of stations?—I should think so.

226. Did you ever have any fault to find with me during your time at Ross?—No.
227. *Colonel Hume.*] You said you had heard something about political influence in the Force. What did you hear?—I heard it said that I would have to look after myself, or I would get removed from Woodville.
228. Who told you that?—I heard several say that. It was really “the man in the street.”
229. No one connected with the Force?—No.
230. You have been in Woodville for two years?—Yes, but I am going to be removed now.
231. Do you lose anything by being shifted?—Yes, considerably.
232. *The Chairman.*] When did you hear the rumour in the street?—About three weeks or a month ago.
233. *Colonel Hume.*] You are going to Patea?—Yes.
234. How do you lose?—I lose from a pecuniary point of view. I lose £25 a year as Clerk of the Licensing Committee, and I also lose the emoluments.
235. How do you know you are not going to be Clerk to the Licensing Committee at Patea?—Because I understand the Committee hold their meetings at Hawera.
236. What constituency is Woodville in?—Pahiatua.
237. Have you taken any part at all in politics since you have been here?—Never.
238. Do you think your removal is due in any way to political influence?—I do not think it is.
239. As far as you know, there is no political influence in it?—As far as I know.
240. *Colonel Pitt.*] In whose name did the racehorse run?—I think it ran in Mr. Emerson’s name. There was no concealment of the owner, as far as I remember.
241. If it was the Inspector’s horse and was running in his name his superiors would know it?—Yes.
242. *Mr. Poynton.*] It was in the stable during the race-meeting?—Yes. I think the meeting was only one day.
243. *Inspector Emerson.*] Can you not say whether it was my son’s name—Charles Stewart Emerson?—I could not.
244. Who brought the horse to the stable?—There was a jockey with the horse when I saw it.
245. Did my son not bring it there?—Your son was there.
246. And brought the horse to the stable?—I cannot recollect, but I saw him there with it. Whether he brought it I do not recollect.
247. *Mr. Tunbridge.*] Have you had to take action against any publicans since you have been in Woodville?—Yes, on the 11th of last month.
248. What action was it?—I summoned him for selling drink in prohibited hours, and he was convicted and fined £3 and costs, and his license was indorsed.
249. Do you attribute your removal in any way to the action of that publican?—No.
250. *The Chairman.*] You say that in the Force you have heard it generally said among the men that activity in action against publichouses was detrimental to promotion?—What I said was that unless a man had political influence his time would be short in the Force.
251. I am not referring to that. You said, I think, that activity in enforcing the liquor-laws would be detrimental to promotion?—I said there was an impression.
252. Do you say you have heard the men making that statement?—Yes.
253. Do you wish to say that although you have heard it you do not believe it, or do you wish us to understand that you do believe it?—I do not know what to say to that.
254. Well, speak the truth and say what you feel. Do you believe it or do you not?—I may say it has never made any difference to me.
255. Do you believe it or do you not?—I have no reason to believe it. I have no reason to think that such a statement has had the effect of deterring a man from doing his duty.
256. What was your object in stating it then?—I said that I have heard it.
257. But although you have heard it you have no reason to believe it?—No, I have no reason to believe it.

JOHN BENNETT TUNBRIDGE, examined on oath.

258. *Witness.*] I wish to hand in a report from Constable Egan with reference to the complaint of Constable Jeffries. Constable Egan reports:—

Police-station, Havelock, 23rd May, 1898.

REPORT of First-class Constable Eugene Egan, No. 280, relative to the attached memorandum from Sergeant Kiely.

I beg to report that Constable Jeffries arrived here from Picton on the 22nd October, 1896, with written instructions from Sergeant Möller to revise the Wairau electoral roll along the boundary of Nelson City and the Wairau electoral district.

According to Sergeant Möller’s instructions to Constable Jeffries, I think it was mentioned that the east side of the Pelorus River and Pelorus Sound was in the Wairau electorate, and the west side in the Nelson City electorate. Constable Jeffries had no map of the Wairau electoral district—he was inquiring for one in Havelock, and was not able to procure one.

Constable Jeffries returned to his station on the 27th October, having completed his work. After Jeffries had left for his station I received a telegram from Sergeant Möller giving further instructions to Constable Jeffries *re* the boundary of the Wairau electorate. That telegram, I think, instructed Constable Jeffries to include in the Wairau roll a certain portion on the west side of the Pelorus Sound which was not mentioned in the instructions he had already received. I think Fitzroy and Admiralty Bays were mentioned in the telegram to be included in the Wairau roll. On receipt of the telegram I telegraphed to Sergeant Möller that I could not deliver the message as Constable Jeffries had returned to his station. I also posted the telegram to Sergeant Möller which I had received from him *re* the boundary of the Wairau electorate, with a memorandum to the same effect as the telegram.

The telegram from Sergeant Möller was the only document I received in connection with the subject, and that telegram I posted to Sergeant Möller, with a view of Sergeant Möller seeing or instructing Constable Jeffries *re* the boundary.

Constable Jeffries had no knowledge of the telegram when he was in Havelock, and I am not aware that it was sent on to Picton after him.

Sergeant Kiely, Police-station, Blenheim.

E. EGAN, First-class Constable, No. 280.

THURSDAY, 2ND JUNE, 1898.

JOHN CULLEN was further examined.

1. *Mr. Taylor.*] When you were in Napier, Inspector Cullen, did you know the town pretty intimately?—Yes.
2. Were there any “tote” shops in Napier then?—I do not think so.
3. Did you know Eagleton’s shop?—He was carrying on a hairdresser’s establishment, but not carrying on betting.
4. Did you know whether Smythe’s shop was known as a “tote” shop?—No, it was not. He was carrying on a stationer’s business in a different part of the town to where he is now.
5. As the result of your experience, do you think that it is impossible to detect “tote” shops?—No, it is not impossible at all.
6. Is it fairly difficult?—It is fairly difficult; but I think if you go about it you can succeed. That has been my experience.
7. Was it reported amongst the men that it was unadvisable to strictly enforce the licensing-laws when you were here?—There was an impression amongst the men to that effect.
8. You think the men were reluctant to do their duty on that point?—Well, I can hardly say that, you know.
9. Well, now, were the men reluctant to interfere with the spieling fraternity?—They were very anxious to interfere with them in my time here until Kirby came, and until Kirby got an influence over the Inspector. From that out, of course, they saw it was not advisable to interfere with them.
10. Now, was the administration of the licensing-law as strict during the time you were here under Inspector Emerson as it was previously to his coming here?—No, it was not.
11. Of your knowledge, was the Inspector in the habit of frequenting publichouses in Napier?—I never followed him to see where he went.
12. Do you know of your own knowledge whether the Inspector used frequently to go to public-house apart from the regular inspection?—Well, I think he used to visit the publichouses.
13. Apart from the ordinary inspection?—Yes.
14. Frequently?—I cannot say how frequently.
15. Have you ever seen the Inspector card-playing?—Yes.
16. Where?—I saw him card-playing on one occasion. It was in the Clarendon Hotel, Napier.
17. Do you know if there were any stakes on that game?—It was euchre-loo, at half-a-crown a corner.
18. Do you know whether the habits of the Inspector injured the discipline of the Force whilst you were here?—I do not think he was a man who was likely to raise the discipline of the Force.
19. *Mr. Cresswell.*] He is not such an ornament to the Force as Inspector Cullen?—I do not wish to draw a comparison between Inspector Emerson and myself.
20. You have been under Inspector Emerson for a good many years in other places than Napier?—One other place, from 1877 to 1879.
21. What rank did you hold then?—I went there as a constable.
22. Now, how long did you serve as constable under Inspector Emerson?—Somewhere about two years, I think.
23. Did you get promotion while you were under Inspector Emerson?—I was promoted by Superintendent Weldon, who was in charge of the South Island at that time. Inspector Emerson was under Superintendent Weldon.
24. Did you get promotion while under Inspector Emerson?—Yes.
25. Of course, the Inspector had no power to promote you?—Certainly not.
26. Do you know if the Inspector recommended you for promotion?—I applied for promotion, and Mr. Emerson recommended me, and the application was refused, and the matter stood over for many months until Mr. Weldon came round on a tour of inspection. Then he decided there should be a sergeant at Blenheim. There was no sergeant at Blenheim, and Sergeant Paape was brought in from Kaikoura to take charge of Blenheim Station, and he resigned, as he had a farm at Kaikoura. Then Mr. Weldon recommended me for promotion, and I got it.
27. Do you know that Inspector Emerson did all he could to get you promotion?—He recommended me, and did all he could in the circumstances.
28. Do you know if he interviewed the Superintendent himself specially on your behalf?—There was a discussion in the office. I was clerk to Inspector Emerson at the time, and was present during the whole interview.
29. When you served under him at Napier what rank did you hold then?—I think, second-class sergeant.
30. And before you left Napier what rank did you hold?—First-class sergeant.
31. You were promoted a second time while serving under Inspector Emerson?—Yes.
32. Now, did Inspector Emerson endeavour to get you promoted from second- to first-class sergeant?—He did not.
33. Did he not recommend it?—He did not.
34. Do you remember going to Omaha over the Native disturbance?—Yes.
35. You took an active part in it in connection with the Inspector?—There was nothing to be done: there was a ridiculous fuss made about it by the Inspector.
36. Where you promoted to first-class sergeant in consequence of anything done at Omaha?—Certainly not; I was not promoted until years after that.
37. Have you been in correspondence with Mr. Taylor over this inquiry?—I have not. I have never communicated with Mr. Taylor on any subject.
38. Now, you have told us that on one occasion you saw the Inspector noticeably with signs of drink on him?—Yes, I did.

39. Was that the occasion when he walked down to the Spit?—That was on the occasion I referred to: when he was playing cards in the hotel. I went into the hotel to get him down to his steamer at the Spit, and I saw him playing cards in the hotel.

40. Now, he went down with you?—Yes.

41. Did you walk or drive?—We drove in a cab.

42. Can you tell us when it was?—About 1892, when he was down on one of his inspection visits.

43. Was the Inspector in your house on that day?—No, he was not.

44. If the Inspector says he went into your house that day and had a whiskey with you, and left there and went straight down to the Spit, is that correct?—It is not.

45. You say he was not in your house on that day?—He was not.

46. Has he ever been in your house?—He has.

47. On this particular day, when he left the Spit to go to Hamilton, you say he was not in your house, and that you did not ask him to have a whiskey?—I did not. I would not on any account have asked him to have a whiskey, seeing I wanted to get him down to the steamer and save him from making an exhibition of himself.

48. During six or nine months before you left here were you on speaking terms with the Inspector?—Yes.

49. Were you always on speaking terms with him?—Officially. I made no freedom with him.

50. As a matter of fact—and I think pretty well everybody knew it—there was a rupture between you and the Inspector?—There was no rupture, but I could place no confidence in him.

51. And, outside absolute duty, did you speak to the Inspector at all, or did he speak to you?—Yes; no such strained relations as that existed.

52. *The Chairman.*] Were there any friendly relations between you for the six months before you left?—No friendly relations.

53. *Mr. Cresswell.*] What was the cause of this rupture between you: was it not in connection with Kirby?—It was a good deal. Kirby obtained an influence over the Inspector, and he practically got him to do just as he liked.

54. Did you report Kirby on any occasion to the Inspector?—I do not think so; Kirby reported me.

55. But you do not think you reported Kirby?—No, I did not. I am sure I did not.

56. Did you write to the newspapers in connection with police matters?—No; I never wrote to a newspaper on any subject.

57. Did you ever get anybody to write to the newspapers in connection with police matters?—No, I never have.

58. You remember there was a correspondence in the papers about spielers?—Yes.

59. Now, directly or indirectly, did you know of that correspondence?—I saw the correspondence in the papers.

60. But otherwise did you know of it?—I did not know who was the originator of it. If it was inspired I had nothing to do with it, and I do not know until this day if it was inspired or who the author of it was.

61. From the evidence you gave the day before yesterday you neglected your duty in connection with spielers. Did the Inspector ever stop you in the execution of your duty in connection with spielers?—He did after that case was over against Adams and Martin. He had me in the office and censured me for the action I took, and he further told me that I was not to take action in any case whatever, no matter what it was, without referring it to him. I asked him to put that in writing, because it meant stopping the whole machinery of the police here, and he would not do so, and I simply went on as I had before.

62. Had you not a free hand so far as the licensing-laws were concerned?—It depends on what you call a free hand.

63. Did the Inspector restrict you in connection with your duty under the licensing-laws?—He told me on one occasion he did not want me to enforce the law too strictly.

64. *The Chairman.*] In respect to what?—Licensing matters and publichouses.

65. *Mr. Cresswell.*] But you yourself obtained many convictions under the Licensing Act?—Before he came here. I do not think there were any convictions after he came here and until I left.

66. What about the Clarendon Hotel?—That was before he came.

67. Are you sure it was before Inspector Emerson came here?—Yes. The papers will show when the convictions were obtained.

68. The Clarendon Hotel conviction was in 1893?—Well, it may be. It may have been immediately before he came. It was not after he came.

69. When these men, Adams and Martin, were brought up, do you know what they were charged with?—Having no lawful means of support.

70. I think you said you gave evidence, and Kirby gave evidence?—Kirby was called for the defence.

71. Did Strickland give evidence?—Yes, and Stevenson and some civilians, who proved to seeing them playing the "three-card trick" and "under-and-over."

72. And the result was that they were discharged?—Well, Kirby came into the box and said the men were earning an honest living.

73. Did they not prove it—that they were travellers?—They were not travellers.

74. But they proved that they were travellers?—No, they did not.

75. Did they not produce receipts here showing where they had purchased cloth and other things?—Martin did produce bogus receipts. Martin was what was commonly called a "dudder." He purchased a few yards of serge, and so on, at a warehouse wherever he was, and he made a

pretence of hawking that about the town for a day or two, and in the evening and nights he would go about town and take people down at the "three-card trick" and picking pockets. There were numerous complaints about him from the public.

76. Were they brought up here more than once at that time?—Martin was brought up for assault, and convicted and fined.

77. Will you swear that Martin was not before the Court here twice on that occasion?—They were arrested without warrants, and exception was taken to it, and I had warrants prepared, and they were arrested then.

78. The first day you arrested them without warrants, and they were discharged by the Magistrates?—Yes. It was all on the same day.

79. When they left the Court they were rearrested?—Yes, soon after.

80. And, notwithstanding that you gave evidence and that Stevenson and Strickland gave evidence, the Magistrate dismissed the case?—Yes, the case was dismissed.

81. Do you understand this game of euchre loo that you say you saw the Inspector playing? Do you know the jack of diamonds and the ace of spades?—Yes. I do not play cards, but I know the cards.

82. Who was with the Inspector?—The only one I remember was a fellow named Campbell, an insurance agent at the time.

83. Was that at half-a-crown a corner?—Yes.

84. Do you know that you cannot play euchre loo for half-a-crown a corner?—I do not. I am not a card-player.

85. *The Chairman.*] You say they were playing euchre loo at half-crown points?—It was either euchre or euchre loo.

86. *Mr. Cresswell.*] You swore distinctly it was euchre loo for half-a-crown a corner. Now, was he playing euchre loo?—It was either euchre or euchre loo; I do not know which.

87. *The Chairman.*] You do not know the game of euchre loo?—No; I do not play cards.

88. Do you know the game by that name?—Oh, yes. I may say I know it from the Inspector himself that there is such a game.

89. You say it was either euchre or euchre loo?—Yes.

WILLIAM HESLOP, examined on oath.

90. *Colonel Hume.*] Where are you living?—At Omaranui.

91. You are a Justice of the Peace, I think?—Yes.

92. Were you President of the Town and Suburban Racing Club in 1893?—Yes.

93. Do you recollect a race meeting being held on the 24th of May, 1893?—Yes, at Taradale.

94. Do you recollect a man named Robinson, otherwise "Murrumbidgee," being arrested on that occasion?—I remember him being put off the course.

95. Did you see him put off the course?—Yes.

96. Was he put off the course at your request?—At the request of the whole of the stewards. I moved in the matter. He was laying totalisator odds, and otherwise infringing the rules of racing which the Town and Suburban Club were compelled to race under.

97. Then, did you give him in charge?—I did not give him in charge.

98. Do you know who did?—The secretary of the club.

99. Do you know what for?—For laying totalisator odds, and otherwise—threatening behaviour.

100. When did you first hear he was in the lockup at Taradale?—Constable Leitch came to me and told me Inspector Emerson wished to see me.

101. What did you do?—I went over and saw Inspector Emerson. Inspector Emerson said, "You have locked this man up." I said, "No, I have not; it was Constable Harvey."

102. What else took place?—Inspector Emerson said to me, "Are the club going to lay a charge against him?" I said, "I do not know, but I will let you know in a short time. Do you wish to know now?" and he said "Yes." And I said, "Very well, I will go before the next race comes off and let you know." I came back and said, "The club does not wish to lay a charge against the man. They merely wish to have him removed off the ground." It was not their intention to lock him up at all: they merely wished him put outside the gates.

103. Before telling the Inspector that the club did not wish to lay any charge against him, had you seen the secretary?—Yes, I did.

104. Did the secretary tell you that he had laid a charge against him already, and that he was arrested on that?—I do not think the secretary told me that.

105. Then, what followed?—Inspector Emerson said, "Well, here is the man locked up, and no charge against him. I call upon you as a Justice of the Peace to go and release him." I said, "Well, I do not know, you have got Constable Leitch; he is in charge of the station; he can go and release him." Inspector Emerson also said, "Well, if your people had laid (or would lay) an information it would simplify matters."

106. It did not happen to strike you that the Inspector was a Justice of the Peace himself?—No; he being Inspector, it never struck me that he was a Justice of the Peace.

107. Did the Inspector say anything about this Robinson being a useful man to the police in giving information?—Not then he did not.

108. Did he afterwards to you?—Yes, some time afterwards.

109. On the same day?—No.

110. Well, then, what happened next with regard to Robinson, after this interview with the Inspector?—The Inspector said, "Well, you are interfering with the liberty of the subject; you have locked up a man without a charge against him"; and he said, "I call upon you, as a Justice of the Peace, to release him." I said to the Inspector, "Well, there seems to be some-

thing right in that. If there is a wrong done, the sooner you and I undo it the better. If you think it is my duty to go with Constable Leitch I will go with him," and I went with him to the lockup. When we got to the lockup, Constable Leitch put the key in the door and said, "Mr. Heslop, shall I release this man?" I said, "You got your instructions from Inspector Emerson, and you carry them out."

111. *The Chairman.*] What did you go, then, for?—I merely went down at the request of Inspector Emerson.

112. *Colonel Pitt.*] To release him?—Yes.

113. Are we to understand by these words that you endeavoured to avoid the responsibility and throw it on the constable?—Quite so.

114. Although you had gone down for the express purpose of letting him out?—I did not feel inclined to take any responsibility in the matter at all.

115. *Colonel Hume.*] Did Robinson say anything to you?—Yes; he said, "You are one of the stewards of the Town and Suburban." He said, "You have been the means of my being arrested and locked up." I said, "Your own conduct was the means of your being arrested." I said, "The stewards requested you to leave off laying totalisator odds, and you simply refused, and in a very threatening manner towards the secretary and myself." I said, "That is the reason you have been locked up." He said, "Do you release me on behalf of the club?" I said, "No, certainly not," and he said, "On whose behalf?" and I said, "On behalf of liberty, and I think you are a very lucky man to be released."

116. Did you ask the Inspector under what statute you could let him out?—I did not. I merely went down there at the request of the Inspector. I did not ask any questions of him at all.

117. Did you ask Mr. Emerson anything about the character of this man?—No.

118. I suppose you had seen him at race meetings before this?—No; that was the first time I had seen him at a race meeting.

119. Then, you do not know he was what might be termed a spieler or not?—Well, I very soon heard his character, but not before he was locked up.

120. *Mr. Cresswell.*] Did not the Inspector ask you directly whether you intended, as president of the club, to lay any charge against Robinson or not?—Yes, he did.

121. Are you aware whether he asked the secretary the same thing—whether he would lay a charge against him?—No, I am not. I do not think he did in my presence.

122. Then, did not the Inspector say: "Very well, if you will not lay a charge against him, I have no charge against him, and you had better go and release him"?—Yes; he put it to me in that manner, and said he thought it was my duty to do so.

123. As a matter of fact, you and the other stewards were very careful not to lay a charge against Robinson?—We did not want to.

124. I think you were one of the defendants in this action Robinson brought?—Yes, together with the other stewards.

125. And you gave evidence in the Court here?—No. I was never called.

126. You attended the Court?—Yes.

127. Now, have you seen the Inspector at other race meetings?—Yes.

128. Have you ever seen him under the influence of drink?—Never.

129. Since the Inspector has been in charge of this district are you as much troubled with spieler at race meetings as you used to be?—Not at the Park Club Races for the last three or four years.

130. Who has been the means of suppressing them?—The Police Force.

SARAH ERSKINE, examined on oath.

131. *Mr. Taylor.*] Do you live at Gisborne?—Yes.

132. How long have you been there?—About nine years.

133. Are you a confectioner and caterer?—Yes.

134. Did you cater for the races last year at Gisborne at any time?—Yes.

135. Were you the only caterer on the ground on that occasion?—Yes.

136. Were you in charge of the luncheon-room the whole of the day?—Yes; of the grand stand booth.

137. Did you see Inspector Emerson there any part of the day?—Yes, at lunch.

138. Was his condition such as to attract your attention?—Yes; rather much that way.

139. What is the floor of that booth; is it board or sand?—It is sand.

140. Is it concreted?—No.

141. Is it pretty level?—Quite level.

142. Is it pretty firm?—It is sandy and a little bit soft. When it is watered it is all right.

143. Is it full of ruts?—No.

144. Is it likely to trip a person up?—No. I have never been tripped on it.

145. Was the Inspector sober?—Not on that occasion.

146. What kind of seats had you there that day?—Wooden forms.

147. Were they forms with backs to them?—No; no backs.

148. Ordinary forms, or just rough boards?—Ordinary forms; not like those made for a church, but for a luncheon booth.

149. Were they plain wood?—Yes.

150. What width would the board be?—It was about 15 in. or 16 in., to the best of my knowledge.

151. About what time did the Inspector come?—He came directly the after gong went.

152. Did you notice his condition then?—I noticed him while sitting there.

153. You have no doubt as to his condition at all?—No, not the least.
154. Did the Inspector sit at the luncheon table very long?—Yes; he stopped until he was finished.
155. Did the seat capsize with him?—I do not know whether it was capsized by him, but it capsized.
156. Did he fall to the floor?—Yes.
157. Was your attention drawn to the Inspector by any other persons in the booth?—Not that I am aware of.
158. Where did he go to when he left the luncheon booth?—To the best of my knowledge he went to the grand stand.
159. Did you see him again that day?—Yes.
160. Later on?—Yes.
161. Was he in the same condition then?—Yes, he appeared to be.
162. Where was he when you saw him the second time?—On the grand stand.
163. Do you remember who was with him then?—No.
164. On the second occasion, was he drunk enough to attract other people's attention?—I cannot say for them.
165. Would he have attracted your attention readily?—Yes, he would.
166. Did you see him later on than that?—No, the last time I saw him was on that occasion.
167. You did not see him leave the ground?—I did not.
168. Do you know whether he was taken from your luncheon booth to the stewards' room?—I cannot say; I heard of it.
169. Did you see Mr. Finn that day?—Yes.
170. Was he in your luncheon booth?—Yes.
171. At the time Inspector Emerson was there?—I cannot say at that time.
172. Was the Hon. Mr. Carroll there?—Mr. Carroll was at the races, but I do not remember seeing him in the luncheon booth at that time.
173. Was Mr. Aislabie taking luncheon with the Inspector?—He was having lunch at a different booth—at the top of the table.
174. Are you sure he was sitting at the table with the Inspector?—Yes; he was sitting at the top of the table, to the best of my belief.
175. Do you remember, was Mrs. Aislabie with her husband that day?—Yes.
176. Did you see Mr. Porter there that day?—I do not remember seeing him.
177. *Mr. Cresswell.*] Had you known the Inspector before that date?—Yes.
178. You knew him by sight?—Yes.
179. To speak to?—No.
180. How was he dressed that day?—I did not take much notice of his dress; it seemed to be dark.
181. Was he in uniform or plain clothes?—I do not remember.
182. What were you doing in the luncheon booth?—I was looking after the table, and collecting money at the door.
183. Were you waiting at all?—Yes; sometimes.
184. Had you much time to notice the Inspector?—Yes; he was standing at the door.
185. Did you notice if anybody else had signs of drink that day?—I might have, but I do not remember names.
186. Where did you see people the worse of drink that day—in the luncheon booth or outside?—I am not sure where.
187. Now, Mr. Aislabie said he was sitting two off from the Inspector at the same table?—To the best of my belief he was sitting at the third table of the dining-room.
188. Do you know Mr. Bridges?—Yes.
189. He said he was also sitting close to the Inspector?—I do not know where he was sitting that day.
190. Both Mr. Bridges and Mr. Aislabie say that the Inspector was not the worse of drink?—That is for them to say. I am here to speak the truth, and I mean to do so.
191. Did you notice whether the Inspector was ill at all that day?—I did not notice.
192. Did you hear him coughing at all?—That I cannot say.
193. *Mr. Taylor.*] Do you think if the Inspector was coughing and striking himself on the chest the whole of the time he was there you would not have noticed it?—Yes, I would. I did not notice him doing that in my presence.
194. You would remember the Inspector more clearly than an ordinary person if you saw him under the influence of liquor because he was an Inspector?—Yes, I would.

WILLIAM JAMES QUIGLEY, examined on oath.

195. *Mr. Taylor.*] Do you reside at Gisborne?—I do.
196. What is your occupation?—Architect.
197. Have you resided there long?—Twenty-three years.
198. Were you at the race meetings last July?—I was not.
199. Do you remember the occasion of the race meetings on July the 6th and 8th?—I do not remember the dates: it was in July—the steeplechase meeting.
200. Can you remember the evening of that occasion, on July 6th?—I remember the evening of a race-day. I cannot say whether it was July 6th or not.
201. I would be one of the July days, you think?—One of the evenings of the July meeting; whether it was a race-night I cannot say.
202. What brings it to your recollection? Where were you on that night?—I was in town.

203. Which hotel were you at?—I was in more than one.
204. Were you in the Royal Hotel that night?—I was.
205. Can you tell us what attracted your attention there, so far as the Inspector was concerned?
—Nothing particular attracted my attention so far as the Inspector was concerned.
206. Did you see the Inspector there?—I did.
207. What was he doing?—He was sitting by himself in one of the private rooms.
208. Was he engaged in any games?—He was not.
209. What was his condition: was he sober?—Well, I would not swear he was sober; he had a drink or two.
210. What time would that be?—It would be about 9.30 o'clock.
211. What time do the hotels close there?—Eleven o'clock license.
212. Might it not have been 10.30?—At the time I left it may have been that.
213. That would be about half an hour before the hotel closed?—The hotel was closed when I went away.
214. Did the Inspector leave with you?—He did.
215. And who left also with you?—Mr. Martin.
216. Did you go to the Gisborne Hotel?—I did.
217. How long did it take you to get there?—We were there before the licensed hour of closing was up.
218. Did Mr. Martin and you assist the Inspector?—We both went down with him.
219. Did you not assist him physically?—No; I will not swear we assisted him physically. We went down with him. He was between the two of us.
220. As a matter of fact, were you not helping him?—It was a very dark night, and the Inspector not knowing the road, whilst I and Mr. Martin did, we thought it right to take him down home to where he stopped.
221. Was he capable of going home that night himself?—Well, it would have taken him a bit longer to get there.
222. Now will you swear that one of you did not actually carry him part of the way?—I will swear that neither of us lifted him; he never fell.
223. Do you remember a conversation that took place: do you remember Martin, proprietor of the Royal Hotel, saying, when Emerson tried to go down to his hotel, "Good God, do not let him go down in that state"?—No, simply because Mr. Martin and I previously arranged to go down with him.
224. You do not remember that remark being made by Martin?—No.
225. Did he remain in the same room all the time he was in the Royal Hotel while you were there?—He did.
226. Do you not know what room he was in prior to your arrival at the hotel?—I do not.
227. When you say the Inspector had a glass or two, was not the Inspector very drunk that night?—He was under the influence of drink.
228. I will press that question: was he not very drunk?—He had taken too much.
229. Did you see the Inspector after that, while he was in Gisborne at that time?—No, did not.
230. Did he come to Gisborne about a week after, so far as you know?—He was there a short time after.
231. Did he come to see you?—I went to see him.
232. Did he send for you?—No, I volunteered to go and see him over a certain letter I received which was signed by somebody called "T. Taylor," dated in Wellington, and posted in Napier.
233. Do you know whether it purported to be my signature?—It was signed "T. Taylor." I did not keep a copy of that letter. I gave it to Inspector Emerson, because I thought he should have a copy of it, seeing that it affected a case which was then *sub judice*. I have not the original of it.
234. When you went to see the Inspector, did you not discuss with him his condition on the occasion we are now talking about?—I did not.
235. Did he not discuss it with you?—He did not. He never mentioned it to me.
236. On previous occasions have you seen the Inspector in Gisborne?—Yes, I have seen him very time he has visited Gisborne.
237. Has he always been sober?—He has been; and at other times he has had drink. The last time he was there he would not have a drink.
238. Did you ever see him playing cards?—Yes, I have seen him playing cards for drinks. I have never played with him.
239. Have you ever seen him playing cards for stakes?—No.

ARTHUR JOHN COOPER, examined on oath.

240. *The Chairman.*] What is your occupation?—I am a bootmaker by trade, and am in business in the boot line in Gisborne.
241. *Mr. Taylor.*] How long have you been in Gisborne?—About twenty years.
242. Were you at the race meeting last July?—Yes, I was.
243. Do you remember whether it was on the first or second day, or both?—I was at both days' races.
244. Did you see Inspector Emerson either of those days?—Not to my knowledge.
245. Did you see him after the races anywhere?—Yes, I saw him at night.
246. Where?—About town.
247. Did you see him in any hotel?—I fancy I saw him in the Masonic.
248. Did you see him in the Royal?—No, I did not.

249. Did you see him in the Gisborne Hotel?—No, I did not.
250. Would you remember exactly where you saw him: are you sure it was in the Masonic?—I fancy it was.
251. Do you remember who was with him?—I think Father Aherne was with him.
252. Would that be on the first or second race-day?—I cannot say.
253. Are you sure it was one of the race-days?—Yes.
254. Where was he when you saw him?—In the back parlour.
255. Was he having refreshments?—I did not see him.
256. Was he sober?—I should say he was under the influence of liquor.
257. Can you remember about what time that would be?—About 9 o'clock.
258. If another witness says he saw him in another hotel at 9.30, do you still say you saw him in the Masonic at 9 o'clock?—I should think it was about that time.
259. When you say he was under the influence of liquor, can you tell us exactly what that means? In the ordinary acceptance of the word, was he drunk?—I should say he was "fairly on."
260. Were you there long?—No, I was not.
261. How long?—About five minutes.
262. Did you see him again that night?—No.
263. Have you seen him on previous occasions?—No; that is the only time I have seen him under the influence of liquor.
264. How many times have you seen him previously?—About half a dozen times.
265. Have you seen him on these other occasions in hotels, or on the streets?—Yes; I generally saw him at Martin's Gisborne Hotel. He stayed there, I believe.
266. Have you seen him playing cards?—Yes.
267. For what stakes?—I cannot say for what stakes.
268. For stakes?—Yes.
269. Do you know the game of euchre loo?—Yes, I know the game.
270. Can that be played for half-crown points?—I suppose it can. I do not see why it should not.
271. You are not sure?—No.
272. Do you remember who was playing with the Inspector on the occasion you saw him playing for stakes?—Mr. Nesbit was one.
273. Do you remember Nesbit's Christian name?—John Nesbit.
274. Are you perfectly clear that on that occasion Emerson and Nesbit were playing together they were playing for stakes?—They were not playing euchre loo on that occasion: they were playing bluff.
275. That is another game?—Yes.
276. Have you seen the Inspector playing euchre loo at all?—No, I have not.
277. Is that the only occasion you have seen him playing cards?—Yes.
278. *The Chairman.*] Where was this?—At the Gisborne Hotel.
279. *Mr. Taylor.*] That was on a previous occasion to the time you saw him at the races?—Yes; it must have been three years ago.
280. Do you know whether any police-officers were present on either occasion when you were there?—They were not.
281. Can you remember what time of night it was when you saw that game going on?—About 12 o'clock.
282. Were drinks being supplied?—Occasionally.
283. Was Nesbit a resident of Gisborne?—Yes.
284. How far from the hotel does he live?—I suppose a mile, or a little over.
285. Are you sure it would be after 11 o'clock when that game was going on?—Yes, I am positive.
286. Was the hotel closed to the public?—Yes.
287. *The Chairman.*] Do you know if Nesbit was lodging there that night?—No, he was not.
288. *Mr. Taylor.*] Do you know what time the game stopped?—I suppose 1.30 or 2 o'clock.
289. And that is the only occasion you have seen him playing cards?—Yes.
290. Did you see the Inspector in Gisborne soon after last July?—Yes.
291. Did he go to see you?—No.
292. Did you go to see him?—No, I did not.
293. Do you know what business took him there?—No.
294. *Mr. Cresswell.*] You understand some games of cards evidently?—Yes.
295. How is the game of euchre loo played?—To tell you the truth I do not know much about euchre loo.
296. You come here as an authority on the matter?—I do not come here as an authority.
297. You told us it was played for so much a corner?—I said I believed it could be. I know nothing about euchre loo, and I said that before.
298. Then, you know nothing about it at all?—No, I do not.
299. How long did it take you to walk from the Royal Hotel to the Masonic Hotel?—About seven minutes.
- JOHN EUGENE WHITBY, examined on oath.
300. *Mr. Taylor.*] You live at Gisborne?—Yes.
301. Are you a produce dealer?—Yes.
302. How long have you been there?—Twenty-one years.
303. Do you remember the races being held there last July?—Yes.
304. Were you there?—Yes.
305. Were you there on the first day?—I was there both days.

306. Did you see Inspector Emerson that day?—No.
307. Not on the racecourse?—No.
308. When did you see him that day?—I do not know that I saw him at all that day.
309. Where were you that night?—At home. I must tell you that I am clerk of the scales, and my place is in the scales-room, and I do not leave it.
310. Did you not call at the Royal Hotel that night?—No. I was never in the Royal Hotel at night beyond three times for years.
311. You say you did not see the Inspector at all that day or night?—Not that I can swear to. I can say this: that I did not see him on the racecourse. I might have seen him in the morning. I am certain I did not see him after I came home at night.
312. Did you not go to any of the hotels at Gisborne that night?—No, not after 6 o'clock. I was home at 6 each night. I live in the country and do not come in again.
313. How often have you seen the Inspector up there?—As it happens the Inspector stops at the house where I get my lunch every day, and I have seen him every time he has been down on police duty.
314. Half a dozen times?—Oh, dozens. He sits on the next chair to me at the luncheon table.
315. Have you seen him after that?—Yes, on the street. I never spoke to him. We were not personally acquainted.
316. Have you ever met him at any time in the evening? Do you remember making a statement of any kind to Mr. Haselden about Inspector Emerson?—I do not know the gentleman.
317. Did you make a statement to anybody about Inspector Emerson's conduct?—No more than talking in the streets, as everybody else has done. That is where the trouble has come.
318. You have never been a participant in any incident connected with his conduct?—No, I have never seen the Inspector the worse for liquor.
319. You have seen him at luncheon time. So far as you remember, how many times at night time?—Never. About 5 or 6 o'clock I might have seen him.
320. Were you ever in the hotel after 8 or 9 o'clock?—I have never been there except at luncheon time.
321. You think you may have taken part in a general conversation about him?—I might have stopped listening to it. I have heard people talking.
322. Have you ever known the Inspector to play cards?—No, I have not. I tell you I have never seen the Inspector in any publichouse in Gisborne, excepting the one he stays at; and I never saw Inspector Emerson go to dinner yet when he could not behave like a gentleman.
- CECIL FRANCIS LEWIS, examined on oath.
323. *The Chairman.*] You are residing in Gisborne?—Yes.
324. What are you?—General merchant.
325. *Mr. Taylor.*] Have you been there long?—About eighteen or nineteen years.
326. Do you remember the occasion of the steeplechase meeting last July?—Yes.
327. Were you there?—I was.
328. Do you know Inspector Emerson?—Yes; I have seen him several times.
329. Did you see him there that day?—I did.
330. What time of the day did you see him?—To the best of my recollection it would be from 11 o'clock up till about 2, I should say. I cannot say exactly.
331. Did you see him at the luncheon-table in the luncheon booth at all?—I did.
332. Did his condition attract your attention?—Yes, it did a little.
333. Was he sober?—No, he was not.
334. Did you sit near him in the luncheon booth, or were you in there at the same time?—I cannot exactly say where I sat. I think it was opposite to him at the next table, but I would not be certain.
335. Where you a witness of the incident where the seat was capsized?—Yes.
336. Were the seats there awkward seats to sit upon?—Yes; they were not good seats.
337. Is the floor of that luncheon-booth very uneven?—Yes; it is in some places.
338. Sufficient to capsize anybody in a normal condition so far as sobriety is concerned?—If a man sat at the end of a form it would tip up with him.
339. I mean walking along the floor; is it likely to capsize a man in his ordinary state?—I cannot say.
340. Do you know what caused the seat to upset?—I think it was Inspector Emerson stumbling over the form in trying to get in to sit down.
341. And did any other people on the seat at the time capsize with him?—I cannot remember. I believe there were others seated on the form.
342. Was Mr. Aislabie capsized?—I believe he was seated on the same form, but I cannot swear positively.
343. If another witness said he was sitting at another table you would not contradict that?—No, I would not.
344. Did you see where the Inspector went to from the luncheon booth?—He came outside on to the lawn.
345. Did he go into the stewards' room, so far as you know?—I cannot say.
346. Did you see him leave the ground?—Yes, I did.
347. Who went with him?—Mr. Joyce, I think it was.
348. Anybody else?—I do not remember anybody else.
349. Was the fact that he was not sober quite noticeable at the time he went to the cab?—It was to me.
350. Do you know whether others observed it?—That, of course, I cannot say.

351. Have you seen the Inspector on any other occasions when he has been under the influence of liquor?—No, I have not.

352. Have you ever seen him card-playing?—No. I do not play cards myself, and consequently have never seen him.

353. Did you see him when he visited Gisborne a few days after this incident?—I do not think I did. I heard he had returned to Gisborne, but I do not remember seeing him at all.

354. You do not know what his business was on the second visit?—No.

355. *Mr. Cresswell.*] Do you know if the Inspector was suffering from any illness at that time?—Not that I know of; I heard him coughing once or twice.

356. Badly?—How I noticed it so much was that he was leaning on his stick coughing near a buggy, if I remember rightly, just outside the grand stand.

357. Did you notice him coughing at the table?—No, I did not.

358. Now, what are the width of these forms we have heard so much about?—The ordinary size, I suppose; something similar to the ordinary school form.

359. Are they fixed to the ground at all?—I do not think they are. They are fixtures in one of the club's dining-rooms, but I do not know which it is.

360. You are not sure that it is at the Gisborne Park course?—I would not like to swear.

ROBERT LITTLE, examined on oath.

361. *Mr. Taylor.*] Where are you living?—Gisborne.

362. What are you?—I am a farmer. I used to be a stablekeeper.

363. Have you been in Gisborne long?—Over sixteen years.

364. Were you at the races in July last at Gisborne?—Yes.

365. On the first day?—I attend all the races. I drive for them.

366. Did you see Inspector Emerson that day?—I believe I did.

367. What time in the day would it be?—At lunch time.

368. Were you in the luncheon booth?—Yes.

369. Did his condition attract your attention in any way?—I was just going in as he was going out. I had just taken my seat at the upper end of the table as he was going out at the opposite side of the booth.

370. Did you notice what his condition was?—Not much at the time. He was speaking to Mrs. Erskine as he was going out, and I just looked up and saw him.

371. Was she standing at the door where she takes the money?—Yes.

372. Did you see him subsequently?—No, I cannot say of my own knowledge that I did see him.

373. Do you swear he was sober when you saw him?—I cannot say that. I was not speaking to the man.

374. *The Chairman.*] You cannot swear as to whether he was or was not?—I cannot, at the distance I was away.

375. *Mr. Taylor.*] Had you any other opportunity of forming an opinion if he was sober?—That was the only time I saw him that day.

376. Did you at the time consider him sober, or do you say you did not see enough of him to know?—I did not see enough of him. If I had been speaking to the man at the time I might have seen.

377. Have you seen him pretty frequently in Gisborne?—Yes.

378. Has he always been sober when you have seen him?—No; I cannot say he was always sober.

379. Can you remember any other occasion when he was not sober, apart from this day altogether?—I cannot remember dates.

380. Where would you see him?—At the Gisborne Hotel; he stayed there.

381. Do you know how the game of euchre loo is played?—Yes.

382. Could it be played for half a crown a corner?—We play it for drinks as a rule. Oh, yes, you could have money on it if you wished.

383. Is that the way in which it is played?—It is according to whatever arrangement is made.

384. If you have plenty of money you sometimes play for money?—Yes, you can play for half-crown corners.

385. *The Chairman.*] Can you play euchre loo for half-crown corners?—Oh, yes.

386. *Mr. Taylor.*] Do you know John Nesbit?—Yes.

387. Do you know Henry Currie?—Yes.

388. Do you know James Martin?—Yes.

389. Have you at any time played cards with these men and the Inspector?—I have played cards with all these men you have mentioned, but I do not say all at the same time.

390. Was the Inspector present at the time?—I cannot say that I have played cards when the Inspector was there; but I would not say that these others were there at the same time.

391. *The Chairman.*] Have you ever played cards with the Inspector?—Not on that occasion; but I have played cards with him.

392. *Mr. Taylor.*] I want to get information about a particular game of cards that you have played with the Inspector: try and recollect whether you ever played with that card-party I have named—namely, James Martin, Henry Currie, John Nesbit, yourself, and Inspector Emerson. Can you remember any occasion when you played cards with that party?—No, not to bring them all together.

393. Can you remember any occasion when there was a stake involved in a dispute running to £2 or £2 7s. 6d.?—I would not be there that night to my knowledge when there was any dispute.

394. I do not mean a quarrel, but the stake was allowed to remain on the table, and the game continued: do you remember anything of that time?—Not to my knowledge.
395. What was the highest stake you have ever played for with the Inspector?—I have often played with him for drinks.
396. What is the highest stake for money you have played for: would you go beyond half a crown a point?—Not to my knowledge.
397. Have you played for half a crown a game?—Yes.
398. Would you go beyond half a crown a point?—Not on euchre loo. I have never played euchre loo with Inspector Emerson. I have played for heavier stakes than half a crown, but not with the Inspector.
399. Is euchre loo the Inspector's favourite game?—Yes.
400. Does the money accumulate pretty rapidly when you are playing euchre loo?—No.
401. Do you remember any occasion when any question cropped up as to whether the cards had been fairly dealt?—I cannot remember.
402. You cannot recollect that?—No.
403. You never heard any dispute arise at any of your games as to the Inspector dealing the cards unfairly?—No, I have not.
404. How often do you think you have played cards with the Inspector for stakes?—I really cannot say. Several times. He used to stop at the Gisborne Hotel, and I used to do a lot of work there, and I used to go up there and take a hand in the game.
405. Did you ever play after 7 o'clock in the morning?—No.
406. What is the latest game you have ever played with the Inspector?—I cannot say what time with the Inspector. The Inspector, as a rule, I know used to go upstairs about 10 o'clock.
407. Will you swear you have not played up till 2 o'clock with the Inspector?—Never downstairs.
408. Now, I want to go upstairs with you. What room did you play in upstairs: the private sitting-room?—Yes.
409. Whose room was it: the Inspector's?—I do not know.
410. Used he to have a sitting-room besides his own?—I do not know; I never asked him.
411. In the Gisborne Hotel?—Yes.
412. Would the play be continued later upstairs than down?—There is only one occasion I remember going up there.
413. Can you remember on that occasion anything approaching a quarrel in regard to the game?—There was no quarrel that game.
414. Was it euchre loo that night?—Yes.
415. Can you remember the hour you knocked off?—No.
416. Were drinks supplied at intervals?—Yes; we had several drinks.
417. Would that be after the house was closed when you were playing in the upper room?—Yes, I believe it was.
418. Has the Inspector always been perfectly sober when you have seen him?—No, I would not like to say that.
419. Have you on any occasion seen him drunk?—I have never seen him what I would call drunk; he was always fit to walk and speak right enough.
420. You have never seen him incapable?—No.
421. Have you ever seen him distinctly under the influence of liquor?—I have seen him when I knew he had liquor, but I have never seen him when he could not walk or do business right enough.
422. Did you see him on the night of the July race meeting last year?—I cannot quite remember: I might have, and I might not.
423. You do not remember seeing him in the Royal Hotel that night?—That is a house I never go to.
424. How often have you seen the Inspector when he was, as you say, able to walk and talk, but when he was not sober?—I really cannot say.
425. Have you seen him in that condition two, three, or four times?—I cannot answer that question.
426. Do you not remember when you were playing in that upper room one of the party complaining, and saying that Mr. Emerson was an Inspector of Police and Martin was a publican, and both ought to know their duty?—No, I do not remember that.
427. And you never remember an interrupted game?—No.
428. Can you ever remember if there was a stake of £2 odd on the table owing to a question arising as to the fairness of the game?—No.
429. I will put it plainly: you never heard the Inspector charged with cheating?—No.
430. *The Chairman.*] That is, you know of no cheating at the game in which you have been engaged?—No; I never have.
431. *Mr. Cresswell.*] At the time you speak of, did you go to the races both days?—Yes.
432. Was the Inspector there both days?—I cannot say for certain. I only took notice once that I can remember.
433. Was he in uniform?—No, not that I know of.
434. Do you know if he suffered from any complaint at that time?—Yes; he told me he had a touch of influenza, and he was coughing and tapping himself on the breast; but that was not at the races; but in Gisborne, when he told me that.
435. *The Chairman.*] Was it on the occasion of the same day?—I would not be certain.
436. *Mr. Cresswell.*] Did you ever play euchre loo with the Inspector for half a crown a corner?—Yes, I think we did on one occasion.

437. Do you play partners in this game of euchre loo?—You can play for yourself.
438. Do you play partners, or does each man play his own hand out?—It is according to arrangement.
439. Do you ever play euchre loo with partners?—You play for yourself as a rule.
440. *The Chairman.*] Is it a game you can play with partners?—Yes; if you wish.
441. *Mr. Cresswell.*] Do you put in a pool?—Yes.
442. Supposing you were playing for a shilling, you would put a shilling each in the pool?—Yes.
443. Who wins that pool?—The man who wins takes the pool.
444. Each man plays for himself, and according to the number of tricks he wins he takes the pool?—Yes.
445. Then, how do you play for half a crown a corner?—I can play the game right enough, but I am not a good hand at explaining it.
446. *The Chairman.*] Do you know what you would stand to lose if you played for half a crown?—Yes; you would lose half a crown if you lost.
447. That is, if you lost the game?—Yes.
448. So, instead of saying half a crown a corner, you mean half a crown on the game?—Yes.
449. *Mr. Taylor.*] Do you play an equal number of hands, or can five people play?—Yes.
450. That would be 12s. 6d. a game on the table?—Yes.

JAMES HARRIS, examined on oath.

451. *The Chairman.*] What are you?—Stablekeeper.
452. Living in Gisborne?—Yes.
453. *Mr. Taylor.*] How long have you been in Gisborne?—A good many years, off and on.
454. Are you in partnership with Mr. Price, who gave evidence the other day?—Not now.
455. Is he on his own account now?—Yes.
456. Do you remember the July race meeting of last year?—Yes.
457. Were you there?—Yes.
458. On the course?—Yes.
459. What time did you go in the morning?—I generally make two trips before the first race. I cannot tell you what time.
460. You would be there in the afternoon again?—Yes.
461. Do you know Inspector Emerson?—Yes.
462. Did you see him that day?—Yes.
463. Where was he?—He was walking about in the grandstand grounds.
464. Do you remember who he was walking with?—I cannot tell you.
465. What time would that be?—I cannot say.
466. After luncheon?—No, before.
467. Did you see him after luncheon?—Not that I remember.
468. Was there anything about his condition when you saw him in the morning to attract your attention?—No.
469. Did you see him that night at all?—No, I never saw him.
470. Have you seen him in Gisborne pretty frequently?—Yes, on several occasions.
471. Has his condition ever attracted your attention?—Nothing whatever.
472. What do you call several occasions: half a dozen times?—Yes.
473. What time have you seen him?—I have driven him on two or three occasions.
474. In the morning?—I have driven him when he came off the boat to the hotel. I drove him with Colonel Hume to Makaraka.
475. Have you ever driven him at night time?—No.
476. Were you in partnership with Price in July last?—Yes.
477. Who has charge of the vehicles so far as cleaning them is concerned?—I always clean my own cab. Price drives No. 11 and I drive No. 2 to the races.
478. What number cab was Price driving in July last?—No. 11.
479. Did you see that cab later in the day?—I saw it at the racecourse.
480. Do you know what its condition was?—No, I never heard anything about it.
481. You know nothing about it?—No.
482. Did you ever see the Inspector playing cards?—No.
483. Did you ever see him at all in any hotels there at night?—Not to my knowledge.
484. Did you book the Inspector's cab-fare from the hotel to the racecourse on the 6th July?—Yes.
485. Did you book it yourself?—Yes.
486. What is the ordinary fare from the hotel to the racecourse?—A shilling a head if you get a load.
487. Do you go with many single passengers on the race day?—No.
488. Do you consider it pays you to look to get a number of single passengers on race day?—I would if they paid me enough.
489. How much did the Inspector pay you?—8s., and that was including a fare from the boat—if I remember aright there was a fare from the boat to the hotel.
490. Did that include any special cleaning of the cab?—I do not know there was any special cleaning of the cab to be done.
491. Do you know of it now?—No.
492. Have you not made a different statement to any person at any time?—I have not.
493. Would you consider it undesirable to be mixed up in a case of this kind from a business standpoint?—No, certainly not.

494. Did you not tell your partner it was undesirable for him to be mixed up with it?—I never told him anything that I remember.

495. *Mr. Cresswell.*] What would be the ordinary fare to drive a person in from the Park Racecourse to town at 2 o'clock in the afternoon?—Well, you always get as much as you can.

496. But supposing if one person goes there and says, "I want to go to town to send a telegram, and I want you to drive me in to town," how much would you charge him?—I would charge him 10s.; my cab holds ten people.

497. When the Inspector paid you that fare, including the fare from the steamer, it was not a high charge?—No, certainly not.

498. And unless a person engaged you specially you would not go without a full load?—No.

499. *Mr. Taylor.*] Do you know what time the Inspector left the course that day?—I do not.

JAMES PRICE was recalled.

500. *Mr. Taylor.*] Do you swear that your cab was not in a dirty condition when you reached the Gisborne Hotel with Inspector Emerson?—What do you mean by a dirty condition?

501. I mean had he not vomited in the cab?—No, he did not.

502. Did you see him clearly when you left the course: did you see him sufficiently clearly to notice his condition?—I was sitting on the front of the cab when Mr. Joyce and the Inspector came up and asked me to drive him into town.

503. Do you swear he was absolutely sober?—He was sober so far as I could see.

504. How far was he off when you saw him first?—He came to the side of the cab where I was sitting.

505. Do you know who opened the door for him?—I opened the door myself.

506. Did you put your hand on him to help him in?—No, I did not.

507. Did Mr. Joyce?—I do not know: I did not see him.

508. Did you open the door for him when he got to the hotel?—Yes.

509. Did he walk in himself?—Yes.

510. Did he get out of the cab himself?—Yes; I opened the door and he got out himself.

511. You saw him then: do you say he was absolutely sober?—He walked straight enough.

512. Did you see if he had had any liquor?—I did not see any liquor about him at all.

513. Have you said it would be injurious to your business to be mixed up in this case?—No.

514. Would it not injure your business to be mixed up in this case?—No; I do not care.

515. Have you ever seen a man drunk in your life?—Yes.

516. Did you not report to your partner that the cab had to be specially cleaned that night?—

No.

ANNIE PARKINSON recalled.

517. *Mr. Cresswell.*] You told us the other day that you saw the Inspector on two occasions when he was evidently under the influence of liquor. I did not fix the position as to where you were standing when you saw him?—I was standing at our gate.

518. Now, were you inside the gate or outside?—Just outside the gate.

519. Which gate?—The gate nearest to Mr. Emerson's place—what we call "the front gate."

520. That is the one with the steps?—Yes.

521. Then, were you standing on the road or on the steps?—On the steps.

522. Now, how many steps are there up to this gate?—Three or four.

523. Which step were you on?—On the top step.

524. Now, I think it is generally known we have only two styles of cabs in Napier, the ordinary box-cab and landau. Now, which trap was it?—Landau.

525. Can you tell us whether it had one or two horses?—Two, I believe; I cannot swear to it.

526. And did the driver on either occasion get off the box when the Inspector got out?—He did not.

527. Then, the Inspector opened the door and got out and walked into his own place without assistance?—He did not.

528. Then, the Inspector got out himself?—There were two others who assisted him out.

529. They came up in the landau with him?—They assisted him out.

530. Who were they?—I cannot say.

531. *The Chairman.*] Men or women?—Men; I do not know them.

532. *Mr. Cresswell.*] Ever seen them since?—I should not recognise them if I did; I did not take that notice of them.

533. Did the cab pull up on the side of the street on which Mr. Emerson lives?—Yes.

534. I believe you are now living where Inspector Emerson lived at that time?—Yes.

535. What is the distance from the front gate to your front door?—About a couple of yards.

536. I mean in the place where you are now living?—I have not measured the distance, but I should say somewhere about 60 or 70 yards.

537. Is the house you are now living in built on the same site as the house Inspector Emerson lived in?—Yes.

538. So he then had to go practically 50 or 60 or 70 yards when he got inside the gate?—

Yes.

539. Did his friends go with him?—They did.

540. Right up?—They did.

541. Were you on the top step on both occasions?—On the second occasion I was on the verandah, where I could see quite plainly.

FRIDAY, 3RD JUNE, 1898.

THOMAS EDWARD TAYLOR, examined on oath.

1. *Mr. Cresswell.*] You are a member of the House of Representatives?—Yes.
2. And your occupation privately?—I am an importer and agent, residing in Christchurch.
3. How many months have you been working up this case against Inspector Emerson?—I have not been personally connected with it except during the past two or three weeks.
4. Of course, you have been communicating with persons with the view to getting information?—I have had information sent to me since about last October probably in connection with one matter, and the "Dingadee" matter before that.
5. And who are you representing in making these charges?—I am not representing any one.
6. Only?—I have no authority to represent any other person or organization.
7. Had you ever known Inspector Emerson prior to coming here?—I never saw him in my life until I met him in Napier this last week.
8. Are you being paid for prosecuting this matter?—I am not.
9. Are you doing it out of your own pocket?—It is on my own motion entirely.
10. Now, you have endeavoured to elicit from a number of your own witnesses a definition of drunkenness; what is your own definition of drunkenness?—I think when a man has taken liquor to the extent that it interferes with his normal condition he is under the influence of liquor.
11. Some people go so far as to say that a man taking one glass of whiskey or glass of port wine is under the influence of liquor?—That is accurate scientifically, undoubtedly.
12. Is that your view?—Not in the ordinary acceptance of the term. If you can notice that his manner is affected as the result of what he has taken, or if his judgment is influenced in any degree, then I say he is under the influence of liquor.
13. Now, there is a great gap between that and being drunk?—I cannot tell you until I hear your definition of drunkenness.
14. You know Constable Ramsay?—Yes.
15. Do you remember speaking to him on the 25th instant?—I have spoken to him since I came to Napier. I do not remember the date.
16. I think you accosted him yourself?—Yes, I did; I knew him in Christchurch.
17. Now, what did you say to him?—I cannot pretend to remember the exact words, but this is the purport of what I said to him, so far as I remember: I met him as he was on his way to or going in the direction of the police-station. After passing the time of day we mentioned the Lindergreen case, and I said, so far as I knew, the Lindergreen case would not come before the Commission in Napier. It would probably come up in some form, but I was not concerned with it. I said, as a matter of fact, my concern in Napier was in connection with the charges against Inspector Emerson, and my hands were full.
18. Anything else?—Yes; I told him that my desire was to get the facts out in connection with the Inspector's career and character, and Ramsay said he knew nothing detrimental to the Inspector, and I said, "Very well, if you know nothing you cannot say anything." That was the full purport of what was said.
19. Well, now, I will read what Constable Ramsay said about the matter. He said, "It would cost me a few pounds to defend the case"—that is, the Lindergreen case—do you remember that?—I do not remember, so far as my memory goes, that any such remark was made. I certainly never made any such remark. If Ramsay makes such a statement it is absolutely untrue.
20. Did Ramsay say that if he had to go on with it it would cost him a few pounds?—I do not recollect him saying it, but I am perfectly certain I did not.
21. Did you say that all that brought you to Napier was to get at the Inspector?—No; I am too wise to make any such foolish remark to any man.
22. Did you say that the Inspector was no good to the police or anybody else?—I did not use those words. I may have said the Inspector was a disgrace to the Force. I probably said that. I have held that opinion for some months now strongly.
23. And that you would like Ramsay to give evidence against the Inspector as to drunkenness at Wairoa?—I certainly did not express any such wish. If that is Ramsay's statement it is a concoction on his part.
24. And that if he gave evidence to that effect you would not go on with the Lindergreen case?—I made no such statement; absolutely, No. The Lindergreen case was altogether separate from the case of Inspector Emerson.
25. Did you state you intended to call all the constables in Napier?—I said I purposed calling a number of the members of the Force, and I have done so.
26. And that if he and the other constables stuck to you they would be all right?—I never made such a remark. It would be pure madness on my part to have said so.

FREDERICK SUTTON, examined on oath.

27. *Mr. Cresswell.*] You are a commission and insurance agent at Napier?—Yes.
28. A member of the Licensing Committee?—Yes.
29. Education Board?—Yes.
30. Any other bodies?—No; at the present time I do not think I am. I have held every office, local and general, in the gift of my fellows in the district with the exception of a member of the Napier Corporation. I was eight years a member of the House of Representatives representing this district.
31. I think until recently you were agent for Cook's Tourist Agency?—I was.
32. You have resided in Napier ever since Inspector Emerson has been here?—Yes, nearly forty-one years—long before any Inspector came here.

33. And you have had opportunities of seeing the Inspector frequently?—Very frequently—both Inspector Emerson and previous Inspectors.

34. Have you on any occasion seen any signs of liquor on the Inspector?—I have seen Inspector Emerson when I could understand he had a glass or two. I have never seen the Inspector in any way incapable or intoxicated, or behaving in an ungentlemanly manner. I have never seen him in any other manner than efficiently looking after his business. I have seen him at all hours of the day, and very often in the evening up till 10 o'clock.

35. When you were agent for Cook's Tourist Agency it was necessary to come into town?—Yes.

36. And that is when you have seen the Inspector?—Yes.

37. Have you ever known him to be addicted to gambling?—Certainly not. I have never seen the Inspector gambling. I once did see Inspector Emerson playing a game of cards, and I think it is very likely it would be the same instance as was referred to by Inspector Cullen. It was very shortly after his assuming command of the district, and before he came to live here. The circumstances were these: It was about 5 o'clock in the evening. Mr. Emerson, Sir George Whitmore, and another gentleman were waiting for a trap to take them down to the steamer, and they were having this game. I just dropped in at 5 o'clock to Mr. Peddie's to see the evening paper, and they had just finished what I understood to be a game of euchre. There was no gambling.

38. Do you know what euchre-loo is?—No. I do not even know what euchre is. Inspector Emerson told me it was euchre.

39. You enjoy a game of whist and cribbage with other men?—Cribbage is the only game I know. I know of no other.

40. Have you ever played for drinks or a shilling a corner?—I have played games where the loser paid. I think I had two or three games last night.

41. Would you call that gambling?—Certainly not. I have never played for money or more than the loser paying for the drinks. On that occasion that I referred to I should like to state that when I came into the room there was half a crown on the table, and the bell had rung for the waiter.

42. Now, were you aware that the Inspector was going to the boat that afternoon?—I was. It was the first time I had seen the Inspector in uniform.

43. *The Chairman.*] Where did it happen?—In the Clarendon Hotel.

44. *Mr. Cresswell.*] On that occasion was he at all under the influence of drink?—Not at all. He apparently had had a whiskey or two, but he was perfectly sober and perfectly competent to do his business. There was nothing suggested to me that there was any gambling going on. That is the only occasion on which I have seen the Inspector handling cards.

45. How many years have you been a member of the Licensing Committee?—Eight or nine, I think.

46. During the Inspector's time here how have the licensing-laws been carried out to your knowledge?—I think the licensing-laws are very well carried out. They have been very strictly carried out within the last month or two; but it is to be hoped that this reign of terrorism will not last much longer. There have been no complaints that I am aware of, and the Licensing Committee are perfectly satisfied with Inspector Emerson's conduct in regard to the hotels.

47. So far as the class of men known as "spielers" is concerned, are there any supposed to be about town that you know?—I do not know anything of the spieler crowd. As a matter of current report and absolute undoubted opinion, there are not anything like the same number that there used to be.

48. *Mr. Taylor.*] Are you a member of the Working-men's Club?—No.

49. Have you ever been?—No.

50. Did you ever go with the Inspector to Wairoa?—No.

51. Did you ever go to Gisborne with him?—No.

52. *Colonel Hume.*] In your forty-one years here you have seen a good number of Inspectors?—Yes, I have seen them all, and have been personally acquainted with them all.

53. In your opinion, does the conduct of Inspector Emerson compare with the conduct of other Inspectors?—I do not think the police duties have ever been as efficiently conducted as since Mr. Emerson has been in charge here.

PERCY WILLIAM MENZIES, examined on oath.

54. *Mr. Cresswell.*] You are a duly qualified medical practitioner practising in Napier?—Yes.

55. I think you have been medical adviser for Inspector Emerson for some time?—Yes.

56. Are you also medical officer to the lodge to which he belongs?—Yes.

57. How long have you known the Inspector?—Six years.

58. During any of that time have you seen him under the influence of drink?—Never.

59. Have you ever known him to behave in an indecent and improper manner?—Never.

60. Last year do you remember treating him for any special complaint?—He has been under my treatment two or three times.

61. For what generally?—The first time, in 1893, he was ill from June to September with bronchitis. Then, again, in 1896 he was ill with influenza from the 15th July to the 10th August; and then, again, from the 25th May to the 10th June in 1897 he was ill with acute bronchial catarrh and influenza.

62. Now, was this acute bronchial catarrh supervening on anything?—The Inspector is what I call subject to a winter cough, and he had an attack of influenza twice, and it occurred with this winter cough. You will observe all these attacks occurred in the winter.

63. Did he cough violently at times?—Yes, one would cough.

64. What effect would that have on a man of the Inspector's age?—A somewhat trying effect.

65. Was it calculated to make him shaky?—Yes; he nearly died during this first attack from June to September, 1893.

66. Do you remember him carrying on his duties contrary to your advice when he was suffering?—He has done that every time.

67. Generally speaking, from your knowledge of him what is his character?—From my knowledge of Inspector Emerson, I have never observed anything wrong with him myself.

68. *Mr. Taylor.*] Do you think one of the symptoms of bronchitis would be to cause the subject to be very noisy on board a steamer and keep passengers awake by hilarity?—I think the question is an absurd one. I do not see the connection.

69. The theory is that certain actions on the part of the Inspector are due to the sickness: now, I wish to know would such a feature give any colour whatever to the sickness of bronchitis?—I cannot answer a question like that; it is absurd.

70. Am I to understand that the Inspector was continuously from the 25th May to the 10th June, 1897, under your care: were you attending him the whole time?—On and off I was.

71. Did he go to your place?—Yes, or his son.

72. You did not visit him at the house?—No, not at that time. I saw him twice only.

73. Did you see him twice from the 25th May to the 10th June?—He came to my house, so far as I remember.

74. Do you think he came more than twice?—Possibly he may have.

75. Do you remember between the 15th July and the 10th August, 1896, how often you saw him?—During the time he was ill in 1896 I saw him at his house on the 15th, 16th, 17th, 18th, 19th, 20th, 23rd, 27th, and 28th July, and again on the 2nd and 6th August.

76. Have you the dates for 1897?—I did not see him at his house at all in 1897.

77. In 1893, from June to September, can you tell me how many times you saw him then?—Every day for nearly two months.

78. How often at night-time?—Practically never.

79. Do you see him very often in the day-time?—Yes; about the streets.

80. Once or twice a week?—Pretty well every day.

81. But practically never at night-time?—Not that I remember, unless it was at the theatre or any place like that, when I have seen him occasionally.

82. Do you think that ordinary observers—say, for instance, some of the witnesses such as Mr. Jardine, or Mr. Baker, or Mr. Logan, or Mr. Cotterell—would be likely to mistake the symptoms of influenza for those of intoxication?—I cannot undertake to contradict what Mr. Logan may say individually one way or the other. I was not there at the time.

83. *The Chairman.*] Did you for influenza prescribe alcoholic treatment?—I prescribed alcohol both times for the Inspector in 1893 and 1896.

DE BERDT HOVELL, examined on oath.

84. *Mr. Cresswell.*] You are Dean of Waiapu?—I am.

85. How long have you known Inspector Emerson?—I really can hardly say. I have seen him pretty frequently for the last twelve months—that is, conversationally.

86. And prior to that how long have you known him or seen him about town performing his duty?—I really cannot say.

87. Do you remember him coming here to take charge of the district?—I cannot say that I do.

88. At any time since you have known the Inspector or seen him have you ever seen him the worse for drink?—No.

89. Have you ever seen anything indecent or unbecoming in his conduct as a Police Inspector?—Of my own personal knowledge, certainly not.

90. *Mr. Taylor.*] Have you ever seen the Inspector at night-time?—No.

91. Have you ever travelled in a steamer with him?—No.

92. Did you ever meet him at Wairoa or Gisborne?—No.

93. As a matter of fact, is it more than a year ago since you really knew him: was he not pointed out to you about a year ago in the street, and you said, "Oh! is that the man"?—It is quite possible.

JAMES GILLIES PATERSON, examined on oath.

94. *Mr. Cresswell.*] Which church are you minister of?—The Presbyterian Church.

95. Is Inspector Emerson a member of your church?—No.

96. Of your congregation?—He belongs to the congregation, but he is not a member; he is a seat-holder.

97. Does he attend with his family at times?—Yes.

98. How many years have you known the Inspector?—I should think about three or four years; I cannot say definitely.

99. And during these three or four years have you been in the habit of seeing him frequently?—Yes.

100. Where?—In his house, and in the police office, and in the town.

101. During any part of that time have you ever known him to be under the influence of liquor?—No, certainly not.

102. Is he a man of intemperate habits?—Not to my knowledge.

103. To your knowledge, is he a man addicted to gambling?—Certainly not, to my knowledge.

104. Have you ever seen anything unbecoming in his conduct or behaviour?—No.

105. *Mr. Taylor.*] How frequently have you seen the Inspector during the last three or four years?—That would be very difficult to say.

106. Have you see him once a week?—Not always; he has frequently been away from the town.

107. Do you think, on the average, you have seen him once a week?—I should not say so.
 108. That would be a hundred and fifty odd times in the three years?—Perhaps not as much as that.
 109. Ever met him in a publichouse?—No.
 110. Have you ever travelled on a steamer with him?—No.
 111. Do you of your own knowledge know anything about his habits in the evening?—Not in the evening. I never visited him in the evening, and know nothing about him.

HYMAN PHINEAS COHEN, examined on oath.

112. *Mr. Cresswell.*] You are an auctioneer carrying on business in Napier?—Yes.
 113. What local bodies are you a member of?—I am a member of the Borough Council, Hospital Board, Charitable Aid Board, and captain of the Salvage Corps.
 114. I think also, amongst other honourable positions, you hold the position of Justice of the Peace?—Yes.
 115. How many years have you been holding public positions in Napier?—Sixteen years.
 116. Have you known Inspector Emerson since his arrival here?—Yes.
 117. Now, have you been in the habit of seeing Inspector Emerson frequently since he arrived?—Yes.
 118. How often in a week, do you think?—Well, it would vary sometimes; perhaps not once in a week, and sometimes four or five times in a week.
 119. Do you ever see him in the day-time and night-time?—Yes.
 120. And anywhere else than in Napier Town?—I have seen him on the racecourse—at Hastings, and the Park, and Waipukurau. I have seen him on all the racecourses I have been on.
 121. At any time have you seen him at all under the influence of drink?—No.
 122. Is he a man, to your knowledge, addicted to gambling?—I should say No.
 123. Have you ever seen, night or day, anything unbecoming in the conduct of Inspector Emerson?—No.
 124. Can you say how the licensing-laws have been carried out since the Inspector has been here?—I very seldom go into hotels at night-time.
 125. You attend the race-meetings: can you say if there has been an improvement at race-meetings since Inspector Emerson came here?—No doubt there has been great improvement.
 126. In what respect?—The bad classes and spiellers are quite absent now from the racecourses.
 127. To whom do you attribute that?—I suppose to the Police Force.
 128. *Mr. Taylor.*] You say that the spiellers are quite absent from the racecourses?—So far as I can see now.
 129. Supposing in correspondence in 1896 or 1897 between Inspector Emerson and the Commissioner of Police it is stated there by the Hastings local authorities that spiellers swarm on the racecourse, would that be right or wrong?—I should say from my knowledge it would be wrong.
 130. Would you pretend to know as much about it as the local authorities in Hastings?—I do. My calling always takes me to the racecourses from early in the morning.
 131. What is your calling?—I am proprietor of the totalisator in Hawke's Bay. I am there very early in the morning, before the police even, and I can say there is a total absence of the "spieler" nuisance.
 132. Do you know that the improvement has been pretty general throughout the whole colony?—I cannot say.
 133. How often do you see the Inspector at night-time?—He has had occasion to call at my place as Chairman of the Charitable Aid Board very frequently.
 134. What is very frequently?—He sometimes called once a week at my house.
 135. Did you volunteer evidence?—No.
 136. Would you have volunteered evidence if you had not been subpoenaed?—No; if I had not been spoken to and subpoenaed I should not have been here.
 137. You say you have never met the Inspector in a hotel?—Yes, I have.
 138. Where?—In the Masonic; I have gone in and had a drink with him.
 139. What time of the day would that be?—In the evening. I would go into town with him perhaps to see some distressing case which has come under my notice as Chairman of the Charitable Aid Board, and I would ask him to go into the hotel and have a drink.
 140. Would he go into the public bar to have a drink?—Yes.
 141. Would he be in uniform sometimes?—No, always in plain clothes. I would never ask him or any officer to go in in uniform.
 142. Are you not aware a policeman is always on duty?—No, I am not.

CHARLES HUGH CRANBY, examined on oath.

143. *Mr. Cresswell.*] You are a merchant in Napier?—Yes.
 144. Do you remember Inspector Emerson coming here?—Yes.
 145. Are you a member of any local bodies?—Yes, of the Borough Council.
 146. Have you had opportunities of seeing Inspector Emerson frequently since he has been here?—Yes, very frequently.
 147. How often a week?—Sometimes once or twice, and sometimes not at all.
 148. Have you been in the habit of seeing him at night-time?—Yes.
 149. Have you met him anywhere else than at Napier?—Yes.
 150. Where?—At racecourses and at Dannevirke and Hastings. I have met him all over the country.
 151. Have you been to Wairoa with him?—No.

152. Now, on any occasion have you seen the Inspector the worse for drink?—I have not.
153. Would you say he was a man of intemperate habits?—Certainly not.
154. Is he, in your opinion, a man addicted to gambling?—I never saw him playing cards.
155. Have you ever at any time seen anything unbecoming in his conduct as a police official?—No, I have never seen anything.
156. Have you ever known his conduct to be prejudicial to the interests of the Police Force?—No; he has always been obliging, and given any information asked for.
157. Have you had much to do with him yourself personally?—Only a little.
158. *Mr. Taylor.*] Have you ever had refreshments with the Inspector?—Yes.
159. Where?—Various places.
160. Have you had drinks with him at various places?—Yes, both in Napier and in the country.
161. What is his drink generally?—I cannot remember.
162. Alcoholic drink of some kind?—Oh, yes.
163. How often has he been in uniform when he has had refreshments?—I do not think he has ever been in uniform.
164. As a matter of fact, is not the Inspector very frequently in plain clothes when on duty?—I believe so; but it is mostly at night-time I have met him.
165. Can you remember any particular hotel in Napier where you have had drinks with him?—Yes, the Masonic and Clarendon.
166. At the Criterion?—I do not know that I have ever been there; I might have.
167. Have you ever met him in Gisborne: have you ever travelled on a steamer with him?—I fancy I did, but I cannot be sure of it.
168. How often have you seen him at night-time?—Very frequently.
169. Once a week?—Yes.
170. You have no knowledge, of course, of what his habits are every night in the week?—No, I have not.
171. Do you meet him socially at all in your own home?—No.
172. Did you volunteer evidence?—No.
173. Would you have come if you had not been subpoenaed?—No, I would be only too please to stay away from this sort of thing.

SAMUEL CARNELL, examined on oath.

174. *Mr. Cresswell.*] You are a photographer carrying on business in Napier?—Yes.
175. You are a Justice of the Peace?—Yes.
176. Member of the Harbour Board?—Yes, I am a member of the Hospital Board.
177. I think until the last general election you were also a member of the House of Representatives for this town?—That is so.
178. Have you known Inspector Emerson since his arrival here?—Yes; I may say I have known him since the first day he arrived, but not intimately until he resided near to my place in Brewster Lane—he used to pass there two or three times a day. I have been in the habit of seeing him, when he has been in town, two or three times a day when passing to his meals.
179. Have you been in the habit at all of seeing him at night-time?—I have seen him three times at night, and that was during the time I turned out at night to attend to election matters.
180. Have you ever seen the Inspector under the influence of drink?—No, I have never seen the least signs of drink upon him.
181. It is a well-known fact that you are a temperance man?—Yes.
182. You are a total abstainer?—Yes.
183. And take a great interest in the temperance question?—Not more than this: that I believe I have taken an interest in it. For instance, I took a great interest in getting the direct veto passed. I am not a Prohibitionist.
184. Can you say from your knowledge whether he is a man addicted to gambling?—That I cannot say. I do not gamble myself, and I have never been where I should see it; but I did on one occasion smell drink on the Inspector.
185. Do you ever remember seeing the Inspector in company with Mr. Swan?—Yes; it was on a morning. I had not seen him about as usual, and I said to him, "Have you been away?" He said No, he had been laid up with influenza. Well, as I talked to him I could see the man was ill, and it was at that time I smelt the drink—whiskey, I think it was. It was fresh taken, because whiskey when imbibed some time becomes obnoxious. I advised him to go home. I said he was not fit to go to the office, and he said he had some work to do which he must do. I asked him to go into my place, and to ring up his clerk, Norwood, and instruct him and then go home; but he would not, and he went down to his office. The same night I was busy about my front office, and I saw the Inspector and Mr. Swan and some one else whom I do not know. What brings it vividly to my memory was the evidence given by Mr. Cotterell, and I remembered then quite well the circumstances. I have a pretty retentive memory. He was taking hold of Mr. Swan's arm with his left hand, and had his walking-stick in his hand and handkerchief, and he was coughing pretty frequently.
186. Are you prepared to say he was under the influence of liquor on that occasion?—I do not think so.
187. What did you think was the matter with him?—I thought at the time he was suffering from bronchial asthma.
188. In the morning you noticed he was unwell, and you asked him to telephone to his clerk and go home?—Yes, and he was coughing and breathing very heavily, and, contrary to his usual habit, he was not walking straight.
189. Have you ever known his conduct to be at all unbecoming an Inspector of Police?

Speaking of my own knowledge, I have never seen anything unbecoming. Perhaps I may say he has, in my own opinion, been too lenient with the men, and has been too kindly in his disposition towards them. There was one time, I think, we had a slight difference. I spoke to him about Kirby, and, from information that I received, I told him I thought Kirby was a bad lot, and he turned round on me sharply. I had information that, perhaps, the Inspector was not able to get, and he was very enamoured of Kirby.

190. *Mr. Taylor.*] Do you live at your studio?—No, I am there in the day-time.

191. Do you reside there permanently?—No, my home is on the Coote Road.

192. Then, would you have any opportunity of seeing the Inspector pass your shop in the dusk?—I am there sometimes till 8 o'clock, but I never see him after dusk.

193. Now, you say that the whiskey was fresh taken?—I know it was fresh taken because it smelt like whiskey; and when a man has had it on his stomach some time it is not otto of roses.

194. *The Chairman.*] Have you been a teetotaler all your life?—No.

195. You probably knew what the smell of whiskey was?—Yes.

196. *Mr. Taylor.*] You say you remember the morning you saw him was the day on which Mr. Swan assisted the Inspector home?—Yes, I remember it quite well.

197. Do you say positively that the Inspector was sober when you saw him and Mr. Swan together?—What is your standard of sobriety?

198. Supposing Mr. Swan said that on that occasion the Inspector had had a whiskey or two?—I am not responsible for what Mr. Swan says.

199. Do you express any opinion as to what the Inspector's condition was when you saw him going home with Swan?—My impression was that he had been working, and was much worse.

200. Might he not have been drinking and been much worse?—He might or might not.

201. You do not know?—I do not. I should imagine from the circumstances he had taken some little stimulant to hold him up, but I do not know.

202. Did you speak to him?—No.

203. Do you light your vestibule by gas-light?—No. If I am there late I am working behind the shop.

204. Do you remember exactly what time it was that night?—I should say about 5.30. I know at that time I was pretty regularly home at 6 o'clock to dinner.

205. Would you see the Inspector every day you were in your workshop?—No, almost every day, and sometimes two or three times a day.

206. Some days would go by when you would not see him at all?—Quite so; I did not watch him.

207. Do you think the licensing-laws have been pretty well administered under the Inspector's rule?—They have been pretty well administered. When first he came here I did not think they were, but that has greatly improved.

208. Do you think that matters have been improved in Napier in the administration of the licensing-laws since Detective Kirby was taken away?—I do.

209. Do you know that the Inspector and Kirby were very close friends?—Yes.

210. Did the Inspector defend him very warmly?—Well, he turned hotly round on me, and of course I did not say much. I told him I thought Kirby was a "bad egg," because I had been told from good authority that he had been taking money from players. I did not tell the Inspector so. I kept it to myself.

211. Have you any knowledge as to whether the police have been active in enforcing the gaming-laws here?—Yes.

212. Do you think they have—do you know whether there are any "tote" shops in Napier?—I do. I may tell you this: I spoke of it in the House in moving the second reading of the Totalisator Abolition Bill. I said there were three shops in Napier.

213. Where are they?—One of them is *non est* now.

214. Where are the other two?—Eagleton's and Smythe's.

215. Do you know they are "tote" shops?—I can swear one is a "tote" shop.

216. From your own knowledge?—Yes; the other, Smythe's, is by repute, but I think it is well founded.

217. Do you know Eagleton's to be a "tote" shop?—Everybody in Napier knows it to be a "tote" shop.

218. Well, now, do you think Inspector Emerson must have known that in common with everybody?—Well, if you want to know I will tell you. I spoke to Kirby during the time I was a member of the House, and I told him he ought to do something to put that down.

219. Did you speak to the Inspector about it?—I do not think I did.

220. Have you ever mentioned "tote" shops to the Inspector?—I do not think I have to the Inspector. I have to the sergeant.

221. Which sergeant?—Sergeant Mitchell.

222. *The Chairman.*] Did you tell the sergeant in the presence of the Inspector?—No. After interviewing the sergeant and telling him he must take action, as many young fellows were going to the bad here, I saw Inspector Emerson. I asked Inspector Emerson why the "tote" shops were not stamped out, and his answer was this: "We are trying all we can. The reason why I cannot do anything is that the Resident Magistrate has refused to grant me a search-warrant." That is how I know he has taken steps.

223. You are quite clear the Inspector said that?—Yes.

224. Do you, of your own knowledge, know that "tote" betting is carried on in these shops?—Yes.

225. Under what circumstances have you ever seen "tote" betting there?—Of course I have. I was in the habit of going to buy my tobacco at Eagleton's, and I used to see young men conning over a card of racehorses.

226. Have you even seen money lodged there?—Yes.
 227. That is at Bagleton's?—Yes.
 228. Who lodged it?—I did not know his name till the other day. He was a young fellow walking with a crutch; his name is Harry Rolls.
 229. Did he give evidence here?—Yes. How I know it was on the "tote" is: I was going home the same night, and I remonstrated with him for gambling on the "tote," and he said, "I always strike a div." How I know it was put on the "tote" is this: I asked him did he give you a ticket, and he said, "Oh, no; he does not give tickets." And I said, "Can you trust him?" And he said, "Yes, he has too much to lose; he will pay out right enough."
 230. *The Chairman.*] How long is this since?—I did not take any notice of the date. I think it was about the latter end of January or early in February.
 231. *Mr. Taylor.*] Have you on any other occasion seen money invested in connection with "tote" betting in that shop?—Yes; I generally see them standing round with this card and talking about it.
 232. Has the Inspector always been perfectly sober when you have seen him?—Yes.
 233. Did you take any means to find out if the Magistrate had refused to issue a search-warrant?—No; why should I?
 234. You took the Inspector's word for it?—Yes.
 235. *Colonel Pitt.*] Do you remember seeing Mr. Cotterill that evening on the occasion when you say you saw the Inspector and Mr. Swan?—No.

HENRY WILLIAMS, examined on oath.

236. *Mr. Cresswell.*] You are an ironmonger in Napier?—Yes.
 237. A Justice of the Peace also?—Yes.
 238. Member of the Licensing Committee?—Yes.
 239. Harbour Board?—Yes.
 240. Charitable Aid Board?—Yes.
 241. How long have you been residing here?—About thirty-six years.
 242. Have you known Inspector Emerson since he has been here?—Yes, ever since he came.
 243. Are you in the habit of meeting him frequently?—I have seen him at various times, of course.
 244. On any occasion have you seen him the worse of drink?—Never.
 245. Is he, in your opinion, a man addicted to gambling?—I never saw him gambling in my life.
 246. Have you ever known his conduct to be unbecoming an Inspector of Police?—No. Of course I have met him, more particularly as a member of the Licensing Committee, and I have always seen him in a fit state, and doing his duty properly and correctly.
 247. How are the licensing-laws enforced by the police during these last three or four years?—I think satisfactorily, so far as I know. I know nothing to the contrary.
 248. Do you attend the races?—Very rarely.
 249. *Mr. Taylor.*] You say you have seen the Inspector at various times: how frequently—once a week?—Sometimes.
 250. Do you think, on the average, you see him all the year round once a fortnight?—Yes, I think so.
 251. Have you ever seen him in the evening?—No, very rarely. I live in the country. In fact, I do not think I have ever seen him in the evening.
 252. Have you ever travelled with him to Gisborne or Wairoa?—No.
 253. Do you frequent publichouses?—Occasionally.
 254. At night-time?—No.
 255. Have you had refreshments with the Inspector at any time?—On one or two occasions.
 256. Where would that be?—I cannot say were. It is a long time ago. Just about twice, I think, in Napier.
 257. Just casually?—Yes.
 258. Can you remember what house?—I remember once at the Masonic here, and that was a very short time ago, when the Minister for Justice was here.
 259. Would that be Mr. Thompson or Mr. Seddon?—Mr. Thompson. Several of us were in the room together.
 260. What were the drinks?—I do not know. Some had wine and some had whiskey. In fact, I do not know whether Inspector Emerson had drink at all, but I know he was in the room. I do not remember any other occasion, except once at the Albion.
 261. On that occasion did the Inspector drink with you?—Yes.
 262. Would he be in uniform? Would it be in the day-time?—In the day-time. We were then on Licensing Bench business. We had some object in connection with the sanitary arrangements at the hotel, and I think, if I remember rightly, I asked Inspector Emerson if he would have a glass of something, and we each had one.
 263. *Mr. Cresswell.*] I think three of you were appointed a Committee to inspect the Albion, the Royal, and the Provincial Hotels in connection with the high-pressure water upstairs?—Yes.
 264. And the Inspector, as Inspector of licensed houses, accompanied you members of the Committee?—Yes.
 265. Do you know if it had been reported at the Licensing Committee that these things were required upstairs?—Yes. That was part of the report.
 266. And were the necessary alterations ordered by the Committee?—Yes. We recommended certain things necessary to be done.

FAIRFAX FREDERICK FENWICK, examined on oath.

267. *Mr. Cresswell.*] You are now manager of the Bank of New Zealand in Napier?—Yes.

268. And before assuming the managership I think you were manager of the Colonial Bank here?—Yes.

269. Have you known Inspector Emerson since his arrival in Napier?—Yes.

270. Are you in the habit of seeing him frequently?—I see him every day when he is in Napier.

271. Is he, in your opinion, a man of intemperate habits?—I am not aware of it. I have never seen any signs of it.

272. Have you ever seen him with signs of liquor on him?—No.

273. Have you had many conversations with him?—Yes.

274. Have you seen him at night-time as well as the day-time?—I have seen him at night. I do not often see him at night.

275. Is he, within your knowledge, a man addicted to gambling?—Not that I am aware of.

276. Have you ever known his conduct to be in any way unbefitting an officer in charge of police?—No.

277. Have you ever known his conduct to be injurious to the interests of the Police Force generally?—No.

278. Or injurious to the interests of the general public?—No.

279. *Mr. Taylor.*] Did you volunteer evidence?—I came on summons.

280. Would you have come if you had not been summoned?—No.

281. You say you see the Inspector every day he is in Napier?—I generally do.

282. Does he come to the bank to see you?—He never comes to my room to see me. I see him in the bank.

283. Where do you usually see him?—Either in the bank or in the street.

284. From your window?—No; I see him in the street.

285. How often do you see him at night-time after business is over?—As I say, I do not think I have seen him very often at night-time. What do you call night?

286. I mean after 5 o'clock?—Very likely I would see him more after 5 than any other time.

287. When you are going home?—I live on the bank premises, but that is the time when I very often do see him—after I leave the office; and, I suppose, after he leaves his office.

288. Between 3 and 5 you usually see him?—That is the likely time.

289. Do you frequent hotels at night at all?—No.

290. You do not see him in hotels at night?—No.

291. You do not gamble in hotels at night?—No.

292. Did you ever travel with the Inspector on a steamer anywhere?—No.

293. Do you of your own knowledge know how he spends his evenings?—No.

294. You know little about his habits outside the fact that you see him about the streets?—I know nothing about his habits, certainly, at night.

295. I would like to ask whether you are so convinced that the Inspector is a sober man and not addicted to gambling that your conviction on that point would have brought you here without a subpoena?—That is assuming I have read the evidence and come to the conclusion that he has been unjustly treated. I have scarcely read any of the evidence, and know very little of what is going on, and therefore it is not likely that I would come here and volunteer evidence.

296. You are not interested in Inspector Emerson's defence?—I am not interested in it, certainly.

JOHN GRIFFIN, examined on oath.

297. *Mr. Cresswell.*] You are a bridge-contractor in Napier?—Yes.

298. How many years have you been living here?—About twenty.

299. Have you known Inspector Emerson since he has been here in the district?—Yes.

300. Are you in the habit of seeing him frequently?—Yes.

301. Day-time and night-time?—Yes.

302. Have you travelled anywhere with him?—Yes.

303. Have you met him at places outside Napier?—Yes.

304. On any occasion have you seen him the worse of drink?—Never.

305. Can you say that he is a man addicted to gambling?—I am not aware of it.

306. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

307. Have you ever known his conduct in any way to be injurious to the public interests?—No.

308. *Mr. Taylor.*] Where have you travelled with the Inspector?—Once in the train when I was going up to Hunterville district, where I had a bridge building.

309. Have you ever had refreshments with him?—No.

310. Ever met him any hotels all night?—No.

311. Do you visit hotels at night?—Sometimes I might go in.

312. Do you gamble at all?—No.

313. You say you have seen the Inspector day- and night-time: how frequently at night-time?—Not very often, because I do not go often out at nights.

314. How often have you seen him in the day-time?—Often. My business takes me about the streets pretty much, and I generally come in contact with him, more or less, every day when he is in Napier.

315. Do you of your own knowledge know anything of his private habits at night?—No. I have no personal knowledge of his private habits.

RICHARD THOMAS WALKER, examined on oath.

316. *Mr. Cresswell.*] You are editor of the *Hawke's Bay Herald*?—Yes.

317. How long have you been editor of that paper?—Over nineteen years.

318. Have you known Inspector Emerson since his arrival in Napier?—I met him before he lived in Napier. He was Inspector of the district before he came here, and I was living in the Criterion Hotel when I was first introduced to him.

319. Then you have known him ever since?—I have known him off and on. I saw a great deal of him prior to the last twelve months.

320. Prior to the last twelve months you were in the habit of seeing him frequently?—Practically every day when in Napier.

321. On any occasion have you noticed him to be the worse of liquor?—Never. I may say I used to live opposite to him, and we walked down to work both day and night.

322. From your knowledge, is he a man addicted to gambling?—I never saw him with cards in his hands.

323. Speaking as a newspaper editor, how have the licensing-laws been carried out since Inspector Emerson has been here?—There has been a very great improvement. When I first came to Napier the laws were absurdly lax, and now they are very strictly enforced—that is, speaking of the Masonic and Criterion Hotels, which I know best.

324. To what cause do you attribute that?—To the police supervision, and partly to the character of the landlords, no doubt.

325. So far as objectionable characters on the racecourse are concerned, what do you say about them?—Some years ago life used to be a burden in hotels at race-times, but when I was living at the Criterion on the occasion of the last race-meeting there were no objectionable characters.

326. To what do you attribute that improved state of things?—To the police, I suppose.

327. *Mr. Taylor.*] Are you aware there has been a great deal of newspaper and other criticism on the lax administration of the licensing-laws during the last few years?—Yes.

328. Do not you think that has caused an improvement in the administration of the licensing-laws, rather than police action?—It may have spurred the police to take action—probably it did. I have written articles myself on the subject—not on the lax administration of the laws in Napier, but all over the colony.

329. Do not you know, as a newspaper man, that throughout the colony there has been a better administration of the licensing-laws than formerly?—Yes.

330. Do you know that complaints about the lack of vigilance on the part of the police in enforcing the licensing-laws have been pretty frequent during the past few years?—Yes.

331. Did you ever take refreshments with the Inspector at any time?—I remember on one occasion.

332. When was that?—Last week.

333. Where was that?—At the Clarendon Hotel, where he was living.

334. What drinks did you have?—Whiskey and soda.

335. And he had whiskey and soda?—He did.

336. Have you ever met the Inspector at the hotels in the evening?—Not of late years. I met him last week at the Masonic. I went round to see Commissioner Tunbridge, and I saw Inspector Emerson, and he said he wanted to subpoena me. I objected to being called, because I told him my evidence would be merely negative, and that I could not prove he was sober on any of the days he was alleged not to have been sober. But he pressed me to come, and I said, "Very well."

337. Do you know much about the Inspector's private habits?—I have never been in his house.

338. How frequently have you met him in hotels at night?—Very often years ago, but not recently.

339. Have you ever travelled with him on steamers?—No.

FREDERICK IRVING DE LISLE, examined on oath.

340. *Mr. Cresswell.*] You are a duly qualified medical practitioner?—Yes.

341. How long have you been in Napier?—Twenty-one years.

342. You are a member of the Hawke's Bay Licensing Committee?—Yes.

343. Have you known Inspector Emerson since he arrived here?—Yes.

344. Have you had opportunities of seeing him frequently?—Yes, fairly frequently. I have had official business with him.

345. Have you been on steamers with him?—Once.

346. Where was that?—Coming down from Gisborne to Napier last December.

347. On any occasion have you seen the Inspector under the influence of liquor?—No; I have never even smelt liquor upon him.

348. Then, as a medical man, and one who is in the habit of seeing him frequently, can you say if he is a man of temperate or intemperate habits?—From my knowledge I should say he was a man of temperate habits; I have never seen anything the reverse.

349. You give testimony as a medical man?—Yes.

350. From your knowledge of him, is he a man addicted to gambling?—I cannot say. I have never known him to gamble, and I have never seen him play cards.

351. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No; whenever I have had business with him he has always been as any other official should be—courteous, ready to advise, and ready to take action.

352. I think you have had some experience in Her Majesty's navy as an officer, and you are perhaps capable of judging?—Yes.

353. So far as the carrying-out of the licensing-laws is concerned during the last four or five years, have you anything to say on that matter?—From my own observation, I think there has been an improvement. I am frequently called professionally at night to the hotels, and I think there has been an improvement.

354. To what cause do you attribute the improvement?—I presume the police have something to do with it. It may be we have a more reputable set of publicans, but I should say the police have a good deal to do with it.

355. Now, so far as objectionable characters in Napier are concerned, have you noticed any difference during the last few years?—Yes; doctors see a good deal of the seamy side of life. I believe there are one or two houses in Napier, but they are kept very quietly indeed, but at one time there were several notorious houses here.

356. So far as the women themselves are concerned, have you ever known them to be prosecuted here?—Yes.

357. *Mr. Taylor.*] How often do you meet the Inspector?—I should say I meet him almost daily.

358. You said “fairly frequently”: do you meet him 365 times in the year?—No, because he is not in Napier the whole year. I am continually coming across him in the streets.

359. Do you very frequently see him at night-time?—No.

360. Do you know how he spends his nights?—No.

361. We have had definite testimony as to how he spends some of his nights: are you prepared to contradict that?—No.

362. Have you ever had refreshments with him?—No.

JOHN COMMONS McVAY, examined on oath.

363. *Mr. Cresswell.*] I think you are a member of the Borough Council?—Yes.

364. How many years have you been a member?—Off and on, for sixteen or seventeen years.

365. I think you are also vice-president of the Park Racing Club?—Yes.

366. How many years have you held office in that club?—Since its inception—ten or eleven years.

367. Have you known Inspector Emerson since his arrival here?—Yes.

368. Have you been in the habit of seeing him frequently?—Yes.

369. Have you ever seen him under the influence of drink?—No.

370. Have you met him anywhere else than in Napier?—Yes.

371. Have you travelled with him on steamers?—Yes.

372. From your knowledge, is he a man addicted to gambling?—Of my knowledge, he is not.

373. Of your knowledge, is he a man of intemperate habits?—Of my knowledge, he certainly is not.

374. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.

375. Speaking as vice-president of the Park Racing Club, is there any improvement at race-meetings now so far as spielers are concerned?—Yes, a very decided improvement. Inspector Emerson has rendered the Park Racing Club, of which I am an active member, every possible assistance in the prevention of undesirable classes who associated at race-meetings from being there. When requested to do so by the stewards he has readily assisted them actively. So much so that I think I am right when I say that the club wrote on one occasion and thanked him.

376. Have his efforts been successful in clearing these undesirable people away from the course?—Yes, thoroughly successful. I am sure the courses I come in contact with are as free or freer of these objectionable classes than any racecourses outside Hawke's Bay.

377. *Mr. Taylor.*] Has there not been an effort on the part of the whole of the racing-clubs throughout the colony to get rid of these spielers?—Yes.

378. Have there been pretty numerous prosecutions by racing-clubs all over the colony?—Yes.

379. Can you say if a similar improvement has taken place anywhere else than here?—From my observation, not to the same extent.

380. Do you know Canterbury?—Yes.

381. Do you know Otago?—Yes, but it is four or five years since I have been there. I have been at race-meetings recently in pretty well every part of the colony, except Otago.

382. Do you meet the Inspector frequently at night-time?—Well, I have seen him frequently at night-time.

383. Have you ever met him at any hotels?—I have no definite recollection of meeting him at any hotels.

384. Have you ever played cards with him yourself?—No.

385. Did you ever have refreshments or drinks with him?—No.

386. Do you know much or anything about the way he spends his evenings?—No.

GEORGE THOMAS FANNIN, examined on oath.

388. *Mr. Cresswell.*] You are clerk of the Hawke's Bay County Council?—Yes.

389. And also clerk of the Hawke's Bay Education Board?—Yes.

390. How long have you held the position of clerk of the Hawke's Bay County Council?—Since 1875.

391. Do you know Inspector Emerson?—Yes.

392. Since he came to Hawke's Bay have you been in the habit of seeing him frequently?—I cannot say “frequently.” I see him generally when going to the office if he is on the road.

393. Do you pass his office when coming down from home?—Yes.

394. On any occasion have you ever seen him the worse of drink?—No.

395. Have you ever known him to be addicted to gambling?—I know nothing at all about it.

396. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—I have never met with such.

[ROBERT BISHOP, examined on oath.

397. *Mr. Cresswell.*] You are resident manager at Napier for Sargood, Son, and Ewen?—Yes.
 398. How long have you known Inspector Emerson?—Twenty years.
 399. During the last few years you have been in the habit of seeing him frequently?—Yes.
 400. At any time have you seen him under the influence of drink?—No.
 401. Have you travelled with him or met him anywhere else than in Napier?—Yes, I knew him when he first took charge of the Westland District.
 402. Have you ever seen him with any signs of liquor on him?—No.
 403. Is he a man from your knowledge addicted to gambling?—I have seen him playing cards. I have played cards with him.
 404. Do you call that gambling?—No, I never gambled with him.
 405. *Mr. Taylor.*] Have you ever seen him playing for stakes?—I have seen him playing in a hotel, and I consider any one who plays in a hotel is there to play for money or drinks. It is usual for men to do so.
 406. Have you ever seen the Inspector playing for money in a hotel?—I have seen him playing in a public room of a hotel, but whether for money or drinks I do not know. I have played with him in a private room.
 407. How long is it since you saw him playing cards?—Not for the last ten years.
 408. That would be in Westland?—Yes.
 409. Have you seen much of him in this district?—No; I do not go out at nights much.
 410. Have you ever had refreshments with him?—Yes.
 411. In this district?—Perhaps; I think I have once or twice.
 412. In hotels?—Yes.

MAURICE NORMAN BOWER, examined on oath.

413. *Mr. Cresswell.*] You are the Town Clerk of Napier?—Yes.
 414. How long have you held that position?—Twenty-three years last March.
 415. Have you known Inspector Emerson since his arrival here?—I have.
 416. Have you been in the habit of meeting him frequently?—Yes.
 417. Day-time and night-time?—Day-time.
 418. Have you ever seen him the worse for liquor?—Never.
 419. Is he a man of temperate or intemperate habits, as far as you know?—Temperate, so far as I know.
 420. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—Never; on the contrary, the borough has always been most courteously treated when any matter has been referred to him.
 421. *Mr. Taylor.*] How frequently have you seen the Inspector?—Almost daily, when he is here.
 422. Do you just see him casually as you move about town?—Yes.
 423. Have you ever met him at night-time at all?—Never.
 424. Did you ever have drinks with him?—Never to my knowledge.

JOSIAH PRATT HAMLIN, examined on oath.

425. *Mr. Cresswell.*] You are a licensed Native interpreter, residing at Napier?—Yes.
 426. I think you reside in Brewster lane?—Yes.
 427. And the entrance to your place is opposite to the entrance to the house Inspector Emerson used to live in?—The entrance to the Inspector's house is some yards from my own.
 428. Do you know where Mrs. Parkinson used to live?—Yes.
 429. I think you heard the evidence given by her in this Court?—I did hear a portion of it.
 430. Did you go and inspect the place afterwards?—Yes.
 431. Would it be possible for Mrs. Parkinson to have seen what she says she saw from the position she was in?—Not unless the trap was driven up to the middle of the road. If the trap was driven up to the side of the road near the Inspector's house I do not see how any person could see who got down.
 432. From the verandah could she have seen the trap?—No.
 433. Have you known the Inspector since he has been here?—Yes.
 434. Have you been in the habit of meeting him frequently?—Very often.
 435. Have you met him anywhere else than in Napier?—I met him once, I think, in Wairoa, and I think I met him up at Waipawa.
 436. In your opinion, is he a man of temperate or intemperate habits?—Temperate. I have never seen the Inspector with the signs of liquor upon him. I may say we very often used to meet at Carnell's corner and walk home together, and I have never seen the slightest signs of liquor upon him.
 437. From your knowledge, is he addicted to gambling?—Not that I am aware of.
 438. Have you ever known his conduct to be unbecoming an Inspector of Police?—No.
 439. *Mr. Taylor.*] Where did you stand when you went to Mrs. Parkinson's old house?—On the top step.
 440. Supposing you had stood on the second step from the bottom, could you have seen what was taking place?—That would be worse still.
 441. Do you know that there is a second gate leading into that property where Mrs. Parkinson lived, fronting the road?—I never noticed it.
 442. Supposing there is a second gate, are you prepared to say that a person standing at that gate could not see some one else come out of a cab if the cab was drawn right up at the gutter near the Inspector's house?—I do not see how any person could, for this reason: Between the Inspector's entrance and Mrs. Parkinson's late residence there is a building which would prevent any one from seeing it.

443. Now, have you been on the verandah of that house?—No.
 444. You do not know what view is obtainable from there?—I simply say that any one standing on the top step or the second step could not see who got out of a cab if it was drawn close up to the Inspector's entrance.
 445. Have you ever played cards with the Inspector?—No.
 446. Do you play cards at all?—I play cards sometimes.
 447. Have you ever had drinks with him?—Once.
 448. Where?—In the Napier Club, of which I am a member.
 449. Was that recently?—No, it was about twelve months ago. I asked him in there.
 450. At Wairoa did you stay at the same hotel with him?—No, I stayed at the Clive Hotel, and the Inspector stayed at the Wairoa Hotel.
 451. Do you see the Inspector very frequently at night?—No, very seldom.

THOMAS MORGAN, examined on oath.

452. *Mr. Cresswell.*] Are you headmaster of the District School here?—Yes.
 453. How many years have you held that position?—Six and a half.
 454. And prior to that, I think, you were headmaster of the District School in Gisborne?—Yes.
 455. How long have you known Inspector Emerson?—About three or four years. I did not know him the first couple of years he was here.
 456. Have you been in the habit of seeing him frequently since then?—Occasionally.
 457. How often in a week?—I might have met him in Hastings Street perhaps two or three times a week.
 458. Have you conversed with him on any occasions?—Yes; I have been to the office to see him.
 459. Have you ever seen him under the influence of drink?—No.
 460. In your opinion, is he a man of temperate or intemperate habits?—So far as I know, he is a man of temperate habits.
 461. From your knowledge, is he a man addicted to gambling?—I do not know anything at all about it.
 462. Have you ever known him to misconduct or misbehave himself in any way?—No.
 463. Do you ever see him at night-time?—Never.

THOMAS WAITT BALFOUR, examined on oath.

464. *Mr. Cresswell.*] You are now an insurance and general agent?—Yes.
 465. You were for a great many years manager of the Bank of New Zealand here?—Yes.
 466. When was it that you resigned your position as bank-manager?—In March, 1895.
 467. Now, have you known Inspector Emerson since he has been in Napier?—Yes, for the last five years.
 468. Have you been in the habit of meeting him frequently during that period?—Yes; very often in the street when walking about.
 469. From your knowledge of him, is he a man of temperate or intemperate habits?—So far as I know, he is a man of temperate habits.
 470. So far as your knowledge goes, is he a man addicted to gambling?—Not to my knowledge.
 471. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.
 472. *Mr. Taylor.*] Have you really any knowledge of his habits at all?—I have not, further than through meeting him casually in the street.

THOMAS MORRISON, examined on oath.

473. *Mr. Cresswell.*] You are a journalist?—Yes.
 474. You are on the *Hansard* staff?—No; I am chairman of the Press Gallery and representative of the Press Association staff.
 475. I think you attend the session of the House every year?—Yes.
 476. Have you known Inspector Emerson since his arrival in Napier?—Yes.
 477. Have you been in the habit of seeing him frequently when in Napier?—Yes.
 478. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—No.
 479. Is he a man of temperate or intemperate habits so far as you can judge?—So far as I know, of temperate habits.
 480. From your knowledge of him, is he a man addicted to gambling?—No; I never saw him playing cards.
 481. *Mr. Taylor.*] Have you ever had any drinks with him?—No, I do not think I have. I do not remember.
 482. Are you quite clear of that?—I am not quite clear. I think I have seen him in hotels.
 483. Have you seen him drinking in hotels?—I do not think I have seen him drinking in hotels.
 484. As a matter of fact, do you know anything about his habits other than the most casual observer might know?—No.
 485. *The Chairman.*] Do you know anything of his conduct to express an opinion that he is not of intemperate habits?—I think so; I have seen him very frequently.
 486. Do you think if he was of intemperate habits that the fact would come to your knowledge, he being a public officer?—Of course, I have heard reports, but I do not know of my own knowledge.
 487. You have heard reports?—Yes; but there is nothing within my own knowledge.

ALEXANDER ECCLES, examined on oath.

488. *Mr. Cresswell.*] You are a chemist, practising at Napier?—Yes.
489. How long have you known Inspector Emerson?—Since he has been in Napier.
490. I think you patronise race-meetings?—Yes.
491. Since you have known the Inspector have you been in the habit of seeing him frequently in Napier and at race-meetings?—Yes.
492. From your knowledge of him, is he a man of temperate or intemperate habits?—I should consider him of very temperate habits.
493. From your knowledge of him, is he a man addicted to gambling?—Certainly not.
494. Have you ever known his conduct to be unbecoming that of an Inspector of Police?—No.
495. *Mr. Taylor.*] How often do you see Inspector Emerson?—Pretty well every day when he is about the streets. He occasionally drops into my shop to have a chat about his health.
496. Do you say you have no knowledge of his gambling habits?—No.
497. None whatever?—None.
498. Do you know he is a patron of the "tote" shop?—No.
499. Do you know he is a patron of the totalisator?—No.
500. Do you see him in the evening at all?—Sometimes.
501. How often?—Not very often.
502. Do you practically know anything about his habits, except what the most casual observer could ascertain?—What I do know of his habits is all in his favour.
503. Do you know much about his habits?—I know him very well, and I cannot say anything against him.
504. Did you ever meet him in any hotel?—I am not much about hotels.
505. Have you ever had drinks with him at any hotel?—I may have had.
506. Can you remember any instance?—No, I cannot.
507. Have you ever played cards with him?—No; I do not play cards.

JOHN CRAIG, examined on oath.

508. *Mr. Cresswell.*] You are manager of the New Zealand Loan and Mercantile Agency Company in Napier?—Yes.
509. I think your building is next door to the Bank of New Zealand, in the main street?—It is.
510. Have you known Inspector Emerson since he has been here?—Yes.
511. During the time you have known him have you been in the habit of seeing him frequently?—Yes; I frequently see him in the evening, on the arrival of the express, when I go to clear my letter-box, and I see him frequently at St. Paul's church.
512. And during the daytime?—Not so frequently during the daytime.
513. From your knowledge of him, is he a man of temperate or intemperate habits?—I have no personal knowledge of his being intemperate.
514. I think you are a total abstainer?—Yes, practically, all my lifetime.
515. And from your knowledge of the Inspector, is he a man addicted to gambling?—I have no knowledge whatever.
516. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No.
517. Has he always been perfectly sober when you have seen him?—Always.
518. *Mr. Taylor.*] How often have you seen him?—I usually go to the post-office on the arrival of the express to get my letters, and I frequently see the Inspector there.
519. How often do you see him there—do you ever go there when you do not see him?—Yes, I have gone there when I have not seen him. If I was late or too early I would not see him.
520. Have you seen him there once a week on an average?—Yes, oftener than that.
521. Do you know, practically, anything about his habits?—I have no personal knowledge of his private habits.
522. You do not meet him except in the most casual manner?—Well, I have had to meet him on business on several occasions.
523. How many occasions since he has been here?—Two or three times.
524. *Colonel Pitt.*] If the Inspector were a person of reputed intemperate habits do you think you would have heard of it?—Of course, I have heard rumours that he has been seen under the influence of drink.

PATRICK BARRY, examined on oath.

525. *Mr. Cresswell.*] You are a wood and coal merchant in Napier?—Yes.
526. How long have you been here in business?—I have been here all my life, and I have been in business about fifteen years.
527. Have you known Inspector Emerson since his arrival in Napier?—Yes.
528. Pretty intimately?—Fairly; yes.
529. Have you been in the habit of seeing him frequently?—Yes.
530. Night-time and daytime?—Not so much at night as in the day. I went to Wairoa with him, and went up the line with him on a couple of occasions.
531. Have you ever met him at the racecourse?—Yes.
532. Have you ever seen him under the influence of liquor?—Never.
533. In your opinion, is he a man of temperate or intemperate habits?—Temperate habits, I should say.
534. Do you attend all the Hawke's Bay races?—Yes; I am and have been connected with the totalisator since it was started in Hawke's Bay.
535. Is he a man addicted to gambling?—I have only seen him about three times during all

the time I have been connected with the totalisator in the Hawke's Bay District invest a pound on the machine.

536. Have you ever known his conduct to be other than that befitting an Inspector of Police?

--No.

537. *Mr. Taylor.*] Did the Inspector put the money on the machine himself?—Yes.

538. Have you seen him in any hotel?—In Wairoa once.

539. Did you ever have drinks with him?—Yes, about three times.

540. Did you ever play cards with him?—No.

541. Do you know anything about his habits specifically?—No, only in talking with the Inspector when I have met him.

542. If he was a man of intemperate habits would it have come to your knowledge?—I think I would have heard it.

543. You never heard it?—No.

544. How often have you seen him at night-time?—I never see him at night-time. I am never out, as a rule, at night-time.

JOHN EMERSON, examined on oath.

545. *Mr. Cresswell.*] You are Inspector of Police in charge of the police-station in Napier?—Yes, and the East Coast district.

546. I think your first public service was in the Royal Irish Constabulary?—Yes.

547. And you joined the Royal Irish Constabulary on the 13th July, 1847?—Yes.

548. You produce your certificate of discharge?—Yes; it is as follows:—

County Inspector's Office, Cork, 18th October, 1857.

This is to certify that the bearer, John Emerson, served in the Irish Constabulary Force from the thirteenth day of July, one thousand eight hundred and forty-seven, to the twentieth day of October, one thousand eight hundred and fifty-seven, from which latter date he will be discharged, having voluntarily resigned to emigrate to Australia. At the period of his discharge he holds the rank of constable. He was six times specially rewarded by the superior authorities of the Force and awarded a "badge of merit" for saving life at the imminent hazard of his own. From his known personal intrepidity he was one of the Volunteers selected to be sent to the Crimea in December, 1854, where he distinguished himself as a Volunteer at the siege of Sebastopol, for which he obtained the Sebastopol Clasp. He discharged his Constabulary duties with intelligence, diligence, and fidelity, and was at all times sober and well conducted.

ALEX. KINGSTON FOX,

County Inspector of Constabulary in County Cork, East Riding, and City of Cork.

549. What other decorations have you besides the Queen's Medal and the Sebastopol Clasp?—I have the Turkish Medal, the New Zealand Medal, and the Royal Humane Society's Medal for saving life at Picton when I was sergeant of police there.

550. Was that in the year 1865?—Yes.

551. Now, when you came to New Zealand what position did you take up?—I joined the Police Force.

552. What year did you join in New Zealand?—In 1864.

553. In what capacity did you join?—I was a mounted constable.

554. How long were you there before you were promoted?—I was a year, I think, when I was made a first-class mounted sergeant, and went in charge of the Picton Station.

555. From that you have gone on steadily until you are now a First-class Inspector?—In 1863 I was appointed First-class Inspector. That was in the provincial days.

556. What rank do you hold now?—First-class Inspector.

557. Now, what family have you had?—Six sons and five daughters.

558. All born in New Zealand?—No; three in Victoria, and eight in New Zealand.

559. Now, have you been commended for meritorious conduct other than on one occasion when you got a medal for saving life in New Zealand?—Yes. I have been spoken of.

560. What notable events have you taken part in?—At Te Kuiti in 1892, at the arrest of Mahuka and twenty-two followers; at Waipiro in 1891, where there were four hundred armed Natives going to attack each other on account of a dispute over Native lands.

561. *The Chairman.*] Was that in connection with the police?—Yes. I was then Police Inspector. I went there with twenty-four men from the artillery and police.

562. *Mr. Cresswell.*] Was Sir George Whitmore residing in the district at that time?—He was at Waipiro then, and he said I must return, as he said it would have been as much as my life was worth as there were four hundred armed Natives and I had only twenty men.

563. What was the result?—I said No. He said he was communicating with the Government, but I said I had full control myself, and that I would go in and would do whatever was required to bring them under the law or put them in the lock-up and have them dealt with.

564. Did you disarm the whole of these Natives?—The third day I disarmed all the Natives, and I put the arms into Mr. Wallace's safe. He was manager of Mr. Williams's estate.

565. Do you remember a dispute with the Natives in 1880 at Rotorua?—Yes; in 1880 there was a man named Wilson locked up in Lake House by the Natives. He had fired on them the day before. I had five of the ringleaders arrested. There were only two constables and myself, and we arrested them, and had them committed for trial at Auckland.

566. And at Te Whaiti?—In 1893 at Te Whaiti the surveyors were interfered with by the Natives, and I was ordered up there, with sixty-two of the artillery and police, to assist the surveyors and see that order was carried out. I succeeded there in getting the Natives quiet, and remained for eighty-two days in that district. At Omahu, in June, 1891, the Donnelly and Broughton Natives were ploughing the land and raising a disturbance in the district.

567. Was there any Native shot on that occasion?—No; that was a short time before. I went out there and told them that, of course, if they did not knock off I would arrest them all, and with the assistance of Messrs. Donnelly and Broughton they came to my terms, and said they would have the matter tried in the Supreme Court.

568. You remember attending the races at Gisborne last July?—I do.
569. I believe you were only there on the first day?—That is all. I went to the Gisborne Station for the purpose of getting a telephone erected.
570. At the racecourse?—No, at the Gisborne Station.
571. Was that from Gisborne to Ormond?—Yes.
572. And you went to the races on the first day?—I did.
573. You heard the evidence of Mrs. Erskine: she said you were not sober at luncheon-time that day?—I say I was as positively that day sober as I am now, but I was very ill with influenza.
574. Was the evidence of Mr. Aislabie and Mr. Bridges correct?—Perfectly correct.
575. And the evidence of Mr. Joyce as to what took place?—That is true.
576. Do you remember seeing Mrs. Erskine that day?—I recollect talking to her at the door as I went in and out.
577. And were you at all under the influence of drink?—I certainly was not.
578. Did you finish your lunch that day?—I was very unwell, and I had some lunch.
579. Before you finished your lunch something happened to you: give us your version of that?—I recollect sitting down on the form. It was very narrow and very close to the table. I sat too far over on it and lost my balance, and I slid off the form backwards on to some parties who were sitting next to me.
580. You fell against those persons who had their backs to you?—Yes.
581. Well, now, was that fall in any way attributable to your having taken too much drink?—Not at all.
582. What was the cause of it?—It was a narrow form, and I sat too far out on it and lost my balance and came down.
583. Now, you have heard about Mr. Nesbitt: have you played cards with him in Gisborne?—Yes, I played euchre for sixpenny points. We played for a pastime, that was all.
584. Where?—In the Gisborne Hotel, where I was staying.
585. What becomes of those sixpences?—I do not know what became of those; some had cigars or cigarettes.
586. Was the pool spent in refreshment?—Yes.
587. On any occasion that you played with Nesbitt has there been any quarrel or disturbance of any nature?—Certainly not.
588. Has there ever been anything said as to unfairness in dealing by any person?—Decidedly not in my presence.
589. Have you ever played with Nesbitt where there has been a stake of as much as £2 or £2 7s. 6d.?—I decidedly did not.
590. And when you were in Gisborne at what hour did you retire?—I generally go to bed about 11 o'clock. I do not stay up late as a rule.
591. Have you ever played cards until 12, or later, with Nesbitt in Gisborne?—I do not think so.
592. Now, in his evidence Mr. Heslop said he saw you playing cards in the boat going to Wairoa?—I might have played a game of euchre, but not the other game that he suggested.
593. What did you generally play for?—Generally played to see who would pay for drinks—drinks or refreshments, whatever they were.
594. The Wairoa boat, as a rule, leaves at 12 o'clock at night?—Yes.
595. And very often at 2, 3, and 4 o'clock in the morning, according to the tide?—Yes.
596. You have frequently to go to Wairoa?—I have gone often lately.
597. Is it not a usual thing for persons to go down at 9 and 10 o'clock simply to play cards until the boat goes off?—Yes, to keep them awake until the boat leaves.
598. Now, Mr. Heslop told us that it was in September, 1896, and that is borne out by another witness?—Yes.
599. Did you hear Mr. Heslop also swear that the only time he mentioned the fact of this matter of playing cards was when he told Mr. Taylor at the time Taylor laid an information against you for assault?—I did.
600. Now, Taylor laid an information against you in February or March, 1896?—Yes.
601. Mr. Heslop has said that on the road to Wairoa you were touting for customers for Poyser's Hotel?—That is most decidedly untrue. I never touted for any hotel in the colony.
602. Have you stayed more at Poyser's than at the Clive Hotel?—I stay at both houses. I generally like to give each a turn so as to avoid any jealousy.
603. Is there any reason why you should go more to Poyser's than to the other?—Certainly not. They are both very good hotels—good enough for me.
604. Do you recollect Mr. James Taylor and the Woodville case?—I do.
605. Give us your account of what took place?—I was sending away two men who had misconducted themselves in the saddling-paddock. The stewards requested me to put them off the course. They would not go, and I was obliged to arrest them and send them away with Constable Treanor and Constable Reardon. There were a great number of spielers that day from Wellington, and when they found that their companions were being sent to the lock-up they commenced to hoot and roar at the police; and I thought, of course, they were going to rescue the prisoners. I followed up with one or two of the men, and threatened what I should do if they attempted a rescue. I had Mr. Wilson, who was an insurance agent, with me. He was a big man, and had been a publican at Palmerston North at one time. That is how I knew him. After some time, and as I was going and trying to keep the spielers back, Mr. Taylor came up and said, "Stop, I have been robbed." I still went on and kept the crowd back as well as possible. And I said, "What have you been robbed of?" and he said, "I gave £3 to two spielers to put on the totalisator on a horse they said was going to win." I ordered him to stand back and to allow me

to pass on to look after my men, as I was on very important duty. He jumped at me and put his hand on my breast and said, "Stop, or I will compel you to do so." From his attitude I thought that he was one of the spieler, and that he was merely trying to give the others a show to rescue the prisoners by keeping me back from doing my duty. I told him to keep back, and shoved him to one side. I then followed on after the constables until I saw them safe on their way to Woodville. I should say at this time there were fully a hundred men roaring after the police. I thought they were going to attempt a rescue, but I was determined to prevent it if in my power. I succeeded in getting the constables and prisoners away, and then returned to my duties about the course. I met Mr. Hall, who was then, I think, the member for the district, and he spoke to me about Mr. Taylor, and said he was a friend of his, and asked me for Goodness' sake to do nothing more to him, as he did not know he was committing a breach of the law in putting money on the totalisator and being with spieler. I considered he was as bad as any of the spieler in giving money to the others to put on the totalisator. Mr. Hall asked me to go and see Taylor and have some understanding. I said, Most decidedly not—I was not going to see him at all; he had been obstructing me in the execution of my duty. He has stated here in evidence that I went to him and apologised. Such is not the case. It is perfectly untrue.

606. *The Chairman.*] He hardly said you apologised. He gives the words which he says you used?—I certainly refused to do anything of the sort. It was Mr. Hall spoke about it, and I said, "Most decidedly not."

607. Taylor said that you said you were sorry it happened?—I never said so. I had no conversation with Mr. Taylor about it at all. I sent word to him that if he required a policeman I would give him a detective who was in plain clothes or any man he wished to go with him, and point out the spieler to whom he had given the money. I think I sent that message to him both by Mr. Hall and Detective Kirby. At all events, Kirby went round the course with Mr. Taylor and they could find out no one. He said I was talking to the spieler. That is perfectly untrue. Kirby came back and said that Taylor declined to have anything more to do in looking after the spieler, because he thought it would affect his position as a Justice of the Peace.

608. *Mr. Cresswell.*] Now, was any report sent to you on this matter by the department?—Yes. Mr. Taylor summoned me first of all to appear at Woodville for assault, and I think it was two days before the hearing was to come on I got a wire from the Clerk of the Court stating that the case against me had been withdrawn. Of course, as soon as the summons came out I got a brief from all the men who were there as to what occurred.

609. Did he report you to the department?—Yes.

610. And did you answer the report?—Yes.

611. And from that day to this has Mr. Taylor brought any proceedings against you?—No; certainly not that I am aware of.

612. Were you at all reprimanded by the department?—Decidedly not. I fancy, myself, I deserve very great credit, because I feel certain had it not been for the prompt action I took there would have been bloodshed on the course that day in rescuing the prisoners and in ill-treating the police.

613. You heard the evidence given by Messrs. Logan, Jardine, and Baker as to something that took place on the steamer between here and Gisborne: do you remember the occurrence?—Yes.

614. What condition were you in?—I was very seasick. I can swear positively I was not the worse of drink.

615. Was any complaint made to you by the captain or steward?—No, nor anybody else; and I never heard of it until I heard Mr. Logan talking of it here.

616. You have a distinct recollection?—Yes, I recollect that well because I was very sick.

617. Were you creating some noise or disturbance in the saloon?—That is not so. It might have been somebody else.

618. It was not you?—No.

619. Did Messrs. Jardine, Logan, or Baker remonstrate with you in any way?—They never spoke to me in any way.

620. Are you an honorary member of the Working-men's Club?—I am, and also Inspector of licensed houses and clubs. I first joined the club as an ordinary member about 1893. I never got any notice or letter from any member or official of the club about gambling.

621. Were you ever interviewed by the president or any member of the committee in connection with that charge?—Certainly not.

622. Had you then or have you since seen the rules of the Working-men's Club?—I do not recollect having seen them at all.

623. I think you heard some rumour about this matter yourself?—I did.

624. And you immediately resigned?—I resigned.

625. Did you visit the club again?—Oh, yes.

626. What interval elapsed between that time and the time you visited it again?—Some short time only elapsed between that time and the time when I was appointed an honorary member. I then went occasionally, but seldom.

627. You heard Mrs. Moore (formerly Fullbrook) give her evidence: what did you go to her place for on the occasion to which she refers?—One of her sons came to my place when we were living in Carlyle Street. He said his mother was sick and ill, and wanted some assistance, and that she wanted to see me, as she was very badly off. I said to my daughters, "We have been helping this woman, but we cannot give her all we have." I went to see her, taking my youngest daughter with me, and I found her very badly off and apparently unwell. She told me she was not able to work.

628. *The Chairman.*] Was this on the Sunday that she refers to?—Yes.

629. *Mr. Cresswell.*] Was her eldest son there on that occasion?—I did not see him.

630. On any occasion did the eldest son ask you to leave, or ask you what right you had there?—Certainly not. I went there as a matter of charity.

631. As a matter of fact, have not you and your family done all you possibly could do for her?—More than we had a right to do—more than I could afford to do, seeing I have a big family myself.

632. She was in great distress for some years here?—Yes. She told me that Miss Hitchings had given her orders to leave the house, as she could not pay the rent. I said I would send her something, and I sent her bread and meat and other things.

633. The Recreation-ground in Napier is a place where general sports are held?—Yes.

634. Who is the man who takes tickets at the gate?—Mr. Faulkner.

635. Are you in the habit of attending matches and sports on this ground?—Yes, frequently.

636. On any occasion have you ever been there the worse of drink?—Never.

637. On any occasion there did you use the terrible swear-word "damn"?—I am not in the habit of making use of bad language.

638. Did you use the word "damn"?—Certainly not.

639. Did you ever misbehave yourself in any way on the Recreation-ground?—No. I have talked to the men in the band, and in every way I have done what I could for them by placing the men in different positions for them as they requested.

640. How long did you live in Brewster Lane?—About a couple of years.

641. On any occasion did you ever go home in a cab the worse of drink?—I never went home in a cab to Brewster Lane or to any other place in the colony the worse of liquor.

642. Mrs. Parkinson says she saw you on two occasions going home in a cab, and that on both occasions you were helpless?—That is absolutely untrue.

643. From your knowledge of the locality, could Mrs. Parkinson have seen you as she said she did?—I would say positively not. I have since been to the spot from which she says she saw me, and I think it would be impossible for any one to see from there. She would have had to stand on the middle of the street.

644. You remember being in Hastings on the occasion that Mr. Fred. Badley has referred to?—I do.

645. At O'Reilly's Hotel?—Yes.

646. Did you play cards that night?—We did.

647. What game did you play?—Euchre.

648. Not euchre-loo?—No. We were playing sixpenny points, merely as payment for the light, and so on.

649. The sixpences went for refreshments?—Yes, as far as I recollect.

650. Did you on any occasion play there till after 12 at night?—No; I think we always stopped at 11.

651. I think you were boarding at the house at the time?—I always stopped there.

652. Had the public access to the room you were in?—No, it was a private room upstairs. Mr. Badley could not get a bed that night, and he said, "Come and have some pastime, and have a game of euchre."

653. Was there any police official there beside you?—No.

654. Was there any disturbance?—No; never had a disturbance at any time when I was playing cards there or anywhere else.

655. You have heard the evidence of Messrs. Cotterill, Jardine, and Logan as to the occasion when you were in company with Mr. Swan and some one else in Brewster Lane: what is your explanation of that?—I say I was not under the influence of liquor. No doubt, from having influenza at the time, I may have been coughing and spitting, and I think I recollect I was unwell that day. When I was bad with the coughing and spitting I sometimes took a glass of whiskey, but not more than one.

656. You were not under the influence of drink?—No.

657. Was it necessary that Mr. Swan should take your arm?—We often went along in that way. Mr. Swan and I are great friends, and frequently we talked over business and police matters, and we often went arm-in-arm together.

658. Can you give any explanation of the release or the arrest of Robinson, at the Town and Suburban racecourse?—The matter was reported to me, and I thought my men had a right to put him out, but to take no further proceedings, as the secretary and other officials of the club refused to have anything to do with a prosecution. They merely wanted the man to be put out, and they said they would not be responsible for anything further, so I thought the best thing to do was to send a Magistrate to the lock-up to see to the case at once.

659. Did you ask any of the racing-club officials to lay an information against Robinson?—Yes, and they refused.

660. Had you any right, then, to keep the man?—I thought not. I am not a lawyer, but that was my impression—that I had a right to bring him before a Magistrate as soon as possible.

661. For how many years have you known Sergeant Siddells?—I recollect him when he was a boy going to school in Blenheim.

662. And since you have been here he has served under you as constable and sergeant?—Yes.

663. Do you ever visit his parents?—Frequently.

664. You know all the members of the family?—Yes, every one.

665. You have been accused of calling him by his Christian name: do you do so?—I always do so.

666. Does that lessen your dignity as Inspector of Police?—No; I think the men would do more for me because I am not a martinet than if I was very strict with them.

667. You did have an Inspector here at one time who was a martinet?—Yes, but he is dead now.

668. Did you ever play cards at Woodville with Siddells?—I recollect that one evening he and his brother came to my room. They were waiting for something, and Siddells's brother suggested a game of euchre. We played for pastime and nothing else.

669. Had the public access to that room?—No, decidedly not.

670. Now, Inspector Cullen first served under you as a constable at Blenheim?—Yes, as my clerk.

671. He was promoted under you?—Yes. At that time the late Mr. T. K. Weldon was the visiting Superintendent for the South Island, and on one occasion he came to my station. Constable Cullen had made an application for promotion, but it was not entertained as he had been only two years in the Force.

672. Inspector Cullen said it was not through your influence that he was promoted?—I do not believe he would have had a stripe on his arm since if it had not been for the urgent way I went at Mr. Weldon to promote him. The next day Mr. Weldon said to him, "Upon my word, you are a handsome looking fellow, and I shall take your Inspector's recommendation; I cannot pass it."

673. And, I think, when he came to Napier he was again promoted under you?—Yes, to second-class sergeant. I did my utmost to get him promoted. I recommended him on all occasions. I put him forward at Omaha when I wanted a man to go with me, and I spoke very highly of him for the way he assisted me.

674. Say, for a few months before he left here, were you and he on friendly terms?—No. He took a great dislike to Detective Kirby, saying he had known him in Timaru, or somewhere else, and that he was a bad man, and that I should be on my guard against him. He had said this to me several times, and I said at last, "Very well, if you think so put it in writing, and I will inquire into it." I refused to take any verbal reports, but Cullen declined to put it in writing.

675. He says that on one occasion he saw you in the Clarendon Hotel playing euchre-loo for half a crown a corner. Is that true or false?—It is false. I recollect on one occasion when Sir George Whitmore and some others were waiting for the steamer I was with them. I left them to go and say good-by to Cullen and his wife and family. After I had done so Cullen said to me: "I have some very good whiskey here. It is cold, and I advise you to take a nip; it will do you good. I said, "No, thank you; no more for me to-night."

676. Can you play euchre-loo for half a crown a corner, or any other amount a corner?—No. I have been on the West Coast and so know how to play the game, and it is not possible to play it for half a crown a corner. There is no such thing as "corner" in euchre-loo; every man plays for himself.

677. You put so much in the pool?—Yes, generally sixpence.

678. And if you take three tricks how much do you get?—You take all that is on the table.

679. And if you are "looded," how much have you to contribute to the pool?—Half a crown, or whatever was on the table.

680. Then you went to the steamer. Did Cullen go to the port with you?—Yes.

681. Were you on that occasion under the influence of drink?—No.

682. Inspector Cullen speaks positively on the matter?—Yes, because he wants to do me an injury, and he is the man I promoted.

683. He says that on the occasion when Mr. Dinwiddie was defending two vagabonds you sat by Mr. Dinwiddie?—I may have been sitting beside Mr. Dinwiddie, but I never gave him any assistance against the police. I have never yet in the colony assisted any solicitor against the police.

684. You do not conduct cases in Court yourself, do you? You leave it to the sergeant or the detective?—Yes. Mr. Dinwiddie is in Court, and can be called to speak on the matter.

685. *The Chairman.*] Was Mr. Dinwiddie acting for the accused?—Yes, so I believe.

686. *Mr. Cresswell.*] Did you ever restrict Cullen in his duty respecting spielers?—No.

687. Or in the licensing-laws?—No.

688. Did he always have a free hand?—Yes; he was always acting under my advice; regarding spielers and every other case.

689. He says he has seen you speaking to spielers?—Yes, I have often done so to find out about spielers on the course who were not known to me.

690. Have you ever had to report Constable Williams, of Woodville?—Yes. I was up at the opening of the railway to Woodville. I had a parade of the men in the morning. I went to the stable and paddock to see if all was correct before I made an entry. I said to Williams, "This stable is in a filthy state, and you ought to be ashamed of it." I ordered him to get a carpenter to repair the place, and to put gravel in a hole in which any horse might have been injured. He said, "If you are going for me I will go for you." He was very impertinent to me, and I reported him to the Commissioner.

691. Have you reported him more than once?—No, only once. He was a good man when he was with me in Ross.

692. He also says that at Pahiatua you called a constable by his Christian name. How long have you known that constable?—It is Charlie Bowden he refers to. I have known him eighteen or twenty years.

693. Constable Bennett says he went into a private room at Wairoa and saw you under the influence of liquor. Is that so?—No. I was never under the influence of drink there or at any other place in the colony.

694. On any occasion when you have been at Wairoa have you been suffering from any complaint?—I was all right then. I had occasion to fine this man for not being on his beat duty.

695. Did you inquire into that charge?—Yes. Due inquiry was made, and a report was furnished to me by Sergeant Mitchell. I thought it a glaring affair that a man should be off duty at an early hour in the morning, when bad characters might have come along and perhaps robbed the bank or committed some other offence.

696. Bennett thinks he did not get a full inquiry?—He got the fullest inquiry. It was not satisfactory, and I consider I was very lenient with him. I fined him 10s.

697. Do you remember Mr. Smyth at Wairoa?—Yes.

698. He says he reported a case of supposed sly-grog selling to you?—That is true. I told Constable Shaw to get into plain clothes at once and to make full inquiries. I also went to Wairoa myself, but I could get no satisfactory information. Shaw said he had made full inquiry and that there was nothing to justify the report.

699. He says, too, that on one occasion Robinson had some games of chance on the course. Did you know that the club had licensed Robinson to carry on some games?—Detective Kirby and some other men from Napier were on the course to assist, and I sent Kirby to stop the man from playing. Kirby returned and said that the club had licensed the man to play, and he added, "I do not think we ought to interfere. It is their own ground."

700. Was any complaint made to you by any of the officials of the club as to the conduct of Robinson on that occasion?—No. I then told Kirby to look well after the man, and not let him swindle the Natives. The Natives were most anxious that he should be allowed to play, and I was told there would be a regular hubbub if they were not allowed that simple amusement.

701. They cared more for that than the horse-racing?—They did not seem to think much of the horse-racing.

702. Mr. Quigley says that one evening in an hotel he could see you had had a glass. Were you the worse of drink?—No.

703. He says he walked with you to the Gisborne Hotel?—Yes, I went to Martin's Hotel to walk off a sickness, and sat in a parlour for a time, but I had no drink.

704. Does Quigley live near the hotel?—Yes; and he walked down with me.

705. It has been suggested that he and his friend had to carry you?—I could walk as well as Mr. Quigley.

706. Did you fall?—Decidedly not.

707. Did either of them assist you?—No.

708. Were you on that day under the influence of drink?—No. It is said, too, that coming from the racecourse I vomited in the cab, but that is positively untrue.

709. Do you know Arthur Cooper at Gisborne?—Yes.

710. He says he saw you on one occasion with Father Ahearn in the back parlour of the Masonic Hotel. Do you recollect that?—Yes.

711. Were you under the influence of liquor?—No.

712. Is it likely you would be in the company of a Catholic priest and be under the influence of drink?—No. He and I were great friends. He was fond of looking at the races, and some times would come to the course and have a walk with me. He was a very temperate man.

713. Cooper also says that on another occasion he saw you in Martin's Hotel playing bluff. Do you know the game?—I do not. I know only euchre, euchre-loo, and whist.

714. Do you not know forty-fives?—No, but I think I played it when I was a boy.

715. Did you play any other game for stakes?—No.

716. Mr. Cooper must be mistaken then?—Yes.

717. You heard Robert Little say he had played cards in an hotel in Gisborne with you. Do you recollect playing with him?—Yes.

718. What did you play?—Euchre. We played either for refreshments or sixpenny points.

719. Did you ever play with him until after the hour of closing the publichouse?—No. I generally went to bed at 11.

720. When you played with him was it in a private room?—Yes.

721. Had the public access to it?—No.

722. So far as the carrying-out of the Licensing Act is concerned, since you have been in the district what steps have you taken to see the law carried out?—I have gone out myself day and night frequently round all the hotels. I have also inspected them, and I have given my sergeant a free hand, instructing him to see that nothing was allowed to go on that was contrary to law.

723. You have not restricted the sergeant or the men in any way?—No. The sergeant can speak to that for himself.

724. Is it not a fact that in the last five years the majority of the houses in Napier have had an indorsement?—A good many of them. The publicans here are well-conducted men, and we have little trouble with them.

725. So far as the spielers are concerned, what course have you taken to defeat them?—I have done all in my power to clear the racecourses of all spielers. I have gone early to the racecourse with my men to clear the spielers out. At the present time, and for the last two or three years, we have had nothing to complain of. Any spieler who has come along has been turned off.

726. Have you ever screened the spielers in any way?—Quite the other way. At first the club did not touch the bookmakers, but afterwards they were turned off like the common vagabond.

727. Have you been personally thanked by the club for your efforts?—Yes, by Mr. Luckie and Mr. Danvers, the secretaries. I think one of the letters is in the Commissioner's office.

728. Then, you are charged with being the worse of drink on the 7th of this year?—It is false.

729. Do you remember the occurrence?—Yes. I was living at the Marine Parade Hotel with my family, which includes two daughters. Two young ladies named Hooper were visiting them. On this night we had a very beautiful moon, and I thought I saw a "2" and a "3" in it—a small "2" and a large "3." My daughters were out, and I thought they were sitting on a form opposite the house. I went across to the form and put my hand on, as I thought, my daughter's shoulder, and I said, "Rata, do you see the figures in the moon?" I saw at once that I had made a mistake, and I said, "I beg your pardon, I thought I was speaking to my daughter." I then went back to the hotel.

730. Were you under the influence of drink that night?—No.
731. In whose company had you spent the evening?—My two daughters and the Misses Hooper, until after 10 o'clock.
732. Was there any event on that night?—I think a steamer was going away, and the girls had gone down to see it. Mr. Bascovich and his wife were standing near the hotel at the time, and I spoke to them and to the girls about the moon. Some of them saw the figures, and some of them did not.
733. The landlord and his wife are now out of the district?—Yes; I think they are in Auckland.
734. Do you know Messrs. Roberts, Reynolds, and Wilson?—Yes; they were staying at the hotel when I was there. Next night I met a friend of mine named Collins, and I said to him, "Jim, I saw some figures in the moon last night." He said, "I do not suppose there is anything in that," and I replied, "I saw them plainly."
735. *Mr. Taylor.*] In connection with Mrs. Erskine's evidence, do you say you were suffering from influenza at the time she refers to?—Yes.
736. Were you under medical advice?—I do not know now.
737. Do you remember Quigley referring to a letter he handed to you yesterday?—I recollect he sent me a letter signed "T. Taylor."
738. Have you got the letter?—No.
739. What was the purport of its contents?—It was putting him and others on their guard to try and do all they could against me as Christian men.
740. You did not keep the letter?—I did not.
741. When did Quigley give you the letter?—He sent it to me.
742. Did he not give it to you at Gisborne?—No.
743. If he says he gave it to you at Gisborne he is wrong?—I say he posted it to me.
744. Did you get it at Gisborne?—I do not know.
745. Did you go to Gisborne within a few weeks of the Gisborne race-meeting last year?—Not that I recollect.

746. *Witness.*] I wish to add to my evidence this: I think I said that in no part of Napier had I ever been the worse of drink. I desire to add that I have not been under the influence of drink anywhere else—Gisborne, Wairoa, or Woodville, or anywhere else. When I was ill Dr. Menzies told me to take a little whiskey, but it was seldom I took it.

747. *Colonel Pitt.*] Do you consider that a man is under the influence of liquor when he does not know what he is about, or if he is unable to attend to his business?—Yes, that is what I consider is being under the influence of liquor. If I was staggering or showed signs of liquor I would be drunk. At the Marine Parade Hotel I can swear positively that I had no drink during the day or the night.

HARRY FAULKNER, examined on oath.

748. *Mr. Cresswell.*] You are the caretaker of the Recreation-ground in Napier?—Yes.
749. How long have you been in that position?—Between six and seven years.
750. Who takes the tickets at the gates?—I do.
751. And since you have been caretaker have you missed a meeting?—Not one.
752. Have you seen Inspector Emerson there?—Yes, always when there are sports on, except small football-matches.
753. Is he in the habit of speaking to you when he goes there?—Yes.
754. On any occasion have you ever seen him on the Recreation-ground, or elsewhere, the worse of liquor?—No.
755. Did the Inspector go away before the crowd?—I have seen him about the gate or speaking to the police after the crowd had gone.
756. Did he also speak to you?—Yes; he would, perhaps, ask me if I had had any trouble at the gates.
757. Have you ever heard him use bad language on the Recreation-ground or elsewhere?—No.
758. Was any report ever made to you as caretaker as to his conduct on the ground?—No.
759. At one time, I think, he lived in Carlyle Street, close to the Recreation-ground?—Yes.
760. When were you in the habit of seeing him then?—When he was ill he often came with the aid of two sticks to see me, and often of a morning we had a chat together.
761. Did you ever see him the worse of drink?—No.

CHARLOTTE McMULLAN EMERSON, examined on oath.

762. *Mr. Cresswell.*] You are the second daughter of Inspector Emerson?—Yes.
763. In January last you were living with your father and the other members of the family at the Marine Parade Hotel?—Yes.
764. Do you know Miss Florence and Miss Peggy Hooper?—Yes, I know them well.
765. They were at the hotel spending the evening at one time in January last?—Yes.
766. Is there anything that brings it to your attention?—Yes, it was the time that father saw "23" in the moon—a large "2" and a small "3."
767. Where was you father standing when you first heard this?—He was standing outside the hotel by himself. Mr. and Mrs. Bacovitch were standing a little way from him.
768. What were they talking about?—About the large "2" and the small "3" in the moon.
769. Did you and the others have a look?—Yes, but I did not see anything.
770. Had you been anywhere that evening?—Yes, to see the boat off.
771. Did your father go over to a seat?—Yes. When we returned he told me he thought it was I who was sitting on one of the seats, and that he had spoken to me.
772. Your pet name is Rata, is it?—Yes.

773. Was your father at all under the influence of drink that night?—No, not at all.
774. Were you living in the house in Brewster Lane with your parents?—Yes.
775. Have you ever known your father to come home there the worse of drink?—No, I cannot say I have ever known him to come home the worse of drink.
776. Your father suffers severely at different times?—Yes.
777. Principally from what?—Influenza generally.
778. And he is attacked badly?—Yes, he has very bad attacks.
779. Your profession, I believe, is that of hospital nurse?—Yes.
780. And on account of your father's weakness, through the influenza, you have had to give up your duties to nurse him?—It was not for that; I have been keeping house for him.
781. *Mr. Taylor.*] At what time did you first have a look at the moon?—It was a little after 8.
782. Is that before the steamer was away?—No, after.
783. Where were you when you had a look?—On the footpath in front of the hotel.
784. At what time did you go to see the steamer off?—Before 7. It was supposed to leave at 7.
785. At what time did your father ask the landlord and the landlady about the numbers in the moon?—He had asked them just before we came up. He told me he had asked them.
786. They were not there when you came up?—Yes; they were standing a little way off.
787. You do not know if he had asked them some time before you came up?—It was just before I came up.
788. You could not see the numbers?—No.
789. Had your father a telescope with him that night?—No.

DAISY EMERSON, examined on oath.

790. *Mr. Cresswell.*] In January last you were living with your father and the other members of your family at the Marine Parade Hotel?—Yes.
791. Do you remember a discussion one evening about something to be seen in the moon?—Yes.
792. What do you recollect about it?—We went round to the boat, and when we came back father asked us if we could see any figures in the moon. I could see a "2," and one of the Miss Hoopers could see a "2" and a "3," and the other could see a "2."
793. Did you all spend the evening together?—Yes.
794. Was there anything the matter with your father that night?—No.
795. Was he under the influence of drink?—No.
796. Have you ever seen him under the influence of drink?—No.
797. Your father stayed with you that evening too?—Yes.
798. *Mr. Taylor.*] What time did you come back from seeing the steamer off?—A little after 8.
799. What did you do then? Did you stay in or go out?—We stayed in.
800. Did your father stay in?—Yes.
801. Up to what time?—Half-past 10, I think, but I am not sure.
802. What happened then?—We went to bed.
803. You could see some of the figures in the moon?—Yes.
804. Plainly?—Yes.

FLORENCE HOOPER, examined on oath.

805. *Mr. Cresswell.*] You reside with your parents in Napier?—Yes.
806. You are a friend of the Misses Emerson?—Yes.
807. Do you remember when they were staying at the Marine Parade Hotel?—Yes.
808. Do you remember visiting them one night with your sister?—Yes.
809. Do you remember a peculiar discussion that took place about the moon?—Yes; we were coming back from the breakwater after the boat had gone out, and Mr. Emerson asked us, as we were coming across the road, if we could see "23" in the moon. I could see a "2" but not a "3."
810. Did you all have a look?—Yes.
811. Until what time did you stay with the Misses Emerson?—About 10 o'clock.
812. Did the Inspector stay too?—Yes.
813. It is suggested that on that evening Inspector Emerson was under the influence of drink. Is that true or untrue?—Untrue.
814. *Mr. Taylor.*] On your return where did you see the Inspector first?—We were coming across the road and he was under the verandah of the hotel.
815. Did he speak to you or to one of the Misses Emerson?—To Miss Emerson.
816. He did not speak to you until you got to the verandah of the hotel?—It was somewhere about there.
817. You are sure it was on that side of the road?—It was in front of the hotel.
818. It was not on the footpath adjoining the sea-wall?—No.
819. Did he not meet you between the hotel and that footpath?—It was on the road that he spoke to us, in front of the hotel.
820. But not on the side where the benches are?—No.
821. What did he say to you?—He said to Miss Emerson, "Is that you, Rata?" He then asked us to look at the moon.
822. What sort of a "2" did you see: how did it appear to you?—It was on the left side of the moon, and I thought I could see it.
823. Who else saw it beside you?—My sister.
824. Did you see the "3" as well?—I think so.
825. Did it strike you as being remarkable?—No.

MARGARET HOOPER, examined on oath.

826. *Mr. Cresswell.*] You are a sister of Miss Florence Hooper?—Yes.
827. You are also a friend of the Misses Emerson?—Yes.
828. Do you remember, in January last, when they were staying at the Marine Parade Hotel?—Yes.
829. Do you remember going there with your sister and spending an evening with them?—Yes.
830. And you went to the breakwater to see a boat off?—Yes.
831. On your return did you see the Inspector?—Yes.
832. And what took place?—He asked me if I could see “23” in the moon. I saw it. We then went inside.
833. Your sister could see only the “2”?—Yes.
834. Did you girls have a discussion about it?—No.
835. You stayed in the hotel till about 10?—It was after 10 when we left.
836. Was the Inspector under the influence of drink that night?—No.
837. Did he stay in the house till you left?—Yes.
838. If he had been the worse of drink that night about 8 o'clock you would have noticed it?—Yes.
839. *Mr. Taylor.*] After leaving the steamer, where did you first see the Inspector?—Under the verandah.
840. You are sure it was not on the Marine Parade, near one of the benches?—Yes.
841. How did the numbers appear on the moon?—They looked like “23.”
842. What size were they—did they fill the whole surface of the moon?—No.
843. Was it full moon?—Yes.
844. They occupied only a small part of the surface?—Most of it.
845. Was it not a remarkable phenomenon?—I did not think so.
846. You say the Inspector was not under the influence of drink. Had he had a glass?—I did not notice it.
847. Are you a pretty keen observer?—Yes.
848. What time would this be?—A little after 8, I think.
849. To whom did the Inspector first speak?—I think he spoke to Miss Emerson first.
850. Whom did he ask first?—I think it was Rata.
851. Did she go away from you?—No. We were talking together for a time, and then we went inside.
852. Were you all together when he spoke to her?—Yes.
853. Miss Emerson did not leave you at all?—No.

HENRY CLARK WILSON, examined on oath.

854. *Mr. Cresswell.*] You are a clerk in the Union Bank in Napier?—Yes.
855. In January last were you staying at the Marine Parade Hotel?—Yes, I had my meals there, but I did not sleep there.
856. Do you remember Inspector Emerson and his family boarding there?—Yes.
857. Were you in the habit of seeing the Inspector at meal-times?—Yes, regularly.
858. In the evenings did you spend any part of your time there after tea?—Yes, most of my time after tea.
859. Did you ever see the Inspector under the influence of drink?—No, never.
860. You had every opportunity of noticing him?—I should say so.
861. *Mr. Taylor.*] How long have you been in Napier?—A little over two years.
862. How long did the Inspector stay at the hotel?—About three months.
863. What time did you go to dinner?—Six o'clock.
864. And you came out from dinner at what time?—About half-past 6.

RICHARD MAJOR ROBERTS, examined on oath.

865. *Mr. Cresswell.*] You are in the employment of Messrs. Kirkcaldie and Stains, of Napier?—Yes.
866. In January last were you boarding at the Marine Parade Hotel?—Yes.
867. Was the Inspector and his family boarding there?—Yes.
868. Did you see him frequently at the hotel?—Yes, very often.
869. Did you have any conversations with him at night?—Yes, occasionally.
870. Did you ever see him under the influence of drink there?—No; quite the opposite.
871. In your opinion is he a temperate man or an intemperate man?—Very temperate, from what I have seen of him.
872. *Mr. Taylor.*] Do you sleep at the hotel?—Yes.
873. At what time did you usually see the Inspector?—At all hours, and mostly before he retired to bed.
874. Always see him at dinner-time?—Yes, always.
875. Do you usually stay in after dinner or go out?—I sometimes go out.
876. How long was he at the hotel?—About two or three months.
877. Do you remember the 7th of January at all?—Yes.
878. Do you remember anything happening on that night?—No.
879. Do you remember if you saw the Inspector on that night?—I did not.
880. How do you know?—I was not in Napier.

SIDNEY REYNOLDS, examined on oath.

881. *Mr. Cresswell.*] You are a visitor in Napier, staying at the Marine Parade Hotel?—Yes.
882. Were you at the hotel in January last when Inspector Emerson and his family were staying there?—Yes.
883. During January did you see the Inspector at the hotel?—Yes, frequently, at meals.
884. And after dinner in the evening as well?—Yes, I would see him going in and out of the hotel at times.
885. Did you ever see him the worse of liquor there?—No, never.
886. Did you ever see him with the sign of liquor on him?—No.
887. *Mr. Taylor.*] Did you see him on the night of 7th of January last?—I cannot recollect.
888. Were you at the hotel every day in January?—Yes.
889. You are not sure that you saw him on the 7th?—I am not sure about the date.
890. In January did you hear anything about a peculiar phenomenon in connection with the moon?—No.
891. Did the Inspector not tell you he had seen numbers in the moon?—No.
892. Nor the Misses Emerson?—No.
893. Yet you saw them every day?—Yes.

JOHN WILLIAM McDUGALL, examined on oath.

894. *Mr. Cresswell.*] You are the editor of the *Daily Telegraph* in Napier?—Yes.
895. How many years have you been in Hawke's Bay?—About twenty, I think; perhaps more.
896. Do you know Inspector Emerson, and have you known him since he has been here?—Yes.
897. Have you had occasion to see him frequently?—Yes. At one time I saw him pretty frequently, and of late I have seen him occasionally.
898. At night-time as well as day-time?—In the early period—three years ago or more—I saw him at night.
899. On any occasion have you ever seen him the worse of drink?—No.
900. I think you are strong on the temperance question yourself, and take a great interest in the matter. Are you a total abstainer?—I am not a pledged abstainer, but at the same time I do not like to see people getting drunk.
901. You have never seen the Inspector under the influence of drink at any time?—No.
902. From your knowledge of him, is he a man of temperate or intemperate habits?—I have never seen anything to justify me in assuming that the Inspector is a person of intemperate habits.
903. Have you ever known him to misbehave himself in any way?—No.
904. Have you ever known his conduct to be other than that befitting an Inspector of Police?—I cannot say I have.
905. *Mr. Taylor.*] How often do you think you have seen the Inspector?—At one time I saw him frequently. I was engaged on the *Herald* then, which is a morning paper, and I did a good deal of my work at night. Occasionally I now see him in the day-time.
906. Two or three times in the day?—I might go a week without seeing him at all.
907. Do you consider that matters in connection with the Police Force have been on a satisfactory footing here for the past few years?—Considering that Hawke's Bay furnished the Kirby case, I do not think they have.
908. The Kirby case redeems it?—Yes, from the general monotony.
909. Do you think that Inspector Emerson has been strict during the whole of his term of office here with regard to the spieler fraternity and the administration of the licensing-laws?—I honestly do not think I am capable of expressing any valuable opinion on that subject.
910. Will you tell us if you have ever expressed it from a journalistic standpoint?—I think there have been times when I have written to the effect that the police administration might be better.
911. Having special reference to the control of Inspector Emerson?—No, I do not think I ever said or wrote anything that would bear that construction—that I was dissatisfied with Inspector Emerson's control.
912. Do you remember an article in your paper in connection with the Lindergreen disappearance at Wairoa?—Yes, I was exceedingly dissatisfied with that case.
913. Are you still dissatisfied?—Yes.
914. Do you think the inquiry was slummed?—I did not read all the details of the inquiry. My own opinion is that it was a very shocking affair.
915. If the Inspector had been a man of drunken habits or addicted to gambling you would have heard of it?—Yes, I think so. A journalist usually hears a good deal of what is going on, and I cannot say it has ever been brought prominently to my notice.
916. It has not been demonstrated?—It has never been brought prominently to my notice—nothing that would make me believe that the Inspector was given to drunken habits.
917. Did you ever see him in any hotels?—I do not think I have, but that is of very little force, because, unless I go on business, I do not go to hotels myself.
918. You have never known him to gamble?—No.
919. You do not frequent hotels for that purpose yourself?—No.
920. Do you know much about his personal habits?—Up to a little over three years ago I was frequently accustomed to see him, and to ask him questions in connection with cases in the Court.
921. Was he always absolutely sober every time you have seen him?—I believe he was. Never during the whole of the time did I see anything to lead me to believe he was under the influence of liquor.

922. Do you think the police have done everything they could have done in the suppression of "tote" shops in this town?—That is a very wide question. It is said there are "tote" shops in Napier.

923. Have you any personal knowledge of them?—No; I could not prove that there are any.

924. It is a matter of common report?—Yes; it is a matter of common talk that "tote" betting is common in Napier.

925. Do you think the police have done all they should have done to suppress such an illegal practice?—I do not see how I can answer the question satisfactorily. I think that if the police had been allowed to employ plain-clothes men—I do not know whether they are or not—they might have discovered something.

926. Was Kirby the matter of adverse newspaper comment long before he was arrested?—I do not think so, because I fancy that to a large number of people in Napier the Kirby case came as a great surprise. Kirby was a rather plausible individual, and I am bound to say that I was surprised myself. I lived not far from him, and I frequently walked with him to lunch, and it never struck me that he was the rascal that I now know he was.

927. Do you know that the Inspector and Kirby were on particularly friendly terms?—No, I cannot say that I ever saw them together.

928. *Mr. Tunbridge.*] You say that if the police were allowed to employ people in plain clothes there might be something found out?—Possibly there might.

929. Are you aware that legislation dealing with "tote" betting makes the person who tenders the money equally as guilty as the man who receives it?—Yes.

930. Do you, as a newspaper-man, advocate that the police should go and use such methods as that to get a case?—I am not advocating that they should.

931. On the other hand, would you say that they would not be justified in doing that?—I believe that the present laws in relation to gambling are very unjust, and I am not surprised that there is a disinclination on the part of the general public to give information about "tote" shops, because they can go on any racecourse and gamble as much as they please under the auspices of the Government.

932. I suppose you read other newspapers than your own?—Yes.

933. And quite recently some of the papers have been attacking the police methods?—In relation to plain-clothes men?

934. Yes.—I have seen references to that, and there are two sides to the question.

935. Well, except in very extreme cases, it would not be right for the police to go and incite a man to commit a breach of the law?—I think it would be very wrong.

HENRY CHARLES WILSON, examined on oath.

936. *Mr. Cresswell.*] You are a dentist practising in Napier?—Yes. I have resided here for thirty-two years.

937. Have you known Inspector Emerson since he has been here?—I have known him intimately since he has been here.

938. You have seen him frequently?—Yes, frequently.

939. Day and night?—Yes.

940. From your knowledge of him, is he a man of temperate or intemperate habits?—I should say he is a most temperate man. I have met him on certain occasions when there might have been an excuse for a man taking a glass too much, but I have always seen him temperate.

941. Have you ever known his conduct to be other than that befitting an Inspector of Police?—No. I have always found him very obliging and kindly in every respect.

942. *Mr. Taylor.*] Did you ever meet the Inspector in an hotel?—Yes, when he was living in the hotel.

943. Have you had drinks with him?—Yes.

944. How often?—Not very often. He would take a teetotal drink or something of the kind, and I would take whiskey and soda.

945. How often have you had drinks with the Inspector?—I think I had drinks with him twice. I met him most frequently when he was living in the Marine Parade Hotel.

946. Have you met him at other hotels?—No.

947. Have you met him at the Working-men's Club?—Yes.

948. You have met him at private houses?—Yes.

949. And he has always been absolutely sober when you have seen him?—No.

950. Would you call him absolutely sober if he had had four or five whiskeys?—He has never had that.

951. If a man had had four or five whiskeys, would you consider him absolutely sober?—No.

952. Have you ever known him to play cards?—I have seen him playing.

953. How often have you seen him, apart from the time he was living at the Marine Parade Hotel?—Six times a week.

954. All the year round, have you seen him on an average once a week?—I think I have met him on an average once or twice a day.

955. Just casually in the street?—Yes.

956. How often have you seen him in the evening since he has been here—twice a week?—I do not know.

JAMES SPENCE, examined on oath.

957. *Mr. Cresswell.*] You are a storekeeper in Carlyle Street, Napier?—Yes.

958. How long have you known Inspector Emerson?—About twenty years.

959. How long have you known him in Napier?—Since he came here.

960. Have you ever known him to be the worse of drink on any occasion?—Never.

961. Is he a man of temperate or intemperate habits?—I should say he is strictly temperate, judging from all I have seen. I have been in his company at all hours of the day and night, and I have also travelled on the boats with him.

962. Have you ever known his conduct to be other than befitting an Inspector of Police?—No.

963. *Mr. Taylor.*] How often have you seen him, on an average, in the evenings?—While he was living in my neighbourhood I used to see him two or three times a day passing to and from his office.

964. In the evenings how often did you see him?—I have always seen him going home at 6 o'clock for his dinner.

965. And after that?—Sometimes I have seen him two or three times, and sometimes not at all.

966. Some weeks, I suppose, you would not see him once a week after 6 o'clock?—I think I would see him more than that.

967. Where do you live?—At my shop.

968. Who lives next to you?—My shop is at the corner of a street.

969. How often do you see your next-door neighbour—once a night?—I would not say positively that I do.

970. Do you see him as often as you see Inspector Emerson?—Yes.

971. Did you ever meet the Inspector in any hotel?—No.

972. You do not frequent them yourself?—No.

973. Did you ever see him playing cards?—No.

974. Do you know much about his habits apart from the times you see him on the street?—Yes, I was in his house once.

975. Once in six years?—It was while he was living in Carlyle street.

976. Have you been in his house at any other time?—I may have been in once or twice subsequently.

977. And do you know much about his habits, then, apart from the times you see him on the street?—No, I know nothing more than what I have seen of him.

978. On the street?—I have been in his company frequently.

979. How often after 6 o'clock at night?—At Hokitika—

980. But that is twelve years ago. In Napier how often have you been in his company after 6 o'clock at night?—Very seldom.

FREDERICK SUTTON, examined on oath.

981. *Witness:* I wish to draw the attention of the Commission to certain matters in connection with the licensing-laws of the colony. Commissioner Tunbridge has brought before the Commission the desirability of making it absolutely illegal for persons other than lodgers to go upon licensed premises during closed hours. As a member of the public, I am bound to say that I think such an alteration of the law would be exceedingly harsh and undesirable, and not in the interests of the public. That the licensed part of a house is closed on a Sunday is no reason why persons should be prohibited from using some of the convenient rooms for reading papers, &c., without being reported, as it were, as semi-criminals. I understand that for some weeks back certain members of the prohibition party in Napier have been taking down in writing the names of all persons they see entering an hotel on a Sunday, which I think is extremely objectionable.

982. *Colonel Pitt.*] The law cannot prevent that?—As a matter of fact it is done, and those persons whose names are taken down are held up to ridicule. I think the total closing of licensed houses on Sundays is not in accordance with the wish of the people of New Zealand. It is an extremely difficult question, but I do hold that those who are in the habit of taking their glass of beer every day in the week—and I am one of those who have enjoyed a glass of beer for the last fifty years—should not be debarred from having it on Sunday, if they are unable from any reason to keep it in their houses. Speaking, as I believe I do, the opinion of the very large majority of the moderate drinkers, who comprise the large majority of the people of the colony, I say that some alteration of the law which will enable persons like myself and thousands of others to obtain refreshment on a Sunday without sneaking round the corner, with the possibility of a constable or a prohibition sneak taking down your name, would be a great advantage, and should be incorporated in the law. I suggest that the licensed houses should be open for one hour in the morning and one hour in the evening, which would meet the position. I am certain that it will require a Police Force ten times as strong as the one we now have, and any amount of espionage, which would be very undesirable, to keep people absolutely from getting a drink of beer on a Sunday, and I do not think it is at all desirable that legislation should go in that way. I feel that I have had a fairly long experience, and possibly it may be admitted that I am in a position to give my opinions on these questions with perhaps as much authority as many of the residents of the place.

983. Do you wish to represent any matter to us in reference to the Police Force?—I do not think there is anything except what I have just referred to—that I do think, whether I am rightly informed or not, that constables might be better employed than hanging about hotels for the purpose of seeing whether they can get a conviction.

984. Have you anything to say as to the condition or the constitution of the Force?—I believe the constitution of the Force is better than it has been in years past, and that generally police matters in Hawke's Bay have been much more satisfactorily conducted in the last five years than they have ever been. The Force has been a more intelligent Force, they have done their duty very well, and they have been fairly successful in keeping down crime.

985. *Mr. Tunbridge.*] You are aware that it is illegal to purchase drink on a Sunday?—I am aware that for the last twenty years it has been illegal. When I was a member of Parliament it was

illegal, but when I was in Wellington I always got my whiskey on a Sunday. It has been the law, but it has been allowed to fall into abeyance, and the sooner the law is put into a more reasonable form the better it will be.

986. You do not maintain that a policeman should discriminate where he should carry out the law and where he should not?—A policeman's duties, particularly in these matters, are not easy. It is difficult to decide, and I should like to see the law altered. I do not like to see Acts on the statute-book that are not carried out.

987. But while they are on the statute-book the police are bound to carry them out?—Yes; but the licensing-laws, so far as I have been able to form an opinion, were much more satisfactorily carried out to the convenience of the public, say, twelve months ago, than they are by the total prohibition that is in force now.

988. You say, then, that the majority of the people were more content that the law should not be enforced than they are now when an attempt is made to enforce it?—Decidedly.

989. Should not the majority make their voice heard in Parliament then, and have the law altered, instead of blaming the police?—Yes, but I know how laws are passed; and when that law was passed a majority in the House did not believe in it. There were four or five members of Parliament who held erratic views, and one of the parties in the House secured the votes of these men.

990. Are you acquainted with the laws in England?—I have not been in England for forty years.

991. Do you think that any law which would apply to England might reasonably be applied to New Zealand?—I do not know whether I could give an opinion on that. Things have altered vastly in England since I was there.

992. You see no reason why what is good for England might not be good for New Zealand?—I understand that in England two hours in the morning and two hours in the evening are allowed, but I think that is too long.

993. Do you think that if the houses in this colony were open for two hours at midday and two hours in the evening there would be no attempt made to drink between those hours?—I do not think there would. I think the general public would say, "This is fairly meeting the case, and we will not break the law."

994. And if the laws were altered to allow publichouses to open at certain hours during the day, would you then say that any person found on the premises during the closed hours should be prosecuted?—No. I do not admit the advisability of closing licensed premises to the public at all.

995. You would have them open all the day?—Not the licensed portion of the house. Why should I not be allowed to go into the commercial room of the Masonic, or the Criterion, or the Clarendon, to read a book or to read a paper and to smoke and yarn?

996. *Colonel Pitt.*] What law prevents you?—None; but I understand it is proposed to make it illegal for any person to be on licensed premises on Sunday.

997. *Mr. Tunbridge.*] You would go in without getting drink?—Yes.

998. The suggestion I make is that if a man is legally on the premises and has no desire to obtain drink, he is not illegally on the premises?—I understood that if a man was to go on the premises at all he was to be held to be liable.

AUCKLAND.

WEDNESDAY, 8TH JUNE, 1898.

FRANK LAWRY, examined on oath.

1. *The Chairman.*] What district do you represent in the House of Representatives?—Parnell.

2. I understand you wish to give a general contradiction to a declaration that Constable Nixon was ever on your election committee?—He never was on a committee of mine to my knowledge, and I am quite certain he never was a secretary to any of my committees. I am almost certain he never was on a committee of mine at all, and I never knew he worked in my interest. It is most likely that, knowing him to be a smart young fellow and bearing a good character, I gave him a recommendation in the ordinary way. Perhaps Colonel Hume will bear me out when I say that I never did more than simply give the young fellow what a member generally gives a young man on such occasions. Then it was more than insinuated that his appointment from ordinary third-class constable to a more important position of plain-clothes constable was due to my interest.

3. You gave him that letter, Mr. Lawry, on the strength of your personal acquaintance with him?—That is so, and in connection, if I remember rightly, with two other gentlemen—I think Mr. Seymour Thorne George and Mr. Duthie, of the National Bank. I wish to give the statement an emphatic denial that he ever was on an election committee of mine. From my own personal knowledge, however, I was not sure, and I appealed to the general chairman of my committee, and he informed me that constable Nixon was never on a committee of mine. It was stated that his occupation was that of a general canvasser; that is what he placed on his application; but I wish to state to the Commission that it must not be understood that he ever was a canvasser for me.

4. You say that from your own knowledge he never canvassed for you?—That is so, unless he did it on his own account, but never to my knowledge. I certainly have taken a general interest in the young man, but I never said or did anything to secure any advancement for him, and I have already endeavoured to impress upon him that promotion in the service must be a result of

his own merits. That is briefly my whole connection with the matter. Judging by the brief reports appearing in our local papers, my name was brought up in connection with some other constable who was dismissed and afterwards reinstated. I have no recollection of ever having taken any action in connection with the matter. If I did, it would be simply to have written him a letter in the ordinary way. I certainly never attempted to bring any influence on the department in connection with the matter. I do not remember ever having had anything to do with the reinstatement of Constable Carlyon. I think, speaking generally, both Colonel Hume and Mr. Tunbridge will bear me out in the assertion that I have never attempted to bring any influence whatever to bear on the department in connection with the appointment of constables; and I have very frequently congratulated Colonel Hume on his refusal to do that which he did not think right in the interests of the police and the department itself. I dare say I have been appealed to less than other man in the General Assembly, simply because I told members of the Police Force that if they had a bad case I would have nothing whatever to do with it. That is all I wish to say.

5. *Colonel Hume.*] You have told us you have not used political influence in the appointment of constables: have you used any political influence in removals or promotions or anything of that sort with either myself or the Minister?—No.

6. Now, if a man came to you and asked you to recommend him for the police or any other department, and you knew that he had been a member of your own or some other candidate's committee, would that prevent you from recommending him?—Not at all, if he was personally fit in physique and character; it would not matter to me if he was the secretary of an opponent's committee, I would give him a recommendation all the same.

7. I suppose you have had a good many applicants for other departments besides the police?—Yes.

8. And have you treated them in the same way?—Exactly.

9. That is, just written a letter that they were deserving?—Just so. I remember making almost a personal appeal to you to reinstate a young fellow who was dismissed in the South, but you did not act on my suggestion. You told me the whole of the facts of the case, and after I heard them I said I did not want to interfere, as the department had acted rightly in the matter.

10. You have been a member of the House, I think, for some considerable time?—About twelve years.

11. Well, now, do you know of your own personal knowledge any political influence that has been used in the Police Force?—Never.

12. You cannot quote a single case?—Not one.

13. I suppose you know a good deal of the Auckland police?—Yes, I am personally acquainted with a great number of them. I may say not one has asked me to do anything that I could not publish to the world.

14. Would you say the Force is honey-combed with abuse?—No, I should say it was the best Police Force in the world, taking all the circumstances into consideration.

15. From your own personal knowledge and acquaintance with the men, do you think that if a man had a grievance he would be likely to come to you?—I think if they had a substantial grievance I would be one of the first men they would come to.

16. And your action would be what?—To assist them if I thought they were right, and if I thought they were wrong I would tell them so.

17. *The Chairman.*] Are you aware that the cost per head of our Police Force in respect of the population is very much lower than in the other colonies?—I am aware of it.

18. Are you aware that the number of members of the Force bears a very much smaller proportion to the population?—Yes.

19. And that the pay is lower?—Yes.

20. And that there is no pension scheme?—Yes.

21. Knowing what you do of the character and constitution of the Police Force, do you think it is desirable that there should be a pension scheme?—Yes, I do.

ARTHUR HUME, examined on oath.

22. *The Chairman.*] Can you give us any statement in regard to the matter brought before us by Mr. Lawry?—I have heard Mr. Lawry's evidence, and it is perfectly correct.

23. In what respect?—Mr. Lawry has on one or two occasions, when he thought some member of the Force had a substantial grievance or a just grievance, come and asked me to investigate the matter; but beyond that he has never used or tried to use influence with me. As regards recommendations for the Force, he is perfectly correct in stating that he has forwarded recommendations the same as any other public man or employer of labour does.

24. Do the regulations require that the application of candidates for appointment in the Police Force should be recommended by any official or public man?—By two responsible persons.

25. But not by any official, or member of Parliament, or clergyman, or anything of that sort?—No, by "two responsible persons"—that is the wording of the paragraph; and, as I pointed out before, they have to show their last five employers. Some candidates send in as many as twelve or fifteen recommendations from Justices of the Peace, ministers of religion, members of Parliament, and others.

26. *Colonel Pitt.*] Have you any personal knowledge of Mr. Lawry having attempted to bring influence to bear on any Minister of the Crown in reference to members of the Force?—No, I have never known a case. I may add, too, that Mr. Lawry has on many occasions said, "Very well, I am perfectly satisfied with your explanation, and I shall do nothing more in the case."

JAMES HICKSON, examined on oath.

27. *The Chairman.*] What is your rank?—A first-class Inspector of Police, stationed in Auckland, and in charge of the Auckland Police District.

28. What are the boundaries of your district?—All up northward of Auckland. I do not go as far south as Tauranga or Rotorua. There are fifty-three police-stations in my district. It is the largest police-district in the colony.

29. How many men are there in the whole district?—119 sergeants and constables. There are three first-class sergeants; two second-class, and five third-class; there are twenty-four first-class constables, fifteen second-class, and fifty-three third-class; and there are one first-class detective, two third-class, and two fourth-class. There are eight district constables, and three Native constables, and one matron at the head-station in Auckland. There are ten police-horses, and one private horse allowed forage. In the Auckland head-station there are twenty married sergeants and constables, and twenty-nine single. At the head-station the strength at present is forty-nine, but of that number there are a great many absent on duty from time to time. For instance, there are eight absent at present out of the Auckland station; and there are two sick, one of whom is the senior sergeant in charge of the Auckland station, who met with a severe accident at a fire a little over a month ago.

30. How many mounted men are there in the district?—Eleven mounted men.

31. How many of these are in the city?—Two mounted men, who are single constables, are in the city.

32. *Colonel Pitt.*] Does the Force you have told us include the district clerk?—Yes, and the assistant.

33. *The Chairman.*] Are these men efficient?—All.

34. All fit to do their work?—It is questionable whether one of them is, but he is able to do the work he is at.

35. You are speaking of them physically?—Yes.

36. What is their efficiency as constables?—They are all fairly efficient; but a large number of them are young men, not long appointed, and they are as efficient as can be expected of inexperienced men.

37. Are these recent appointments on street duty?—They are.

38. How have they been trained for their duty?—No training that I am aware of, except perhaps a few of them have been trained in the Permanent Force.

39. That is, no training for the Police Force?—No, none; they have had no training for the Police Force. I have been obliged to put them on duty immediately after their appointment.

40. Do you put them on duty by themselves?—No. I generally send them out on night duty for a few weeks with a senior man or the sergeant in charge of night duty, who is specially instructed to devote as much care and supervision to them as possible; otherwise they go with a constable who has had some service. To show the drain on the head-station, I am often required to send constables to country stations where there may be only one in charge, and his place cannot be left vacant.

41. That causes a great drain on your Force?—Yes.

42. What do these men go to the country stations for?—On relief duty to replace constables who have to leave their stations on duty or for other reasons.

43. Now, in regard to the married constables and sergeants, are the sergeants receiving house-allowance?—Yes.

44. The constables?—No, with two exceptions—that is, the district clerk and the Inspector of Weights and Measures.

45. What allowance do the sergeants receive?—10s. per week.

46. Now, I understand the unmarried constables are now living out of barracks?—They are.

47. Why?—Because the old barracks have been condemned, and are being demolished for the purpose of new barracks being erected on the site.

48. And are they now, in consequence of living out of barracks, receiving any house-allowance?—They are, within the last month or two. They made representations that they are now put to much more expense through living out of barracks, and an allowance was granted to them.

49. Do I understand that single constables are getting more than the married constables?—They get 9d. a day more through having to live out of barracks.

50. So, as a matter of fact, unmarried constables are getting 9d. a day more than married constables?—That is all.

51. How many men have you out on night duty in the town?—On an average ten on night duty. But that is only since there was an augmentation to the Auckland Force. It has been going on for the last nine months. The Force in Auckland is now ten more than it was a year ago.

52. *Colonel Pitt.*] How many beats does that furnish?—There are ten beats in the city.

53. Do you keep all the beats full?—Lately I have been able to do so.

54. Is the Force now sufficient for the requirements of the district?—No; I have recommended the formation of certain new stations.

55. Take Auckland City—is the Force sufficient for Auckland City?—I do not think so.

56. How many men more are required?—There are two constables at Ponsonby, and one additional is required; and one additional at Newton, where there is a sergeant and two constables.

57. What about the district?—In the suburbs I have recommended that there should be a constable stationed at Ellerslie, one at Birkenhead, one at Te Kuiti in the King-country, one at Kaihu; an additional constable at Paeroa, where there is a sergeant and one constable; and an additional one at Waihi, where there is only one constable to a very large district. These two latter stations are on the goldfields.

58. Now, to supply these men and stations, how many additional men would be required?—One at each.

59. Have you had any complaints lodged with you as to the conduct of any members of the Force?—No, except a general one from a journalist named Mitchell, and I am inquiring into that. It is no specific complaint against the police; it is more against the publichouses.

60. Has there been any representation made to you by any society or body of men as to the conduct of the Force?—No, I cannot recollect any one.

61. Then, I may take it that you have received no complaints against members of the Force other than those you have mentioned?—None.

62. Now, with regard to young men going on duty untrained, what is your opinion on that subject?—I think they ought not to. I think there ought to be a depot established in Wellington where the men could receive some instruction. A little drill, but not much, is required for a policeman, and a good deal of instruction as to the performance of their duties and the several Acts which they have to administer, such as the Police Offences Act, the Licensing Act, the Industrial Schools Act, and a few other statutes. I can say that the conduct of the whole of the police in my district is on the whole satisfactory.

63. Do you have much trouble with them arising from any cases of intemperance?—Not a great many; but there have been two dismissed within the year ending March last, and since then there has been another dismissed. They were young men who had not been long in the Force. The last one who was dismissed had been only two months on.

64. What is your opinion as to the morality of members of the Force in your district?—I think it is very good, with two or three exceptions. I have made very strict inquiries lately respecting some allegations that appeared in the public papers, and I find there is no truth in them.

65. With regard to the suggestion which has been pretty widely published that there should be a pension scheme established in connection with the Force, what is your opinion on that?—I am very strongly of that opinion.

66. Do you think it would be acceptable to the Force on the condition that it was supported by the Force?—I believe so. I believe it would be a great means of making men more contented, and would encourage men of intelligence to remain in the Force when they see there is some provision made for them in their old days. I will tell you later on my experience of that.

67. Do you think you are expressing the opinion of the Force when you say that they would accept with satisfaction a pension scheme supported by contributions from the Force?—Yes; it should be a very small contribution from the Force though, considering that I think they are very poorly paid at present.

68. Would a very small contribution support a pension scheme?—Not by itself.

69. Where are the other funds to come from?—Fines inflicted on constables. It used to be the practice many years ago, and now relating to some cases, that the informants in any case are entitled to rewards. Instead of that reward being paid to constables in cases in which the police take the initiative and prosecute, I would recommend it be paid into the pension fund.

70. Now, there are many offices held by constables involving duties outside their duties as constables by which certain pay is attached. Do you think it would be wise and proper that these emoluments should go to a general fund so as to make all constables receive the same pay?—Yes. I do think so. Some of them are very highly paid for the little duties they do; but I am not in favour of many of these duties being performed by the police. Where they have very little to do and can perform these duties without interfering with their police duties; and when I call them to account, they say, "I have been engaged on clerical work, and could not leave the Court that day." I say that first and foremost you must do your police duty and other work afterwards.

71. *Colonel Pitt.*] If the Court has to sit?—I leave that to the Justice Department. I know in many cases they could find good men who would perform the duty for a very small salary.

72. *The Chairman.*] Would, in your opinion, the deprivation to the constables holding these outside offices of the emoluments they now receive tend to reduce the jealousies which now exist in the Force?—I dare say it would tend to reduce a great many of them, because I often find a difficulty in finding suitable men to fill the position of Clerks of Court at stations where a Clerk of Court is required.

73. Do you think, then, if constables and sergeants receive pay according to their rank that it would remove that jealousy, and remove one great difficulty in the way of transfers and promotions?—I think it would. There could be no reasonable cause for jealousy.

74. You, I suppose, have had a good many instances of men who objected to be promoted to sergeants because it would mean less pay to them?—A great many; and they considered it would be a great injustice to give them promotion.

75. And the effect of that is to deprive the Force of very good sergeants and to be detrimental to its management?—That is so.

76. *Colonel Pitt.*] Have you many constables acting as Clerks of Court in districts where the number of plaints is over a hundred in the year?—I think so—a great many. For instance, I was up at Rawene lately, and there were over a hundred civil cases in one day. There the Court does not sit but once a month.

77. *The Chairman.*] With regard to the pay, what is your opinion on that matter?—I think the pay is quite inadequate, and I think it would be in the interests of the colony that the men should be better paid. There would be some inducement then for intelligent men to join the force. At present I say there is no inducement. And I would recommend that married men be allowed a house-allowance. I may say that every country constable, as a rule, has a house provided for him in the police-station. With a few exceptions they are all married men with long experience. I would recommend that the police be supplied with uniforms free. I know that is the rule in Ireland. They get a jacket and dress-frock, and two pairs of trousers, and a hat.

78. With regard to the position of constables in respect to political matters, do you find the right to exercise the franchise tends to place them at a disadvantage?—I do not think so. I cannot see why the police should be deprived of the franchise and other Civil Servants allowed it.
79. You do not think it places them at a disadvantage in attending political meetings, and so on?—I discourage them attending any political meetings. They are sent there on duty, of course, but for nothing else; and they take no part in the meetings.
80. Do you find it affects their efficiency?—I do not think so. I have never known a case.
81. Have you had any case of constables taking any active part in elections, and so on?—I never knew a case.
82. Have any complaints been made to you on that subject?—Not one. A very vague statement was made to me not very long ago by a barrister in this city, who was a teetotaler and Prohibitionist, and who was at one time a member of Parliament. He told me that a certain district constable was opposed to him; but he declined to give me any particulars; and that is the only case I ever heard.
83. Now, Onehunga is part of your district. What force have you there?—One sergeant and one constable.
84. Do you find that sufficient for a place like Onehunga?—Oh, quite. In case of an emergency—and it is very rarely they have arisen—the head-station can be telephoned to, and a man can be sent out.
85. Is the conduct of those men very satisfactory?—Very; the sergeant is a very old and efficient officer. I have never heard any complaint against him. He is Clerk of Court and also Clerk of the Licensing Committee.
86. Any complaints of intemperance on their part?—No complaints; but I have had to check a constable for having the appearance of liquor.
87. *Colonel Pitt.*] What is your opinion as to the abolition of classes amongst sergeants and constables?—I think there are too many classes; and yet it seems to have been the custom in other places to have a number of classes.
88. What would you have?—I think it would be better if the men were paid in proportion to service and efficiency.
89. What is your opinion as to the number of classes you would have amongst sergeants and constables?—I think two in each would be quite enough; it ought to be. But instead of having classes, I would recommend an increase in pay according to service—say, after five, ten, and fifteen years.
90. What do you think should be the minimum pay of a constable?—I think the lowest pay for an efficient constable should be 8s. a day.
91. What do you think should be the lowest pay for a man joining?—Well, 7s. should be the lowest.
92. And to what rate should it be increased after fifteen years' service?—Up to 8s. 6d. a day.
93. And the sergeants, what should they get on attaining their rank?—9s., and then 9s. 6d., and 10s.
94. In your opinion what should be the age for constables and sergeants retiring from the Force?—Sixty, or very soon after.
95. You have served in other districts besides Auckland?—I have, and in other countries.
96. What is your opinion as to the size of the several districts in the colony?—Some of them are far too large. For instance, this is very large, and I am not able to exercise proper supervision over it, not even in the city.
97. You say Auckland is too large. What other district in the colony is too large?—Dunedin and Christchurch. I have had no practical experience in Wellington, and do not know how the district is worked.
98. Would you recommend additional districts or the appointment of Sub-Inspectors?—I think it would be better in some cases to have additional districts.
99. And for all districts do you recommend the appointment of Sub-Inspectors?—I think there ought to be in every district as at present constituted, because the Inspectors cannot exercise that supervision which they ought to. I find, for instance, that every time I go into the country I see and hear many things which would otherwise never reach my ears.
100. How often do you visit on an average the out-stations in your district?—Very rarely. I have not been able to visit all the stations in my district in one year.
101. Are there any you have not visited for two years?—I dare say there are.
102. And when absent from the headquarters of the district, who takes charge in your absence?—The district clerk takes charge of the office, and the senior sergeant takes charge, of course, of the duty. I would like to remark that the difficulties of travelling over this district are very great, and much more so than in any other district of the colony. I cannot here step into a train, as in Dunedin, and visit almost every station in my district.
103. When you are absent, do you communicate with the district clerk?—I address communications to the officer in charge. The clerk only deals with routine and simple matters. Any important matters remain on my table until I come back.
104. Suppose a telegram arrived that a criminal had come to Auckland and had to be arrested, who would deal with that?—The clerk would.
105. What would he do?—If it was very important, he would communicate with me; if not, he would act on his own responsibility.
106. Would he not hand that telegram to the sergeant?—He might. There is no rule in the case, because the clerk is very often a junior man.
107. When you leave, who takes charge the moment you leave town?—The senior sergeant takes charge of the duties.

108. Then, if you have any instructions to give, to whom do you write and send the instructions?
—The officer in charge.
109. Who is that officer in charge: would it be the clerk or the sergeant?—Very likely it would go to the clerk, and very probably, if important, he would show it to the sergeant.
110. If he did not show it to the sergeant, would he be guilty of a breach of duty?—He would if it was very important.
111. Then, in your practice is the clerk the medium between you and the sergeant?—Yes.
112. What rank is your district clerk?—First-class constable.
113. So you send through a first-class constable your instructions to the sergeant?—Yes.
114. Do you think that is contrary to discipline?—I do think it is wrong. I think there should be a Sub-Inspector. As a rule the sergeant knows nothing about the correspondence that may arise in the office.
115. Who do you leave in charge when you go on inspection duty from headquarters?—The district clerk.
116. And he is regarded then as the officer in charge?—Yes.
117. *Mr. Poynton.*] How are the licensing-laws carried out in Auckland?—Very well. The publichouses are, as a rule, better conducted here than in any other city or town I have been in.
118. Do you know how often the sergeants visit the hotels?—They are visited in the city every Sunday once or twice.
119. Is that the rule?—Yes.
120. Have you had any complaints about the laxity of the police in enforcing the laws?—No direct complaints. We have had charges against publicans, and have some pending now.
121. Taking into consideration the number of the hotels in Auckland, do you think that the charges brought against them are greater in proportion than in other centres?—I do not think so.
122. Do you think the licensing-laws as they are at present are sufficient, or do you think any amendment is necessary?—I think an amendment is necessary. I think the licensing-laws are very defective.
123. In what direction do you think an amendment should be made?—There is one case which I will quote from my yearly report of 1896, as follows: "In enforcing the licensing-laws considerable difficulty has been experienced in cases similar to the following: When passing a hotel after the hour of closing the bar and rooms adjacent are seen lighted up, and the noise of men drinking is heard; the police enter and find a considerable number of men drinking; the licensee states he believes they are all either lodgers or travellers, or he remains silent; the men refuse to give their names and addresses—there is no law to compel them. In such a case there could be no moral doubt but the law was being violated, but there was no evidence for the prosecution to warrant a conviction. I recommend that the onus of proving they were lodgers or travellers within the meaning of the licensing-law should be thrown on the licensee." I am still of that opinion.
124. Would you make the English law which affects persons found on licensed premises at unlawful hours to apply to the colony?—I would recommend it.
125. About sly-grog selling in the King-country, what steps have the police taken to prevent that?—As much as we could. I have sent up constables there in plain clothes several times, and they have succeeded, and many convictions have been obtained on information obtained by them.
126. Is there any special difficulty in preventing it there?—Yes.
127. Please explain?—The first is that a constable cannot be here very long before he is known to the residents of the city, and as many of the latter are interested in the sale of liquor in the King-country they take observations. The next is that at Te Awamutu especially they are watching the people going up by train, and if they see any people on board who are at all like constables the fact is at once telegraphed on to Otorohanga. That I know. They are watched by publicans and agents of the merchants who deal in spirits.
128. You say their presence is soon discovered?—Yes; and often telegraphed to the King-country.
129. Are there many Natives engaged in this practice?—There are some on a small scale.
130. How do they proceed: have they shops or stores?—Some of them have shops and stores. I hear there are a few going about there with a bottle and a kit.
131. *The Chairman.*] Do you mean the Natives carry it on as a trade?—Yes.
132. *Mr. Poynton.*] Do they carry it about in a kit?—Yes; but these cases are very few and far between.
133. Now, in Auckland, are there any suspected "tote" shops?—There are.
134. How many?—Four.
135. Have you had any prosecutions against them?—Yes; I have had three of the four convicted, and owing to the absence of an important witness in the fourth case we could not proceed.
136. *The Chairman.*] Do you mean there are four now?—They are supposed to be carrying it on now. They are more cautious now, and they are known as betting men and agents.
137. *Mr. Poynton.*] You have great difficulty in getting convictions. Would you suggest any amendment to the gaming-laws: do you think they are sufficient at present?—No, certainly not. For instance, there is no power given to the police to make forcible entry, although such has been done.
138. Is there much street betting in Auckland?—A great deal.
139. Of course, you are almost powerless to prevent that?—Almost. We have had a few convictions. I brought the matter under the notice of the City Council and recommended a by-law; but it was stated there were great objections in the way. In fact, one member of the City Council did propose the by-law, but he abandoned it.
140. Do you think that gambling is on the increase?—I think it is on the increase, especially with the juveniles.

141. What form of gambling do young people indulge in?—Mostly on racing, and betting about the streets. Vulcan Lane is notorious as being a rendezvous for all the betting-men.

142. And you say young people indulge in it?—Yes. The nuisance in Vulcan Lane has become so great that there have been many complaints from the public about it, and it has taken up the time of two constables to keep it clear. Lately the whole time of one constable has been taken up in keeping that street clear for traffic, and to enable pedestrians to walk up the footpath.

143. Is there much prostitution in Auckland?—There is a good deal.

144. Are there many young women on the streets in Auckland?—No; that has been very much exaggerated. There are young women of questionable virtue, and they make a great display; but there are not so many young prostitutes as has often been asserted in the public Press.

145. Have you had any complaints from the public as to the police failing to enforce the laws in regard to brothels that could be suppressed under the Indictable Offences Summary Jurisdiction Act?—They make complaints in this way: they write and say such-and-such a house is a brothel, and state the reason—say that drunken men go there, and that cabs are driving there at all hours up to this house. Of course, I have to make what inquiries I can; and, as we have no power to enter these houses, I cause a notice to be served on the owner of the house that after a certain date I will hold him responsible for the occupants of the house.

146. *The Chairman.*] Are there houses which you know to be brothels: drawing the distinction between houses occupied by women who receive friends and houses which are maintained by prostitution?—Not now; there were a great many when I came here.

147. You know of no existing legal brothel?—No. By the plan I have adopted of notifying the agent or owner of the house I have kept these women moving about from house to house.

148. *Mr. Poynton.*] In connection with sly-grog selling, do you think if the penalty was imposed by law on the person who purchases grog from an unlicensed person it would tend to stop the practice?—I think it would have some effect, but it would be very difficult to obtain evidence in such a case.

149. *Colonel Pitt.*] Have the police any difficulty with larrikinism in Auckland?—There is a good deal of larrikinism in Auckland.

150. What do the police do to suppress it?—If they see any misbehaviour on the part of these youths, they arrest them; but really what is called larrikinism now, I think is very much exaggerated. Often they are playing and making a little unusual noise in the streets, and it is called larrikinism; and some of the shopkeepers send me letters, or write to the public Press about it.

151. Is there any larrikinism in the form that obstructs traffic and insults passers-by?—There are cases occasionally of youths interfering with peaceable residents.

152. Are the police energetic in dealing with these cases?—They are as far as their power allows them.

153. *Mr. Poynton.*] Is the proportion of detected crime to the reported crime as great in Auckland as other places?—Yes, I think the proportion of crime detected in this district is equal to the proportion of detected crime in any other district.

154. *Colonel Pitt.*] What is the population of Auckland?—The present population of Auckland and suburbs is approximately 57,616.

155. *The Chairman.*] When did you first join the Police Force?—I joined the Irish Constabulary in 1850.

157. And when did you join in New Zealand?—1st of October, 1865, when Mr. Shearman was Commissioner in Christchurch. I was induced to come over here from Victoria.

158. In what position did you join?—I was a first-class sergeant.

159. When were you appointed Inspector?—I was appointed Sub-Inspector in 1870, and Inspector in 1872. On my appointment I was sent to Greymouth as Sub-Inspector, and while there I was promoted to be Inspector.

160. Were you in charge of the Greymouth district?—Yes; from Greymouth I went to Christchurch in the end of 1877. From Christchurch in 1880 I was transferred to the Lake district, with Clyde as headquarters. I was there for ten years; and in 1890 I was directed to assume command over the Southland district, still retaining command over the Lake district, with my headquarters at Invercargill. I was about sixteen months at Invercargill when I was directed to proceed to Dunedin and take charge of that district, still retaining command of Southland and the Lake districts. I was there until January, 1893, when I was transferred to Auckland, where I have been since. I replaced Mr. Broham in Auckland, Mr. McGovern in the Bay of Islands, and Mr. Emerson in the Waikato.

161. Was the Bay of Islands a district then?—It was, and it is still known as the Bay of Islands, and is part of my district. My district now comprises these three old districts. When I went from Greymouth to Christchurch I replaced two Inspectors in Christchurch—namely, Inspectors Buckley and Feast. Mr. Broham was then senior officer in command of Canterbury.

162. *Colonel Hume.*] You stated this morning that you have eight men absent just at present?—Yes.

163. That is something unusual?—No; it very often occurs. They average from seven to eight men absent from the men nominally attached to the headquarters station. I have known as many as eleven, twelve, thirteen, and fourteen to be absent on one day.

164. These eight men are not altogether in one place?—No; perhaps at eight different stations.

165. You went on to say that you thought the pay for the outside offices should go to the pension fund?—Yes.

166. Is it not a fact that these Clerks of Court do a great deal of Court work in their own time?—No doubt they do.

167. Do you think it would be fair to employ them in their own time, and that money to go to the police fund?—They would receive a benefit from it afterwards.

168. Indirectly?—Yes.

169. Then, would not the men who are not doing this work receive equal benefits from the work that these constables were doing in their own time?—They would.

170. Would that be fair?—I think it would, because it would do away with a great deal of jealousy existing amongst the men. Some men complain that they are not sent to these places; and of course the more intelligent men are appointed as Clerks of Court. In one sense I do not think it would be fair to have these men of indifferent education paid as well as men of superior education. If they were not Clerks of Court they would probably be advanced in the Police Department if promotion was not so slow as it is at present and has been for many years.

171. Can you account in any way for the promotion being so slow?—I believe it was owing to the transfers from the Armed Constabulary. There were a good many attached to the Armed Constabulary who were transferred to the police. Not a great many officers certainly, but a great many men of long service and non-commissioned officers.

172. And non-commissioned officers retained their positions and rank?—In many cases.

173. You said you did not think the pay sufficient?—I do not.

174. And there is no inducement for men to join the Force now?—No, not sufficient.

175. Are you aware there is a very large list of candidates at the present moment?—I have heard so.

176. Then, how do you account for there being no inducement for men to join the Force?—They may join, but they will not remain in it very long. I think they only make it a convenience.

177. Then you spoke about districts being too large?—They are far too large, in my opinion.

178. How often do you consider out-stations ought to be visited?—The more distant stations ought to be visited twice a year. I have not been able to do so.

179. Do you think any serious detriment has been caused through your not being able to visit out-stations twice a year?—Inquiries I have been directed to make I have not been able to make owing to the long time it takes to travel between some of these places. At Dargaville where I went I was detained a week, and the like of that would often occur. I was in Warkworth, and I was detained there for a week. I have been in Dargaville several times, and have been detained a week each time. If you are not able to do the work on the day you arrive you have to wait three or four days.

180. Why were you detained at Warkworth?—For a partly similar reason. There is a coach there every second day.

181. Could not you get back the second day?—No, I was not able to complete the inquiry the second day.

182. Then it was not the fault of the conveyance, but because the work was not finished?—It was partly the want of conveyance.

183. Now, as regards handing over the charge of the district when you go away on duty anywhere, what objection is there to handing it over to the sergeant, and the district clerk being then the sergeant's clerk the same as he is yours?—For this reason: that the sergeant has no knowledge of the correspondence.

184. But the clerk has?—Yes.

185. Then, what objection is there to his being the sergeant's clerk instead of your clerk for the time being?—Because I think the sergeant is not able to give him sufficient information in matters of importance.

186. Well, could not the sergeant telegraph to you?—Very lengthy communications would be necessary in many cases.

187. More so than if the district clerk had to do it?—Yes, I think so. For instance, up to a late time when Sergeant Ellison was my clerk I had no trouble with him, because he was very well versed in police matters, and very rarely had occasion to telegraph to me. It was not necessary for him to allow correspondence to accumulate as it did on a recent occasion when it took me three days alone to read the correspondence, because Sergeant Ellison had a thorough knowledge of police duty and the law relating to police-work, and was able to act in every case.

188. *The Chairman.*] Why is it necessary to have a Sub-Inspector when a sergeant could exercise all the powers in your absence?—He could not exercise powers in my absence. I could not delegate my powers to him.

189. *Colonel Hume.*] Are we to understand that your district clerk has more knowledge of police duties than the sergeant?—No. I say he has more knowledge of the routine clerical work than any sergeant; and then the sergeant has very little knowledge of the office-work.

190. Then, could not the clerk impart that knowledge to the sergeant in your absence?—Such a man as Sergeant Ellison could.

191. Take district clerks generally?—No, I do not take it that district clerks generally are efficient, capable, and competent to impart the necessary knowledge of the Inspector's office.

192. You served in the Royal Irish Constabulary and Victorian Police?—Yes.

193. In either of these have you ever known such a case?—I never knew an Inspector to be without a Sub-Inspector or an officer of similar rank. In the City of Limerick, where I served for some years, there was a County Inspector, a Sub-Inspector, and three Sergeants-major.

194. *The Chairman.*] In such a case had the Inspector much more to do than to look after the Sub-Inspector? Were the duties of his office very different to those of an Inspector here?—Very different. The Inspectors here have much more to do. I am more like a clerk than an Inspector, working in my office from early morning till late at night. I have no chance to go and visit my stations, and yet I am held responsible.

195. *Colonel Hume.*] But in either of these Forces have you ever known such a thing as a constable issuing orders to a sergeant, for that is what it amounts to?—No, I never have. In the absence of the County Inspector the Sub-Inspector takes charge, and in his absence the senior sergeant takes charge.

196. And that answers?—Yes, certainly.

197. And why should it not answer in New Zealand—the sergeant taking charge when the Inspector is away?—The sergeant has not had the necessary training to assume the duties of Inspector in the Inspector's absence.

198. Well, has the constable?—No, nor the constable either; and the consequence is that files of papers accumulate until my return.

199. You suggested a by-law to the City Council, but could not get it carried out?—Yes.

200. What about?—About the obstruction caused in Vulcan Lane, about which several complaints have been made to me. There was no statutory law on the subject that enabled me to take any action.

201. You have had a good many complaints from the Town Clerk at one time and another?—A great many on various subjects.

202. The general purport of them was to try and get the police to do work that ought to be done by the Council?—No doubt about it.

203. Has he troubled you much lately?—Not in the last couple of months. I have an occasional one from him, but not many.

204. You were promoted not very long ago?—I was, the year before last, from second- to first-class Inspector.

205. Now, did you use any political or religious influence to get that promotion?—None whatever beyond the representations I made to you that my district was the largest in the colony, and that I thought I was entitled to the rank and pay of a first-class Inspector. I was promoted first-class Inspector in 1872, and I think you hold my commission.

206. That was provincial?—No, it was not. Without any notification of a reduction in pay or rank I was dropped down to Inspector, and then second-class Inspector.

207. I believe in the same way two or three Inspectors went over the heads of others at that time?—Yes; Inspector Pender was senior to me, and I was put over his head as a first-class Inspector.

208. You had better tell the Commissioners how you got from first class down to second class?—It was never explained to me.

209. When did it occur?—I do not know how it occurred or when it occurred.

210. Was there any difference in pay?—There was no difference in pay, because when I was promoted to first class I was not promoted to the rank and pay then existing amongst first-class Inspectors.

211. You have had a good many of your recruits from the Permanent Artillery?—I have had.

212. What is your opinion of the men recruited from the Permanent Artillery?—My opinion is that they are not as good as eligible young men taken from the general public. They receive a training as soldiers which, I think, does them more harm than good in the police.

213. I suppose you have had some good policemen from the Permanent Artillery?—Undoubtedly I have.

214. Then, as to their educational attainments: what about that?—It was fairly good; they were as good as the average constables.

215. And as well educated as men who used to join the Force formerly?—Yes, they are.

216. Some of them still come from the Permanent Artillery?—Yes, but very few.

217. Have you found amongst recruits you have had to deal with men who had no sense of duty themselves and in whom there was no spirit of obedience?—Well, I have never found them disobedient. I cannot say anything against them in that respect. So far as I could ascertain from the manner in which they performed their duty, they were always ready to do their duties.

218. Now, if such a state of affairs existed, who do you think the blame would be due to?—It is not for me to express any opinion.

219. They are under you and your sergeant?—I say I have had no experience of such a thing. I have had very little cause of complaint or to punish constables.

220. Have you found that, owing to any sort of influence at all, a spirit of insubordination spring up amongst your men and that they did not look to their officers for advancement?—I have never experienced anything of the kind.

221. Then, as regards offences, do you think there are more offences committed now by constables than there were ten years ago?—I do not think so.

222. Do you think those which are committed are more serious than they used to be?—No.

223. Are you in the habit, or have you been since you held a position as officer of the Force, of entering crimes against men in their defaulter's sheet without letting them know that they were there?—No, I always informed them.

224. Did you tell them you would enter it?—I never remember any case in which I neglected to tell them. If it was only a mere reprimand or caution of a trivial nature I would not enter it, but just make a record of it on the cause of complaint.

225. *The Chairman.*] If you enter it upon their defaulter's sheet do you notify the men of the fact?—Yes.

226. *Colonel Hume.*] Do you think that any constable in your district has abstained from interfering in many points from want of knowledge of his duty?—No; they generally communicate with me when in doubt as to the performance of their duty.

227. But I mean men on the streets who perhaps see something but could not refer it to you?—Well, very few mistakes have been made by constables in the streets. I have often been surprised that they never made mistakes owing to their want of instruction in their duties.

228. Do you know of any case where duty has been neglected owing to that want of knowledge?—That is a very general question, and would require some consideration to remember if I know any particular case. The only case I do remember was the case of Constable McCarthy. I think if he had performed his duty he would have saved other constables who were severely punished.

229. *Mr. Poynton.*] He was an old man and a long time in the Force?—Yes.

230. And it was a want of tact more than a want of knowledge?—Yes.

231. He was not one of the recruits we have heard so much about?—No; he was over twenty years in the Police Force.

232. *Colonel Hume.*] Have you known any case of constables being given charge of stations when they were not competent to take charge of them?—There was one station where the man was appointed Clerk of Court, and if I had had my choice I would not have sent him there, because I did not think he was capable. That is the only one I remember.

233. Long ago?—Many years ago.

234. Do you know any case of constables occupying subordinate positions who have served with ability and distinction and others who have no claim to it have been put over their heads, either in charge of stations or in the matter of promotion?—I do not remember a case of the kind.

235. Is there any disorganization in the Force that you know of?—None.

236. *The Chairman.*] What are the relations between the uniform men and the detective branch?—The uniform men are aspiring to be detectives. There is no jealousy between the Forces that I know of.

237. *Colonel Hume.*] Have you been prevented by me, either directly or indirectly, from rigorously carrying out the liquor-laws?—Never. No one has ever interfered with me in any manner.

238. Or in other matters?—Never.

239. You mentioned this morning about a crowd collecting at Vulcan Lane, is it not a fact that you have used every exertion to disperse that crowd?—I have done so very often.

240. And been found fault with by the Press for doing so?—Not by the Press—I cannot say. The Press finds fault with the existence of such an evil. The Press, I think, have seen the difficulties I have to contend with, and they have been very mild in their remarks. As a rule, they only repeat statements and complaints of others. But the general public are not aware of the many difficulties surrounding that matter and that we have not such power as they think we have.

241. *The Chairman.*] Has any attempt ever been made to influence you, either by what is called the liquor party or by the Prohibitionists?—Never. No attempt has been made to prevent me discharging my duties by either party.

242. Nor has any officer of the department ever endeavoured to check you in any way in strictly enforcing the liquor-laws?—Never.

243. *Colonel Hume.*] On the other hand, have you been directed to strictly carry out the liquor-laws?—I have.

244. By the officers of the department?—Yes.

245. Now, in selecting constables for plain-clothes duty, are you influenced in any way by their length of service?—Yes, undoubtedly.

246. Then, supposing you had a man who was only a fortnight in the Force and you thought he was a born detective, would you refrain from putting him in plain clothes because of his short service?—I would not. Certainly not.

247. You would put him in plain clothes irrespective of length of service?—Certainly. The duties of detective are so very dissimilar from the duties of the ordinary constable that really it requires a special training as well as being above the average in intelligence.

248. In fact, you hold the same opinion as I have, that detectives are born and not made?—That is a fact.

249. Do you recollect that there was once an examination held?—Yes, for promotion.

250. Did you see the questions that were set?—I did.

251. Did it strike you they were likely to improve the knowledge of constables much in their duties if they were able to answer those questions?—Some of them, I thought, were very strange questions.

252. Well, do you think there ought to be examinations?—I do not know. I know that there was some abuse then which came to my knowledge, especially in Southland. That is, the contents of the papers were known to some men before they were called upon to answer the questions. That was in Invercargill, a good many years ago.

253. Then I take it you do not think it was much of a mistake in doing away with the examinations?—I do not think so, from my experience of them. I think they were not fair to some men.

254. *The Chairman.*] Do you think they were beneficial?—Perhaps they were, because it caused a certain amount of emulation, and made the men study the laws. There were many questions on laws which the police had to administer. I think they ought to have had some good effect in that manner.

255. Do you recollect that some two or three years ago a circular was issued directing lectures to be given to the men by the sergeants and Inspector?—Yes.

256. Has that been carried out in your district?—To a certain extent it has. It can only be carried out in the head-station.

257. *The Chairman.*] As a matter of fact, have any lectures been delivered?—Yes.

258. How often have lectures been delivered?—I cannot say.

259. Do you deliver any lectures yourself?—Yes, regularly once a month, on pay-day, when all the men of the city and suburbs are assembled.

260. What time does your lecture occupy, as a rule?—Half an hour.
261. That is, independent of the time occupied in paying the men?—Yes.
262. Are your lectures written?—No; just notes that I take of things that have occurred, and I point out mistakes and what is the law in such cases. As a rule I have all the junior men assembled at my office door, and the more experienced men stand some distance down the passage. There is very little room for the men assembling or parading.
263. *Colonel Hume.*] Do you think there are more men sick now than you used to have ten years ago?—No.
264. Notwithstanding the influenza?—Yes.
265. You had a constable named Russell who served under you?—Yes.
266. And he was dismissed?—He was.
267. He was afterwards taken back?—He was.
268. What sort of a constable was he—what was his character while he was under you?—For a long time I considered him a good man, but owing to information that came to my knowledge I learned that he was a tippler. He was stationed in the city, at Newton.
269. He was brought back and sent to Paeroa?—He was.
270. How did he conduct himself there?—I had some complaints against him there, but none that I could prove.
271. No entry was made in his sheet?—No. Then he was transferred to New Plymouth.
272. Do you believe in giving men a second chance?—I do in some cases. I think it would be a pity and a great wrong sometimes to dismiss a man for one offence if he is otherwise a good man.
273. Then, supposing a man was dismissed, do you think there are circumstances which might tend to his being reinstated without any detriment to the Force or discontent to others?—I think so.
274. Did you ever have Sergeant Mulville serving under you?—Yes, in Dunedin.
275. Was he particularly active in looking after licensed houses?—He was not.
276. *The Chairman.*] Do you know whether he obtained any convictions against licensed houses?—I would not like to say positively without reference to records that he did not. I cannot recall to mind.
277. If he did obtain any convictions against publichouses, did that fact prejudice his interest in the Force?—Not at all.
278. As a matter of fact, does activity in enforcing the liquor-laws prejudice a man's position in the Force?—Certainly not; never to my knowledge.
279. *Colonel Hume.*] On the other hand, are they not usually rewarded if they obtain convictions?—There have been many cases of the kind.
280. *Colonel Pitt.*] Are you satisfied with the way in which they perform their duties?—I am.
281. *Colonel Hume.*] Can you tell the Commissioners how many Protestants and how many Roman Catholics you have got in Auckland at the present moment?—There are twenty-three Protestants and twenty Roman Catholics.
282. *Mr. Poynton.*] Did you make any request to the department for assistance to deal with sly-grog selling in the King-country?—Yes, more than once.
283. How were your suggestions or requests met?—I took it they were met as far as they could. I was told to send up recently-appointed constables who were supposed to be unknown in the city. I did so, and in some cases they were successful, and in some cases they were detected as constables.
284. You were never thwarted in your efforts by the department?—Oh dear no. On the contrary, they always told me to do the best I could.
285. *Colonel Hume.*] In regard to the constables who were sent up there in plain clothes to look after the sly-grog selling, is it a fact that one of them wore his uniform-trousers?—Never. I remember Mr. Isitt spoke at a meeting somewhere in Canterbury and stated, as an example of the inefficiency of the police to detect sly-grog selling, that he had it that when I sent up two constables I marched them from the head-station to the railway-station, and that they wore uniform-trousers and carried camp equipages. I was asked if there was any truth in it, and I found there was none.
286. Then, in addition to these constables who were sent up there, was anybody else sent?—Yes, but not from here. I suggested a strange man should be sent up.
287. A detective from the South and a sergeant from Wanganui?—Yes.
288. And they obtained, how many convictions?—Thirty or forty.
289. *Mr. Tunbridge.*] You have given the number of men absent from various causes from headquarters here?—Yes.
290. What number of reserves do you think you need to take their places?—If I take as many men in proportion to the number of absentees, it would take eight men to meet these demands, which are not of unusual occurrence.
291. That is, to enable you to keep your beats full?—Yes.
292. Do you find in a great measure that the complaints from the public arise in many cases from the insufficiency of the police protection frequently brought about by your not being able to fill the beats?—Yes, always so. For many days I have only been able to send three men on duty in Queen Street.
293. You were asked about complaints, and you said you had had one complaint about the police. But you do not wish that to go forth as the only complaint that has been received from the public—as a matter of fact we seldom go very long without complaints?—That is true.
294. You are speaking about your district being very large?—Yes.
295. Do you not recognise that there would be some difficulty in breaking up the Auckland District in two?—Yes.

296. There would be also some difficulty in detaching any portion of the Auckland District and attaching it to some other district?—There would be, undoubtedly.

297. Owing to the want of communication between the various headquarters of other districts?—Yes; it would be better, I think, to have a Sub-Inspector appointed to assist the Inspector.

298. Do you anticipate there would be any friction between the Inspector and Sub-Inspector should one be appointed?—I do not think so.

299. Recognising, of course, that the Sub-Inspector would be entirely subordinate to the Inspector and would work entirely under his direction?—That is so.

300. You are saying that the out-stations should be visited twice a year?—Many of them.

301. Do you think twice a year is insufficient?—In some cases it would not be sufficient.

302. Do you not think it would be very much better if they could be visited every three months?—Undoubtedly; because when I go out I often hear from the general public matters that would never otherwise have been told to me.

303. As a matter of fact you think that in the Force, as at present organized, there is a want of supervision over the men?—Yes.

304. Now, with reference to the attempts on the part of the police to detect breaches of the Licensing Act in Auckland, have you not been doing all you possibly could to detect these breaches?—Yes; certainly.

305. By starting two parties out from various parts of the city at the same time?—Yes.

306. And also with reference to sly-grog selling?—Yes.

307. Now, as a matter of fact, the question of the liquor traffic or breaches of the licensing-laws cause you really more trouble than any other class of breaches of the law?—Certainly.

308. And you are continually making extraordinary efforts to meet these breaches?—Yes.

309. More so than in respect to any other class of crime?—Yes. The liquor-laws are more defective than other laws.

310. *The Chairman.*] I would ask whether you attribute that in any way to the fact that the laws may be hostile to the feelings of the community?—I would not use the word "hostile," but I would say they are opposed to the feelings of the community at large, especially the demands made by the prohibition party.

311. Does the community, so far as you have an opportunity of judging, regard these breaches as a moral offence against the law?—No.

312. *Mr. Tanbridge.*] To do more to stop breaches of the licensing-law, or to attempt to stop them, and to detect sly-grog selling, you would have to practically detail the whole of the Force at your command for that purpose?—Certainly.

313. And every other branch of crime would have to be neglected?—Yes, the more serious crime that affects the community at large would have to be neglected.

314. With the present men at your command you can do absolutely no more than you are doing at the present time?—Not a bit.

315. Now, as regards candidates and a pension fund, do you think that if there was a pension system started for the Force it would be the means of drawing a better class of men into the Force?—I do think so; and I would never have come to New Zealand if I had known that a pension fund was not in existence.

316. You were questioned as to whether you were aware of the very large number of applicants for the Police Force?—Yes.

317. Do you know that at least fifty per cent. of these men practically have no educational qualifications whatever beyond being able to write their own name?—That is all.

318. And it is, of course, to get a better class of men into the Force that you think a pension fund would assist?—Yes, it would be a great inducement to men of intelligence to join and remain in the Force, and not make it a convenience, as they very often do.

319. You know the system pursued as regards candidates at the present time, and the forms that are filled up: do you consider that a satisfactory way of selecting candidates?—Not sufficiently.

320. What would you suggest?—I would suggest a better test of their intelligence.

321. Would you suggest that some confidential inquiry should be made by the police officers into the moral character of the applicant?—Yes, undoubtedly, as to the moral character, and it should be some officer not lower than the rank of sergeant; and a better test than the present one ought to be introduced as to their ability and educational requirements. I would not ask to have a severe one. When I first joined I had to undergo an examination—not a competitive one.

322. *Colonel Hume.*] You want eight additional constables: do you think if you got eight additional constables they would prevent crime, or do you want them to detect crime?—I think prevention is better than detection. The police are watched, and when law-breakers see men go out in plain clothes and not fixed or attached to any beat, and they do not know when they may meet, the very fact of knowing that these men are patrolling the city at large has a very deterrent effect. I have never known them to catch a burglar in the act, but it had a very deterrent effect, in my opinion.

323. Do you think there is much undetected crime in your district at present?—Not more so than in other districts.

324. Do you recollect when there were Sub-Inspectors under the Inspectors?—I do.

325. Had you one under you?—No.

326. Can you tell me any place where there was any friction between the Inspector and Sub-Inspector?—I do not know of any place where there was any friction.

327. You were a Sub-Inspector under an Inspector?—I was.

328. Had you any friction with your Inspector?—I did.

329. But you do not know of any other case?—No.

330. How do you know that fifty per cent. of the applicants have no educational standard at all?—I am referring to the applicants in my own district, and I state that approximately. I have never calculated the numbers.

331. Have you had any recruits sent to your district within the last eight or ten years who have not passed the Fourth Standard?—I cannot answer that. They were never tested in that manner to my knowledge.

332. Then you are not aware that candidates have to certify or produce their educational certificate?—I am not aware of it. No candidate ever produced his standard of education to me, except one; and he had been a school-teacher.

333. *Colonel Pitt.*] Has no complaint been made to you of the failure of the police in this district to enforce any of the laws of the colony other than the licensing or gaming laws?—No, I have no recollection of it.

334. I suppose one of your men is Inspector of Weights and Measures?—Yes.

335. Have you to do with the manner in which he performs his duties?—Indirectly I have. When necessary, I direct him to go to a district and perform his duties.

336. Have there been any complaints as to the manner in which these duties are carried out?—No.

337. Who is he paid by?—The Police Department.

338. Not as Inspector of Weights and Measures?—No.

339. How often are weights and measures tested, on the average?—I cannot say. He very often makes a round of the city.

340. *The Chairman.*] I have understood that the Inspector of Weights and Measures communicates with the Colonial Secretary's Office: is that so?—He does.

341. *Mr. Tunbridge.*] With reference to the appointment of police surgeons, what is your opinion on that point?—I think it would be a very good thing if police surgeons were appointed in the chief centres of the colony.

342. You think it would be a check upon malingering?—I do; but I must say this, that I have never known a case of malingering in my district. I have heard of such cases, and if such cases existed there is no doubt that the medical officer appointed by the Government would have a good effect in checking anything like that.

343. At present it is a tax upon the men to procure medical certificates?—It is; and when a man reports himself sick to me I allow one or two days to pass, but no more, or I require a medical certificate.

344. And in the course of a week or two a further one?—Yes.

345. *Colonel Pitt.*] How long do you think the annual leave should be allowed to accumulate?—I think, for two or three years. I see no harm in allowing it to accumulate up to thirty-six days. At present it is not an uncommon thing for other Civil servants to get a month's leave, but the police have only been allowed twelve days. I would say it should be allowed to accumulate to twenty-eight days for two years, and thirty-six days for three years.

346. Do you think twelve days a year is sufficient leave?—No, I would make it certainly fourteen days. It has been only under special circumstances that the leave has been extended beyond twelve days.

347. *Colonel Hume.*] In consequence of the absence of police surgeons, has it ever come under your notice, or have you reason to believe, that men suffering from alcohol have obtained certificates that they were suffering from influenza or some other thing?—I have never known such.

348. *The Chairman.*] Have you heard of a case in this district where one of your men was at the hospital suffering from the effects of alcohol, and he was known to be suffering from other diseases?—I have known of one going into the Hagey Institute, but he had another complaint after being in the Hagey Institute and was removed to the hospital and got a medical certificate to that effect. It was influenza, if I remember right. I may say I encouraged him to go into the Hagey Institute.

349. Is he in the Force?—He is, but not in this district.

350. Is he in the Napier district?—Yes.

351. Has he been conducting himself well since?—Very well. He was a very good man before he fell away to the habit of taking too much liquor.

352. With regard to men who have been guilty of intemperance, have you found such men to be undesirable constables or have you found them to be efficient constables notwithstanding the offence of drunkenness?—Yes, they very often are efficient, but they are not desirable if they are in the habit of tipping, because it will ultimately unfit them for their duty and ruin their health. I have known men who were somewhat addicted to drink, and have reformed and proved excellent men.

353. Where men who have been guilty of drunkenness and kept themselves sober afterwards, are they efficient in their duties as constables?—Certainly. I have found many men to fall and be good constables afterwards.

MARTIN GRACE, examined on oath.

354. *The Chairman.*] You are a first-class detective?—Yes, stationed at Auckland.

355. How long have you been here?—I have been here about five years at present, but I was here before for some years.

356. How long were you here on the former occasion?—Five or six years. There was an interval of fourteen years between the two periods.

357. How many detectives are there here?—One first-class detective, one third-class, two fourth-class, assisted by three plain-clothes constables.

358. Do you find that force is sufficient for the work you are called upon to perform in this district?—It is scarcely. We are often so placed that I have only one detective in the city, and

there is a great strain on our staff from other parts of the colony in connection with the inquiries we have to make.

359. Do many of the criminal class pass through this district?—A great number.

360. By sea—for where?—To and from America, and also to and from Sydney—Sydney particularly.

361. Is there any large criminal class resident in the city?—We have a fair number; we are never without them.

362. To what class of crime are they especially addicted?—The usual kind, such as burglary principally, theft, forgery, false pretences, and other offences.

363. Have you many of the spieler class?—Most of these are criminals. The spieler class form a big proportion of the class I have just mentioned.

364. With regard to gambling, is there much of that in the city?—Very little, if any, at present.

365. Have you any reason to believe there is any class of gambling known as “tote” shops?—I strongly suspect two or three shops. Two or three were punished some time ago, but they have been very careful lately.

366. Have you any reason to believe that gambling is indulged in to any great extent by young people here?—I have no reason to believe that. There is no doubt a little of it is done, but to no extent.

367. Have you had any proceedings against gambling-houses in this district?—Yes.

368. How long since the last?—About eighteen months ago.

369. With what result?—We were successful in getting a conviction against each house.

370. Were they what you call “tote” shops?—Yes.

371. Have you any knowledge of the existence of any class of gambling-house that comes within the laws?—I have not at present. There was one, but they were dispersed some eighteen months ago.

372. Do you find that you and your Force are fairly successful in detecting reported crime?—Fairly successful.

373. What is on your books now as undetected?—Very little indeed—that is, of any serious crime. Of course, there are a lot of petty thefts.

374. With regard to prostitution, have you any brothels which come within the terms of the statute as such?—We have. An information has been laid against one to-day.

375. Have any of these houses you refer to as disorderly been the subject of complaint to the Police Department?—None that I am aware of. Whenever a complaint is made we act on it at once as best we can. There has not been one for some months.

376. Have you any knowledge of the existence of any disorderly house against which you have not at present taken proceedings?—No.

377. Have you any disorderly house the existence of which is connived at by the police?—None. We have brought a large number up from time to time.

378. Can you give us any information as to the existence of juvenile depravity or immorality amongst young girls of the town?—We have some.

379. Does it come under your observation?—We see girls of very tender years walking the streets, but they all have homes and live with their parents. It is suggested they are immoral. We had one or two cases lately, but the girls promised to go to the country, and the Magistrate discharged them.

380. You do not find young girls importuning or laying themselves open to the law?—No; they do not do that. If we catch them at it they are prosecuted.

381. Is there much of that in the city?—There are a large number of prostitutes in the city.

382. Has their conduct, then, caused any public scandal or public report or complaint?—None.

383. The police cannot keep women virtuous, or men either, but they can prevent any public demonstration of vice?—If there is any demonstration on their part we deal with them. Of course, so long as they are quiet and walk the streets we have very little control over them.

384. With regard to street betting, have you been able to do anything with that?—We have tried on two or three occasions, and each time we could not get a conviction, but the police have summoned a good number of men who bet for not moving on when requested to do so, and we were successful. By that means the end of Vulcan Lane has been kept pretty clear.

385. Have you any reason to suppose it is carried on to any great extent?—No doubt there is a lot of betting in the streets during race-times. I judge that by the number of people you will see assembled.

386. *Colonel Pitt.*] Are there many cases of sheep- or cattle- or horse-stealing in this district?—No; sheep-stealing is very rare. We have had a good number of horses stolen from time to time.

387. *The Chairman.*] You have nothing to do with the gumfields?—Except I am called there in pursuit of offenders.

388. *Mr. Poynton.*] You are knocking about the streets a good deal. What is your opinion as to larrikinism?—There is a good deal of it—there is no doubt about that.

THURSDAY, 9TH JUNE.

EDWARD THOMAS HOWELL, examined on oath.

1. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.
2. When did you join the Force?—In February, 1895. I was transferred to here from Christchurch last August.
3. Are you representing the members of the Force with the other delegates?—Yes,

4. What matters do you wish to bring under our notice?—These are the resolutions come to at the meeting of the members of the Auckland Force:—

“We, the undersigned members of the Police Force of New Zealand, acting as delegates from the members of the Force in the Auckland District, have the honour to respectfully submit the following suggestions to the Commissioners, which suggestions fairly represent the wants of the Force in this district, and which, if carried out, would practically do away with the dissatisfaction which at present exists.

“(1.) That classes in all ranks be abolished.

“(2.) That the minimum pay of constables be 8s. per day, and the maximum 9s. per day; to be attained by a rise of 6d. per day for each five years' service up to ten years; provided that in the meantime the constable had not misconducted himself, in which case the Commissioner be empowered to retard him for a time in getting his rise.

“(3.) That the promotion of constables to the rank of sergeant be left entirely in the hands of the Commissioner.

“(4.) That the main points to be observed in regard to promotion be efficiency and length of service.

“(5.) That constables and sergeants be compulsorily retired at the age of sixty years.

“(6.) That the present system of compulsory insurance be abolished, and a pension scheme as suggested by Commissioner Tunbridge be adopted in its stead.

“(7.) That the period of annual leave be fourteen days instead of twelve, as at present, and should be allowed to accumulate up to six weeks, so as to enable constables with relations in other colonies to visit them.

“(8.) That sergeants and constables be allowed to travel free on Government railways while on leave, as owing to the fact of their having to pay attention to any crime coming to their knowledge their leave is practically only a relaxation of duty.

“(9.) That lodging allowance of 10s. per week be granted to married constables as at present granted to sergeants.

“(10.) That one suit of uniform and two pairs of boots be allowed to all ranks every year.

“(11.) That constables permanently employed on plain-clothes duty be allowed 1s. per day extra.

“(12.) That travelling-allowance of 6s. a day while on temporary duty be granted, as the present allowance of 10s. 6d. a week for single men and £1 per week for married men is insufficient.

“(13.) That constables on night duty be allowed time off (as far as the requirements of the service permit) in lieu of time spent in Court and going on escort duty to the gaol.

“(14.) That sergeants and constables in charge of stations be granted an allowance for light and fuel, as they are compelled to keep the station open till 11 or 12 o'clock at night for the convenience of the public.”

5. *The Chairman.*] Are these the unanimous opinions of the men?—Yes; these resolutions were agreed to without dissent. They have been shown to the men, who agreed to them.

6. What are the names of the other delegates?—Constables Joshua Hutchison and Samuel Thompson.

7. You mentioned a pension scheme as suggested by Commissioner Tunbridge: do you understand that that means a direct charge on your pay?—Yes; at the rate of 4 per cent.

8. And a surrender of all emoluments received by constables from outside offices?—Yes, we quite understand that. Single men have a great dislike to having to insure in the Government Insurance Office, or having to insure at all.

SAMUEL THOMPSON, examined on oath.

9. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.

10. When did you join the Force?—In January, 1898, in Auckland.

11. Were you in the Artillery?—Yes; I was transferred from the Artillery.

12. What do you wish to bring under our notice?—I joined at a pay of £10 per month.

13. Are you speaking now as a delegate?—Yes; from those men who joined since 1895 at the rate of £10 a month only.

14. As a delegate from those who joined since 1895, what do you wish to say?—Prior to 1895 third-class constables were paid 7s. per day. Since then they have been paid only £10 per month. Now, third-class constables who have joined since then are called on to perform similar duties to those who joined prior to that date, and are actually receiving less pay.

15. You joined knowing what you were going to get?—Yes.

16. Then why should you grumble?—The fact of having to perform the same duties justifies us in thinking we should have the same pay. We think we should at least get the same pay for the same work.

17. You think £10 is too little?—Yes.

18. Does not the third-class constable perform the same duties as the first-class constable?—I suppose so; but if there was any responsible duty the first-class constable would be called on to do it; but the third-class constable has to enforce the law the same as the first-class constable.

19. And he does not get the same pay?—No.

20. Perhaps you wish us to suggest there should be the same rate of pay for each class?—Yes; there should be no difference whatever. Besides this, the constable joining since 1895 has his pay further reduced by having to pay compulsory life insurance.

21. Did you know at the time you joined that that was a condition of your joining?—Quite so.

22. Does that rule of compulsory insurance apply to men who joined prior to that date?—To the best of my belief it does not.

23. Do you agree with the resolutions handed into the Commission by the previous witness?—Yes, entirely.

JOSHUA HUTCHISON, examined on oath.

24. *The Chairman.*] What is your rank?—First-class constable stationed at Parnell.

24A. Do you agree in saying that the resolutions put in represent the views of the men of the local Force?—Yes. I was present at the meeting, and they represent the views of those who were there. Nearly all the men of the station were present.

25. Were the mounted men present?—Yes; and they have seen the resolution as brought before the Commission.

GEORGE EVERARD BENTLEY, examined on oath.

26. *The Chairman.*] What is your occupation?—I am a journalist, living in Auckland.

27. Will you just state what you wish to bring under our notice?—The first question that I wish to touch on is the treatment of sick inebriates while in the watch-house. I wish to state that during the two years and a half that I have been in Auckland I have been, on numerous occasions, unhappily, suffering from alcoholism while in the hands of the police.

28. Do you mean, in plain language, suffering from liquor?—No; that is a very different thing—that is the medium stage, or being intoxicated. I was suffering from alcoholism: *del. trem.*, or *delirium tremens*. I have been on two occasions remanded for medical treatment to the gaol hospital. There, of course, I received medical treatment; but while in the hands of the police I regret to say that on one occasion I sent for medicine at my own expense, the police refused to get it for me. So far as my experience goes, not only here, but in other parts of the colony, there does not appear to be any provision whatever for medically treating prisoners under the circumstances I have described. I have asked for a return which the Commissioner says is in your hands, showing the number of prisoners who have died in the watch-house while suffering from alcoholism. Of my own knowledge there have been five or six deaths in Christchurch alone from alcoholism, which might have been averted had medical aid been obtainable or given.

29. *Colonel Pitt.*] How do you know, of your own knowledge: you are not a medical man?—No; but I go by what the newspaper reports have said. I am guided in saying that by the newspaper reports and the medical evidence. I have this knowledge: that in all the Australian lock-ups there is a supply of medicine kept in charge of the sergeant or watch-house keeper. I know this personally as a pressman.

30. *The Chairman.*] Do you know in what colonies of Australia this is the case?—Victoria, New South Wales, Tasmania. I know this personally, because I have been on the Press in all these three colonies. I am given to understand that the same rule obtains in others: medicine prescribed by a medical man suitable for cases of that kind, consisting chiefly of sedatives—medicine, in fact, suitable for treating the patient until he can be remanded to the gaol hospital—just to tide him over the interval, so to speak. Officers in charge of this medicine are carefully instructed as to its use and the quantity to be administered. I know, further, that it is a very inexpensive medicine.

31. *Mr. Poynton.*] Do you think this should apply to New Zealand?—Yes, I think, for the sake of common humanity alone, it should be applied here. I have not only felt the want of it myself, but I have seen others suffering most acutely for lack of it. I would add that the necessity for such medicine is demonstrated by the fact that directly the prisoner gets up to the gaol the doctor prescribes it for him.

32. Is that done here?—It is done everywhere. I would strongly recommend its being done here. I have said so on previous occasions to Colonel Hume. I told him that medicine should be provided for the several lock-ups. It is only in the principal cities that this medicine is required. I may add that I am pretty satisfied in my own mind, not only as an intelligent man and as a pressman, that more than a dozen lives have been lost in this colony during the last few years for want of proper attention. I have asked for a return of the deaths from alcoholism in the lock-ups of the colony. I see that return has been put in. It is from the 1st January, 1890, showing the deaths in Auckland, one; Canterbury, one; Dunedin, one. I challenge the accuracy of that return, because I know there was one in Napier about two or three years ago.

33. *The Chairman.*] Do you know the name of the man?—No, I do not.

34. What authority have you for saying there was one?—A telegram from Napier, which appeared in the local papers here. I also object to this return because it does not go far enough. I wanted it from something like 1880 or 1885.

35. What is your next subject?—The herding of prisoners indiscriminately together—respectable with disreputable prisoners—in the watch-house cells. Again I have to say that, owing to my unfortunate weakness for drink, having consequently been frequently locked up, I found myself thrown into contact with men who were really not fit to be touched—men who were teeming with vermin and in a state of filthiness. I have found myself lying side by side with other men who were literally crawling with vermin. The object appears to be to bundle men into these places indiscriminately. I have seen this here in Auckland. The only thing the police wanted to do, apparently, was to get their prisoners into the nearest place, herding them together indiscriminately, without any judgment as to whether they were fit associates or not.

36. Are you referring to men suffering from the same trouble as yourself, or do you suggest that men in any state of alcoholism are put in the cells with those who are not?—I am just referring to police offences—criminal, or of alcoholism, or whatever you like to term it. A man is just bundled in there without any discrimination, or without any regard to companionship, or anything of that kind. I have known men who were sent up to Mount Eden on remand—very respectable fellows and well-dressed men, who had never known in their lives what it was to be infected with vermin or to have vermin upon them—yet when they got to Mount Eden found themselves almost covered with vermin. That was partly to be attributed to the companionship of the men in the cells, and partly to the state of the blankets supplied to them in the cells. The latter constitutes

No. 4 of my charges. These two may be linked together. I do not know what may have taken place here during the last month in regard to these cells. Probably preparations have been made for the reception of the Commission. No doubt there have been such. I know of my own knowledge, from what I have heard and what I have seen of other prisoners who were confined with me, that they have been troubled with vermin after spending a night or two in the Auckland watch-house.

37. Do you attribute that to the condition of the blankets?—I do, most distinctly.

38. Are you in a position to speak as to the condition of the blankets?—Yes, I complained to Colonel Hume about the blankets in the watch-house, and the matter was referred to Inspector Hickson.

39. Did you ever make representations to the watch-house keeper as to the state of the blankets?—No, I did not; it would have been perfectly useless had I done so. I may state this: that I also complained that not only were the blankets vermin-infested, but were filth-incrusted. All the reply I got from Inspector Hickson was a denial that the Auckland watch-house blankets were in that condition, and that I myself was accountable for them being so on one occasion. I challenged Inspector Hickson for his proofs, and I never received any other reply from him. I wish to point out this: that men suffering from drink would be liable to vomit and nausea, and the blankets would naturally get into a very filthy condition. They would frequently require washing, but they seem to have been totally neglected in the Auckland watch-house, so far as my experience goes. It used to be the custom, I think, to send the blankets up to Mount Eden to be washed, but that has been discontinued of late years. It is a very unsavoury subject, so we will change it to charge No. 3—namely, confining the prisoners to the cells while detained in the watch-house here in Auckland. There is a regulation (I was given to understand that it is one of Colonel Hume's regulations) that when a man was locked up he was to be confined to his cell until removed to the gaol: that is, with the exception of being taken over to the Courthouse or going to the urinal.

40. Do you mean that he is allowed no exercise?—Yes; and I am speaking from my own bitter personal experience. There is a yard here in Auckland very suitable for exercise, but a prisoner locked up, say, on a Saturday morning too late to be taken before the Magistrate, would simply be locked in his cell until he would be taken before the Magistrate on Monday morning. Only those who have had the bitter experience know what that means. You are kept cooped up within the whitewashed walls of the cell. I have made inquiries about this matter, so far as Auckland is concerned, and have complained about it. I found that it was in accordance with orders issued by Colonel Hume, owing to the escape of a prisoner named Alley some two or three years ago, that the opportunity for exercise ceased. The fact of the matter was that the man who escaped accomplished a feat probably not one man in ten thousand could have accomplished, and not one man in ten thousand would have attempted. I consider it is an abominable shame. There is a yard there for exercise; there is a door into the yard which could be secured so that the men would be in perfectly safe custody. I think the order was not only not necessary, but excessively harsh. To some extent this abuse has been removed during the past few weeks, probably by Mr. Tunbridge's orders. I now come to No. 5 of my charges, as to the inaccessibility of Inspector Hickson. I think I can call to mind at least ten times when I called at the office and asked to see Inspector Hickson, and I was told that he was engaged. I called once on a very important occasion. I was employed as a private detective for the Commercial Union Fire Insurance Company. I succeeded in proving that the case was clearly one of incendiarism, but I could not prove which member of the family it was committed by. Mr. Graham, one of the agents, and I went to Mr. Hickson's office to see him with a view to instituting criminal proceedings. We were told that Mr. Hickson was engaged, and that we could not see him. Sergeant Ellison was in charge at the time. We called again later in the day and were told that the Inspector was engaged. On seven or eight occasions that I have called there, and endeavoured to get an interview with Inspector Hickson, I was always met with the same reply—that Mr. Hickson was engaged and could not see any one.

41. Have you any reason to doubt that he was?—Well, it would not appear to have been of much importance; only I find that I am not the only person denied access to him. It is a well-known fact in Auckland. You have another case in point—in the South case. Mr. South wanted to see the Inspector and could not. Had the Inspector been accessible to Mr. South there is not the slightest doubt that that affair would never have occurred. It was because he insisted on seeing the Inspector that the sergeant in charge abused and ill-treated Mr. South. I may say this: that I consider the Inspector ought to be accessible whenever required. In regard to the extreme difficulty of getting the police to convey messages to friends of prisoners at the watch-houses, I have known it over and over again in my own case and in the cases of other prisoners who have been locked up with me. I know that urgent messages have been sent to friends, or prisoners have tried to send them, but no attention was paid to their requests by the constables. Of course you will understand what that means to a man who is locked up. But the police may convey a message to a solicitor, or somebody of that kind. Messages to friends are very often of the greatest importance to a prisoner, and where there is reasonable ground for supposing that the message is of importance, instruction should be given to the police that such messages should be delivered. I have tried to do so in my own case repeatedly, but no attention has been paid to my request at all.

42. *Colonel Pitt.*] Did they refuse to take the message, or did they neglect to take it?—The police will simply promise to convey it, and leave the cell door; then nothing further is done in the matter.

43. *The Chairman.*] I understand you are making a distinction between messages to solicitors and messages to friends?—Yes.

44. There is no difficulty in getting messages conveyed to solicitors?—No.

45. What else have you to say?—Turning to charge No. 7, in regard to the prevalence of Sunday trading in Auckland in licensed houses, I again speak from my own experience. I do not

think there are more than three or four hotels in Auckland but are opened almost continuously up to midday for the sale of drink, and again in the evening. They may be closed for three or four hours in the afternoon.

46. Are you speaking of an existing or of a past state of things?—I am speaking now of the existing state of things as they have been ever since I have been in Auckland, that is for two years and a half. This is a well-known fact to the police. I am positive they know it. I would suggest as a remedy for that sort of thing—it will always go on, you cannot stop it; let the police be ever so zealous, they cannot stop Sunday trading—I would suggest that the same rule should apply as applies in the Old Country—viz., that hotels might be open for, say, two hours in the morning and two hours in the evening. There might have been, in my opinion, a good deal of this Sunday trading suppressed had the police been given a free hand to discharge their duty.

47. All the police witnesses we have had before us say that they have had a free hand?—There was a case which occurred here only a few months ago in which Sergeant Black lodged an information. He had the clearest case imaginable, as he had caught seven men at the bar drinking. The police took proceedings, and there was a sort of qualified conviction. Mr. Northcroft, the Stipendiary Magistrate, told the licensee he need not come to him for a renewal of the license, but must dismiss the case on the weight of evidence for the defence.

48. What was the result?—Sergeant Black was removed to Gisborne and Mr. Northcroft was removed too. There is not the slightest doubt in my mind that the two removals emanated from that prosecution. I do not blame the police at all in reference to this Sunday trading, because it is a well-known fact here that the brewing interest overwhelms everything. I should like to say that I believe honestly that the police would institute more vigorous measures if they were not afraid.

49. Have you any reason for this belief?—Yes.

50. What reason have you?—I am speaking as a man who knows the subject in all its details, and one who is able to discern.

51. But you must be aware that that sort of evidence will not help us?—No.

52. We want to get hold of the root of the thing; if there is any ground whatever for the suggestion that the men are afraid to perform their duty, we want to get at that?—Of course, I cannot help you any further.

53. *Colonel Pitt.*] Wherever we have examined sergeants and constables, they have told us that they are not hampered at all?—They say so because they are afraid.

54. But they are on their oath?—Yes, they are on their oath; but, all the same, are afraid to admit the truth.

55. How long after that prosecution was it that Sergeant Black was removed?—About two months, I think, I am not quite sure; but I do not think it would be over two or three months. It is generally recognised here in Auckland that his removal was owing to the action he took in that prosecution. I now come to another charge—the occasional unreliability of police evidence. From what I have seen myself, and from what I know as a Press representative, there seems to be a prevailing idea among the police (whether it be by *bond fide* evidence or by manufactured evidence, or whatever you like to term it) that it is necessary to secure a conviction.

56. *The Chairman.*] That is a serious charge to make?—It is; we can have no better proof of that than in the case of Mr. South, which I have just referred to. Two sergeants and three constables went into the box and swore that the man was intoxicated, while forty witnesses could have been brought to swear that he was not. The police were simply backing up each other. I have over and over again seen that. I have seen it when reporting police-court business. Their evidence is not always to be relied on. There seems to be a tendency among the police to back each other up so that the charge might be sheeted home, with the reason probably of gaining promotion by securing a conviction.

57. *Colonel Pitt.*] Do you mean that the police take a prejudiced view of the case, or that they deliberately say what they know to be untrue?—That they will back each other up. I have seen it over and over again as a Press man.

58. That is a suggestion of perjury on the part of the police as witnesses; but you say it occasionally occurs in police evidence?—Well, there is no doubt about that—that it does occasionally occur in police evidence, as it occurs in the evidence of other witnesses.

59. Then, because it occurs occasionally, do you impute general unreliability?—No, I do not; but I wish to throw out a hint to Mr. Tunbridge so as to impress on the Force generally that the truth and not a conviction is the primary object. Then, in regard to the persecution or hunting down of ex-criminals by the police, which is another of my charges—by that I mean that men who have been in trouble and are trying to get an honest living. Colonel Hume will recollect my writing an article in the *Canterbury Times* some ten years ago on that very subject, in which I said I was very glad that system did not prevail much here, at any rate not to the extent it did in Australia. But I am sorry to say that it prevails here in Auckland, and has done for some years past. There are three cases that I can call to mind of ex-criminals who were simply hunted out of their honest employment. One man was working for the late Judge Gillies, and another for Mr. McCullough, bank-manager; the third man was at the Victoria Hotel.

60. *The Chairman.*] What do you say constitutes “hunting down” in those cases?—The police giving information to the employers that the men have been in trouble. I think you will agree with me that it is cowardly—not only cowardly, but inhuman—to interfere with men who are trying to get a living honestly; and the Chief of the Police ought to give strict instructions that his men should not interfere with such persons so long as they are trying to do what is right.

61. Except those two or three cases which you have referred to, can you call to mind any cases where there has been a “hunting down”?—Those are three isolated cases in this city; there may have been three thousand cases that have never been interfered with; but the fact of men being interfered with in that way shows the necessity of the Chief of Police issuing such instructions as I have suggested.

62. *Colonel Pitt.*] Suppose a man had been convicted several times of hotel robberies, would you think it wrong of the police to warn the hotelkeepers if they saw such a man getting a lodging at the hotel?—No, I should not in that case certainly, but in the case I have under notice the man was simply employed as hotel-porter, and not a lodger. I know from my unfortunate experience in Mount Eden that there have been, and are now, dozens of men who are there simply because the police would not let them alone. My suggestion applies not to habitual criminals, but to casual criminals: to men who for the first time in their lives have given way to the temptation to commit crime. I come now to my last complaint—the evil results of giving premature information to the Press. Now, as a pressman, here again I wish to offer a suggestion, and it is merely a suggestion, in connection with this matter. There is no doubt that the ends of justice are very often defeated through information leaking out in connection with criminals before their arrest. My suggestion is simply this: that the head of the department should give to his subordinates strict injunctions to suppress information as far as possible where it is likely to defeat the ends of justice. Only two or three weeks ago telegrams appeared in our local papers to the effect that gangs of burglars had left Christchurch for Wellington.

63. What reason have you for thinking that information came from the police?—I do not for a moment suppose that the Press representatives manufactured it.

64. *Mr. Poynton.*] On the other hand, would it not warn the general public not to leave their doors open as these undesirable characters were expected?—The general public are supposed to have sense enough to look after that without being warned.

65. *Mr. Tunbridge.*] I would like to know what justification you have for saying that the blankets do not go to Mount Eden now to be washed?—Simply because I have been told they are not seen there now.

66. By whom?—By prisoners up there, and by prison warders.

66A. Do you found your sworn statement on what you have been told?—Yes. I have been awaiting trial for the past six weeks on a charge of criminal libel, in default of bail, and I have ascertained from reliable sources that these watch-house blankets have only been sent to Mount Eden to be washed during the two or three months preceding the sitting here of the Police Commission, evidently to screen the local police.

67. Would you be surprised to hear that you are utterly wrong, and that they are still sent there?—I am very much surprised to hear it.

68. You say that you object to the return put in because it does not go back far enough?—Yes.

69. You know that this return goes back to the 1st of January, 1890?—Yes.

70. Is not that far enough?—No, I wanted it to go back to 1880 or to 1885.

71. Did you write asking for that?—I believe so.

72. You wrote asking that the return should go back to the time Colonel Hume was appointed Commissioner of Police; do you know now that Colonel Hume was appointed to that office in 1890?—I took it for granted that his appointment as Commissioner of Police was a similar appointment to his position as Inspector of Prisons.

73. Then, as a matter of fact, you object to the return because it gives exactly the period that you asked for?—I find that I have made an error.

74. Is that the only error that you have made to-day?—I do not know.

75. You also spoke of prisoners being refused to have messages sent to their friends?—Yes.

76. How many times have you been refused to have messages sent to your friends, or to have the visits of friends at the cell during the past twelve months?—I really cannot tell you.

77. Will you give an instance when you have been refused, or any instance of any other prisoner being refused of your own knowledge?—I remember on one occasion I wanted to send a message to Mr. King, the chemist, and the police refused to take it. Sergeant Clark refused to take it.

78. To what purport was it?—For him to come and see me, as I was suffering from the effects of drink.

79. Do you know that when a person is suffering from illness a medical gentleman is called in by the police?—It is news to me.

80. Do you remember being taken up to the hospital from the police-cell?—Yes.

81. Were you not seen by a medical man before you were taken up to the hospital?—I was taken to the hospital, I admit; I was found to be suffering from *delirium tremens*, but no medical officer saw me at the police-station.

82. But if the medical man was not brought to you, you were taken to the medical man?—Yes.

83. What more do you want than that?—That is only one case.

84. Have you been suffering from *delirium tremens* more than once?—Yes, four or five times. It was shown at the inquiry, on the evidence of Watchhouse-keeper Crean, that a medical man has only been called to the lock-up twice during the last two years.

85. That is your own idea?—Yes.

86. The police may not have thought that?—I may not perhaps have been suffering from *delirium tremens*, but I know that when I reached the gaol I had to be taken to the gaol hospital for treatment.

87. Now, as regards Sergeant Black: you say it is generally recognised that Sergeant Black was removed from Auckland because he had taken proceedings against a public-house?—Yes.

88. Are you aware that Sergeant Black's removal to Gisborne was promotion to him?—No, I am not; but his removal may have been attributed to undue influences all the same.

89. Are you aware that by being sent from Auckland to Gisborne Sergeant Black was placed in charge of a number of men, and had charge of a sub-district there?—No, I am not; it is news to me.

90. Now, as regards the police hunting down ex-criminals, will you tell us which is deserving of the most sympathy—the convicted thief or the honest employer?—I tell you candidly my sympathy would be with the convicted thief so long as he was trying to turn over a new leaf; if he showed no tendency towards honesty again, my sympathy would be with the employer.

91. How would you put yourself into the position of Judge Gillies. You have a servant employed in your house whom you believe to be an honest man; now, suppose such a man robbed you and it came to your knowledge that the police were aware of that—of the fact that the man was a convicted criminal—what would you say of the police for not having drawn attention to it?—That is mere assumption. I am taking it for granted that the man was trying to lead an honest life. You should trust him until you found him dishonest. The police are looking at it from one point of view; I am looking at it from another.

92. *Colonel Hume.*] You have said with regard to the exercise being taken away that it was done by order of Colonel Hume, and you afterwards said “you were given to understand” that it was by his order; which statement is correct?—I was told it was an order from Colonel Hume.

93. Did you ever see the order?—No; but I was told so by Sergeant Clark.

94. Then, the information did not come from a prisoner in Mount Eden?—No; from the watch-house keeper.

95. Now, as regards those blankets and the vermin, are you prepared to swear that you were not brought to the lock-up with vermin on you?—Never.

96. Then if I were to produce evidence to the contrary, it would not be correct?—Produce it: that is all I have to say.

97. You have been brought to the lock-up pretty often—in *delirium tremens* more than once?—Yes.

98. You are prepared to swear, or you can swear, that you were so far gone in *delirium tremens* that you were not in an unclean state as regards vermin?—Most decidedly; my mode of life and natural habits of cleanliness preclude the possibility of such a thing.

99. Do you know who succeeded Sergeant Black here?—No, I do not.

100. Would you be surprised to hear that his successor, although he had convictions against publicans, was put into this much-coveted billet that Black had?—I have no knowledge of it.

101. You say that the publichouses in Auckland are permitted to be open by the police during the whole of Sunday morning and also in the Sunday evenings: that the police wink at it?—What can you assume when you see the police take no steps to shut the houses up, or to obtain convictions; there has been a spasmodic effort made to obtain convictions in view of this Commission sitting here.

102. Do you know that thirteen prosecutions or informations were laid during the past year?—No, I do not.

103. If I tell you that is so, does it quite coincide with your assertion that the police take no action?—I still consider that a very inadequate number of prosecutions considering the available Force—it does not show energetic action considering the number of the police and the opportunities afforded. There might be ten convictions in a week, if the police were to bestir themselves.

104. *Inspector Hickson.*] Now, as regards my inaccessibility, do you know anything of your own knowledge as to whether I was in the barracks or not when you tried to see me?—I know that on ten or twelve occasions I was told by the orderly or the sergeant that you were engaged. It was so on the occasion that I and Mr. Graham called to see you.

105. Have you any reason to doubt that I was engaged when you called to see me?—Yes.

106. State your reasons?—I could state them, but I would implicate some one else to whom I said I would not mention it.

107. Do you know that Mr. Graham saw me in connection with the fire—I do not know whether it is the one you refer to or not?—No.

108. Where was the fire that you refer to?—It was at Mrs. Quin's, in Wellesley Street; it was the house furnished by the Helping Hand Mission, which was burnt down the night before they were to take it.

109. You have stated that you complained to me in writing about the dirty state of the blankets and that I replied, merely sending a denial?—Yes.

110. When did you send such a letter to me?—I sent it two or three days after I received yours.

111. Are you certain I put that in writing?—I am positive of it.

112. Are you quite certain it was not a verbal reply from either the watch-house keeper or Sergeant Clark?—No.

113. Do you know of your own knowledge that I ever refused to see you?—Certainly I do; I got word from the orderly that you were engaged.

JAMES HICKSON, Inspector of Police, examined on oath.

114. *The Chairman.*] What do you wish to state in regard to Bentley's complaint?—I have never been informed that Mr. Bentley desired to see me; what he has been informed of, or may have been informed, may have come through the clerk in the office, but I do not know that—I was not informed that Mr. Bentley wanted to see me.

115. Did you ever give instructions that he was not to see you?—Never; it is very likely that I was engaged when he did call, but I should think not so often as he has stated. I know that I am very often engaged when persons call upon me almost every day, so much so that a few years ago I issued an order of which this is a rough draft: “10th July, 1896.—As I have for a long time past been much impeded in the performance of my office duties by interruptions caused by persons calling to see me—many of these persons have called to see me in respect of very trivial matters, and could

have their questions answered either by the sergeant in charge or by a constable in reserve without interrupting me—I have therefore decided to keep the door leading direct into my office closed, so that all persons who may desire to see me will have to call at the outer office. Sergeant Ellison will direct persons who desire to see me personally into my office." I may state that up to the present time there is scarcely a day that I am not engaged for the half of it in answering persons wishing to see me. I have never yet refused to see any one calling upon me.

PATRICK CREAN, examined on oath.

116. *Mr. Tunbridge.*] What is your rank?—Third-class constable, stationed at Auckland.

117. You are frequently employed as watch-house keeper?—Yes, I am day watch-house keeper.

118. Have you been in charge of the watch-house at any time while Mr. Bentley has been a prisoner there?—Yes, I have three or four times.

119. Has he ever made application to you to have messages sent anywhere?—I do not remember him ever asking me to send messages anywhere.

120. What is your practice when prisoners do make such a request?—If convenient I have sent the messages whenever I possibly could.

121. Do you mean if there is a constable available?—Yes; I have no other way of sending a message except by telephone. If I used the telephone I would go to it myself or get some constable who might be about to do so.

122. Is it true that you would tell the prisoner you would send the message and then take no further action?—No; certainly not.

123. Have you ever done that in any case?—Never.

124. Now, as regards persons who are ill in the cells, what is your rule in those cases?—I draw the attention of the sergeant in charge to them, and he orders what is to be done.

125. Do you allow any person who is ill to remain in the cell without any action being taken?—No. If I think the person is ill I draw the sergeant's attention to the man, and the sergeant goes and sees him.

126. If the man is suffering from *delirium tremens*, what do you do when he is very ill?—If he were very ill we would get a doctor to see him.

127. *The Chairman.*] Without consulting the sergeant?—No; I never call in a medical man without the sergeant's order.

128. *Mr. Tunbridge.*] But if a man is suffering from *delirium tremens* you consider that he is ill and requires attention?—Yes.

129. Now, as regards the blankets for use in the cells, if a blanket is soiled what do you do with it?—It is put out of the way and not used again until it is washed.

130. Where are the blankets sent to to be washed?—To Mount Eden Gaol.

131. Right up to the present time?—Yes.

132. Has that practice ever been discontinued, so far as you know?—No; they have been washed twice this year already.

133. How many blankets have you there?—Twenty-six.

134. In the case of a blanket having vermin upon it?—I have never seen vermin upon one.

135. How often are the cells cleaned out?—Every morning; they are scrubbed every morning, if they have been used in the night.

136. *The Chairman.*] Have you any instruction as to what is to be done in the event of a prisoner making any request with respect to communication with friends: is there any rule or order under which you act?—I do not know whether there is any written order; it is an understood thing what we are to do and that we are to do what we can for them.

137. If you did not do so would you be guilty of any breach of regulations?—I am not aware of any regulation requiring me to do it.

138. Then, do I understand that you regard it as an act of grace?—Not as a matter of right, but as an act of kindness.

139. *Mr. Tunbridge.*] You have, of course, to discriminate where drunken persons make applications that cannot be acceded to?—When they are very drunk like that I do not take much notice of them until they are sober. When they are drunk like that they generally demand to see everybody in the station.

140. But, whenever a prisoner makes a reasonable application it is acceded to?—It is.

141. *Colonel Pitt.*] Are any medicines kept at the lock-up?—No.

142. How many are put into the cells together?—Well, it all depends; we have three cells for males, and two for females; we generally have plenty of room.

143. How many are put into one cell at a time?—If we were stuck for room we would put four in, but we never put in more than three if we can possibly help it.

144. *The Chairman.*] Have you ever had a death in a cell under your charge?—No.

145. *Mr. Bentley.*] You say it is the custom at the watch-house if you see a prisoner ill to fetch a doctor. Now, who is to judge whether a man is sufficiently ill for a doctor to be fetched?—The sergeant in charge.

146. How many times has a doctor been fetched, say, during the last six months?—I cannot say.

147. Has one been fetched at all on any occasion during the last twelve months?—Yes, two doctors, King and Walker.

148. When, and who for?—I cannot say when, but I am sure it is within the last twelve months. The first case was for a male prisoner; we did not know what was the matter with him. He was not arrested for drunkenness. I noticed that he was unwell, and I drew the attention of the sergeant to him, and the sergeant sent for the doctor. Dr. King came, and he ordered the man to be taken to the hospital. He was taken there. The second case was for a female who was charged with being drunk. She had been before the Court, and had been convicted and sentenced,

She had returned from the police-court, and the matron reported to me that she was unwell and that something should be done for her. I went round to the female portion of the lock-up and had a look at her. I saw that she was unwell, and reported the matter to the sergeant in charge, and the doctor was sent for. Dr. Walker came and saw her, but by that time she seemed to have got all right again; it was a sort of fit.

149. But in neither of these cases was the doctor sent for or fetched for alcohol?—The last one was a case of drunkenness.

150. According to your statement the doctor has been fetched only twice within your knowledge during the last twelve months. Now, have not scores of prisoners been sent to Mount Eden for medical treatment?—No.

151. How many have there been—dozens?—No, I am sure there has not been a dozen. During the last eighteen months, the time that I have been watch-house keeper in Auckland Police-station, there have been very few. I think Mr. Bentley himself has been the most frequent.

152. When you speak of a dozen do you refer to any one individual or to several occasions?—I mean “persons.” I do not mean each time. I cannot say there has been a dozen. There may have been a few.

153. As a matter of fact, taking the prisoners generally, would you fetch a doctor if you saw a man suffering acutely from excessive drinking?—I would if I thought he required it.

154. Have you not seen me terribly ill when I have been remanded for medical treatment?—I saw you last week pretty bad.

155. Did you fetch a doctor then?—No, I did not think you required it.

156. You told us a few minutes since that the blankets had been sent up to Mount Eden already twice this year?—Yes.

157. There are twenty-six blankets used at the watch-house, you say—that is, twenty-six blankets for 260 prisoners?—I do not know how many prisoners.

158. Do you think it conducive to cleanliness that blankets should be washed twice in six months when they are used by, probably, fifty people?—I think they should be washed every two or three months, taking into consideration the number of prisoners going through the station; it is done so now.

159. *The Chairman.*] As a matter of fact, can you tell us whether prisoners, as a rule, strip and roll themselves in the blankets, or do they put the blankets over their ordinary clothing?—I do not think the men strip off; they take off their boots; they keep their other clothing on.

160. Is there any bedding of any kind other than the blankets provided for the prisoners in the lock-up?—Yes; they lie on the floor.

161. Is there any difference made when persons of apparently decent life are brought to the lock-up?—Certainly, they are kept apart.

162. Any other provision?—The cells are all alike, but these are kept apart.

163. Were you watch-house keeper when some tourists were brought down from Rotorua?—No.

164. *Colonel Pitt.*] What exercise are prisoners allowed in the lock-up?—They are allowed as much as we can give them.

165. What is that?—The order is to give them two hours in the morning and two hours in the afternoon, but we cannot always do that.

166. Do they get it?—Not always.

167. Do they ever get it?—Oh, yes.

168. What prevents it?—Well, the yard is not secure for more than one prisoner at one time, and the sergeant in charge ordered me not to leave them in the yard without a constable being in charge of them. What I mean by the yard not being secure for more than one is that more could assist each other to escape.

169. Then, there is no order that the men are not to be exercised at all, but they must be kept in the cells?—No.

170. *Mr. Tunbridge.*] Does not paragraph 186 of the Police Regulations deal with prisoners suffering from illness: “When persons are arrested who are believed to be intoxicated, care should be taken to ascertain that they are not suffering from illness; if there be any doubt, such persons should be gently shaken or roused; if that fail, the fastenings about the neck should be loosened and the head raised, and, if deemed advisable, no time should be lost in obtaining medical aid. A person arrested in a state of helpless drunkenness should be visited while in the lock-up at intervals of not more than three hours, and proper remedies applied to prevent death from cold or exhaustion. Care should be taken that where possible all expenses incident to such cases, including the cost of his maintenance in any hospital, infirmary, or other place to which he may have been sent for curative treatment, shall be paid by such person. (See section 21, ‘Police Offences Act, 1884.’) Under no circumstances is a constable justified in leaving his beat to conduct a drunken person to his home”?—Yes.

171. That is the paragraph upon which you report to the sergeant?—Yes.

172. Is that rule strictly carried out?—Yes.

173. So far as possible do you carry out Rule 190, as follows: “In case of persons of known respectability being arrested for some trifling offence, they need not be searched, but should be requested to produce such property as they may have on their persons, and should, when possible, be placed in a cell by themselves, and provided with clean bed-clothes”?—Yes.

174. *Mr. Bentley.*] Have you ever read or seen these rules before?—Yes, I have a copy of them.

175. Have you ever done anything for me to alleviate my suffering?—You have been remanded for medical treatment.

176. When I have been nearly dying in the cells has anything been done for me?—I have never seen you dying in the cells.

ROSE O'BRIEN, examined on oath.

177. *The Chairman.*] You are matron of the Auckland Police-station?—Yes.

178. We want to get from you some information as to the means taken to keep the clothing and blankets supplied for the use of prisoners clean?—The blankets are sent to be washed about every nine or ten weeks, and oftener if necessary; if necessary they are sent to be washed after being used once.

179. Can you tell when blankets or clothing are vermin-infested?—Yes, you can see then. You can tell if a person is infected with vermin.

180. If there was a person in the lock-up you could tell whether such person was vermin-infested?—Yes.

181. What would you do with the blankets that had been used by such a person?—They would not be used again until they were washed.

182. Is there, in your opinion, proper care taken to give wholesome blankets to persons who are locked up?—Yes.

183. Have you two sets of blankets—one for cleanly persons and one for dirty persons?—I have always some in reserve.

184. Have you any suggestion to make for the better management of the lock-up with regard to female prisoners?—I would like a different cell for lunatics; there is no provision made for them; they have to be put in the same cell with the others; if we put them by themselves then they hurt themselves.

185. Have you ever had violent female lunatics in the cells?—Yes.

186. Have you any lavatory arrangements in your cells?—No, only just the bucket and tap.

187. *Mr. Tunbridge.*] Whenever you find any blankets which you consider not clean, if you wished them washed have you a perfectly free hand to get them washed?—Yes.

188. If you have any suspicion that the blankets are unclean you never allow them to be used again?—No.

FRIDAY, 10TH JUNE, 1898.

JOHN BELL, examined on oath.

1. *The Chairman.*] What is your occupation?—I am a ship's rigger, living at Auckland.

1A. Will you kindly state your complaint?—In 1894 I got into trouble with my family, and I was summoned to the police-court and tried as an habitual drunkard and destitute person. I brought evidence there of men who had known me for twenty-five and thirty years to prove that they had never seen me the worse of liquor in my life, and one witness in particular was the Chairman of this Harbour Board—Mr. Adam Porter. This evidence was held back when I petitioned the House, and the evidence against me only was produced in Wellington. This led up to an arrest. When I was tried and condemned as an habitual drunkard and destitute person there was an order made out against me by Mr. Northcroft, S.M., for £1 10s. a week for the support of my wife and family.

2. *Mr. Poynton.*] Was the case under the Destitute Persons Act for refusing to support your family?—I suppose that would be the meaning of it. I was suffering from influenza at the time and had had two different attacks of it from 1891 up to 1894. From May up to 29th June, 1895, I was bad. During the period from 4th March, 1894, up to that time I had made a second home though ill.

3. *The Chairman.*] Were your wife and family living with you in your second home?—No. I had been ill all the time, and I was working away through my illness, and had made a second home. During May and June, 1895, I had Dr. Watson attending me. In the meantime, though I was ill, there was a warrant issued against me.

4. What was the date of the warrant?—I cannot say exactly, but it must have been in May or June, 1895, for failing to comply with the order. I was tried before Mr. Bush, and was ordered to pay £24 or go to gaol for two months. During these two months I was in the house continually. I was never out of the house in consequence of continued illness.

5. *Colonel Pitt.*] Were you as well then as you are now?—No. I am not well now. Sergeant Gamble and Constable McClellan came continually to my house, and would poke their heads in the door, asking, "Are you nearly ready to come yet?" In fact, Constable McClellan came there several times, and stayed some considerable time with me in the house at different intervals, wanting to know if I was all right and ready to go.

6. Did he tell you he had a warrant for you?—Yes. The expenses of the doctor had amounted up to £5 5s. at that time, and as I was ill I did not know when I would be able to pay him. At any rate, I asked the doctor for his account, and I said, "You need not call again. If you give me the prescription I will make my way down to Mr. Pond's, the chemist, and get medicine as I require it." On the 29th June, a very stormy day—I was feeling very little better—I went down to renew the medicine at Mr. Pond's. I was muffled up, and when I was going along the street Constable McClellan came across to me and said, "I want you." I said, "What do you want me for?" "Oh," he says, "come on, no nonsense." "Come where?" I said. "To the lock-up," he replied. I said, "I am ill; I have got a doctor's certificate in my pocket. Surely you are not going to put me in gaol now?" He said, "Come on now, and no nonsense with you." He took me to the lock-up, and I had to leave the house where I was living unprotected. When I got to the lock-up I saw the position I was placed in. I asked him to go for Mr. McGregor, the solicitor, to visit me. He refused to go. I asked him to let me go up and secure the place which I had left unprotected. He took no notice of me, but went away. Constable Clarke, who was shifted afterwards, was also there, and he said, "Bell, I will go and see a solicitor for you." He telephoned first, and then left the place in charge of another gentleman, and went down to see if he could find Mr. McGregor. It was after 1 o'clock, and he could not see him. I had to stay there until

3 o'clock to wait to be taken to Mount Eden. During that time Inspector Hickson came in, and I put the question to him if he would allow me to go up and secure the place, and I told him my position, and he very kindly allowed one of the constables to go up with me until I secured the house. I was taken to Mount Eden, and was under the doctor's care there for nearly a fortnight in the gaol before Dr. Philson took me into the hospital. My suffering was very great inside the gaol, and Mr. Reston, the head Gaoler, could see the circumstances, and he treated me as well as he dared do.

7. *The Chairman.*] Did you go directly into the gaol hospital when you went there?—No; I was in the cell for over a fortnight unable to move, and could not eat. That is all in that case.

8. What do you complain of now? Do you think they were doing anything but their duty? My opinion, after hearing this evidence, is that they showed you great consideration. They came and visited you, and asked you if you were well enough to go, and they took no action against you until they found you out walking about the streets on a very severe day. What business had you out on the street on a very stormy day if you were ill?—I was forced to go for medicine.

9. I ask you whether you have, in the face of these facts, anything to complain of?—I do.

10. Does it not occur to you, as a sensible man, that the constable, seeing you out in weather like that, would think you were well enough to go to gaol?—Constable McClellan asked me a day or two before how I was and I said I was still ill. He said, "It is not my fault. Northcroft said you were scheming."

11. *Mr. Poynton.*] Do you think a man has no right to be arrested on a warrant if he had a medical certificate in his pocket?—He should not if a man is really ill and can prove beyond doubt that he is ill. I do not think it is right for any man to be put into gaol when he is ill—to be put in a dog-kennel without fire.

12. Supposing you had gone away on board a steamer, and then whoever applied for the warrant came to the police, would not the police be in a nice fix, having seen you walking about the street and failed to arrest you?—I had a stake in the country and would not leave.

13. *The Chairman.*] Is this the medical certificate you refer to, namely: "This is to certify that Mr. John Bell is under my care for strain of the muscles of the loins and kidneys, and quite unable to work at his employment. Contracted seven weeks ago, and seen by me to-day for the first time.—C. G. Watson, Surgeon, 18th April, 1895"?—No; there is another certificate somewhere.

14. Was that the last one you got from him?—Yes.

15. *Constable McClellan.*] Did I not go to your house and find you sitting inside the house?—You found me sitting and lying on a sofa.

16. Did I not sympathize with you in your house and say I was very sorry you were sick?—I know your kind of sympathy.

WILLIAM JOHN MCCLELLAN, examined on oath.

17. *The Chairman.*] What is your rank?—First-class constable, stationed at Auckland.

18. What is it you wish to state in connection with this complaint?—Mr. Bell was summoned and brought before the police-court for the maintenance of his wife and family. I do not know the amount he was to pay. After some time there was a warrant issued for his arrest for the arrears he had failed to pay. I went to Mr. Bell's house, and he had a great welcome for me. I was very sorry to go up. He was lying on the sofa then. There was no doctor's certificate produced to me, and I never saw one. On the 29th June, 1895, he was arrested. I went to his house on several occasions, and I found him sitting and smoking at the fire, with another man in the house with him. We had a very short conversation then, but, however, I went away again and left him in his house.

19. You found him ill, and you did not execute the warrant?—No, I did not; he said he was ill, and of course I did not want to be hard on the man. I said it would be better to allow it to remain over for a while. On the 29th June, 1895, I was going down a street, and I did not expect to meet the man at all, as I had other business to do. I saw him standing on the street gossiping with another man whom I do not know. I said, "Good morning, Mr. Bell. You know this warrant is out for you. You had better come up to the station with me." He never murmured, but just came along quietly with me. I brought him to the station and left him there, the warrant having been executed.

20. You say he did not show you a medical certificate?—I never saw any.

21. You acted on your own discretion in not arresting him?—I did.

22. You were satisfied at the time that he was ill from what he said and from what you saw, and you exercised your own judgment?—Yes.

23. *Mr. Bell.*] You say that you visited me in my house at one time and saw me sitting up on the sofa smoking?—The first time I went you were sitting on the sofa; the second time you were on the chair smoking.

24. Now you swear I was sitting up on a chair smoking?—I swear you were sitting on a chair.

25. *The Chairman.*] Was he smoking?—I know a pipe was in his hand or on the table.

26. *Mr. Bell.*] Will you swear I was smoking?—I think you were.

27. I was standing gossiping on the street?—Yes.

28. Had I a stick in my hand?—I do not know.

29. Had I a stick to support me?—I cannot say.

30. And was I lame with rheumatic pains?—I did not think so.

31. And you did not care one dump whether I was able to go to gaol or not?—You know very well I had great sympathy for you.

32. *Colonel Pitt.*] How long had the warrant been out—a week, or a month, or what?—About a month. I would not be sure. It was nearly worn out.

JOHN BELL, further examined on oath.

33. *The Chairman.*] You have made a complaint against Sergeant Lyons? What do you wish to say upon that matter?—Between November, 1895, and June, 1896, I had been addressing meetings continually, and have been continually stopped. On a certain Sunday Sergeant Gamble and Sergeant Lyons were down at the front of the Harbour Board watching me. I had a letter from Colonel Hume in reference to complaints I had made to him by letter. They had been watching me and keeping me from speaking.

34. Where were you at the time when they were trying to stop you from speaking?—On a particular occasion between these dates I went over to where they were standing watching. Sergeant Lyons, I think it was, went over to a cabman and asked him (Mr. Calvert) if Bell was going to speak that day.

35. What did they do to prevent you speaking?—I went over with a letter I had received from Colonel Hume to Sergeant Gamble and Sergeant Lyons, and showed them Mr. Hume's letter to me after I had made several complaints to him and to the Minister of Justice, and I said, "Will you allow me to speak on that?"

36. Did you show the body of the letter or only the signature?—Only the signature. It was a privileged letter. He said, "This is from the Chief Inspector in Wellington," and asked me to show him the body of the letter, and I said I would not. He said, "It is all right; I have got one of those on my table." I said, "If you have got one of these on your table you do not want to see mine." "Well," he said, "you can speak where you like."

37. *Colonel Pitt.*] Did you speak that Sunday?—No.

38. Why did you not?—Because I was not prepared to speak that Sunday.

39. *The Chairman.*] You complain of them stopping you prior to that letter being received?—What I complain of is, have the police in Auckland the power to stop freedom of speech? That is my question, and it has never been. I also think constables should wear their numbers in a conspicuous part of their uniform to enable them to be identified. The present system leads to confusion. I produce this correspondence:—

SIR,—

Police Department (Commissioner's Office), Wellington, 7th September, 1898.

In reply to your letter of the 2nd instant and telegram on the same subject, *re* police interference when you were addressing a large and orderly meeting, addressed to the Hon. the Minister of Justice, I have the honour to inform you, by direction of Mr. Thompson, that from inquiries made he finds that you had not availed yourself of the position in Quay Street which the police had pointed out to you as a suitable place for addressing such meetings, but you were addressing the crowd in a direct line from the end of Queen Street to the Devonport Ferry Tee, and thereby causing an obstruction, which cannot be permitted. It is also pointed out to the Minister that in your address you used personal and improper remarks regarding Constable Kennedy and Mr. Northcroft, the Stipendiary Magistrate, which were calculated to provoke a breach of the peace, and the police very properly ordered you to desist, which you at once did.

I have, &c.,

Mr. John Bell, care of Mr. H. F. Anderson, Queen Street, Auckland.

A. HUME, Commissioner.

WILLIAM LYONS, examined on oath.

40. *The Chairman.*] What is your rank?—Second-class sergeant, stationed at Auckland.

41. Do you admit that you did anything to prevent Mr. Bell addressing any gathering of people in the street?—I was not stationed here between the dates mentioned in the charge. I was in the Urewera country, with the exception of a few days.

42. Did you do anything to interfere with Mr. Bell addressing people?—I have no recollection of requesting him to move on.

43. Have you any recollection of having interfered with him in any way in the street?—No.

44. *Colonel Pitt.*] Do you remember any action when Sergeant Gamble and yourself saw Mr. Bell when he said you went over to a cabman?—I have no recollection of it.

JOHN BELL, further examined on oath.

45. *The Chairman.*] You complain "That since the month of March, 1894, and up to the present day, Inspector Hickson and Sergeant Kelly have, in connection with the various cases in the Magistrate's Court at Auckland, in which I have either been informant, complainant, or defendant, and also in any subsequent proceedings arising out of such cases, used their official positions to my prejudice and exceeded their duty therein; that the said Inspector Hickson and Sergeant Kelly have also, during the said period, made various official reports concerning my character, which have had no foundation." What do you wish to state in connection with this?—I wish to say that I see by the way the Commission is reasoning things out that I cannot possibly bring home to Inspector Hickson and Sergeant Kelly the charge of continually conspiring against me, but we can go on with the charge of conspiring to slander and injure me in other ways. This is a letter which was written to Mr. J. H. Hannon, of Victoria Street, Auckland, by Inspector Hickson, namely:—

SIR,—

Police Office, Auckland, 21st March, 1896.

In reply to yours of the 18th instant, I have to state, *re* your memorandum of 5th instant, addressed to Sergeant Gamble, in which you state that "Mrs. Smith, a tenant of yours in Chapel Street, complains she is annoyed by prostitutes who are living in a house of Mrs. Bell's," who, you say, lets her houses at a large rent for immoral purposes, and you asked to have inquiries made, and, if such is the case, to lay a charge against her under the Criminal Code Act as the owner of the property: Inquiries were made by Sergeant Kelly, who ascertained that two women of the town are living in a house of Mrs. Bell's; that Mrs. Bell is the wife of a ship-rigger, but is living separate from him, and has a protection order against him; that her husband is said to visit Mrs. Smith; that Mrs. Bell laid informations against Mrs. Smith, your informant, for assault, and she was, on the 6th instant, bound over to keep the peace for six months. I have further to inform you that the two women living in Mrs. Bell's house were living in it before Mrs. Bell became owner, therefore she could not have let it for immoral purposes; and that the rent she receives for it is not a high one.

I directed to have you informed of the result of inquiries made, and to further inform you that the police have no grounds to justify an information being laid. Sergeant Kelly replied that he informed you, and you replied you would report to the Minister of Justice.

In reply to yours of the 18th instant, I have to inform you Sergeant Kelly states he did not mention Mr. Northcroft's name to you, but in course of conversation he told you Dr. Giles's ruling in cases of vagrancy.

I would remind you that prostitution is not an offence against any statutory law; that the police have no power of entry into houses supposed to be brothels; that the last seven words of section 38 in City By-law No. 37 bar the police from getting evidence from inside against the keepers of disorderly houses; that I have twice written to the City Council pointing out the difficulties (this being one of the principal) the police have in obtaining evidence against keepers of brothels. The Council, in its wisdom, although admitting through their solicitor the correctness of my contention, yet they have not acceded to my request to amend the by-law.

With reference to your statement that on last Saturday evening some dozen or more prostitutes were accosting men in Chapel Street and using filthy language, I have to express my regret that a constable did not appear on the scene in sufficient time to note such misconduct. I shall direct a constable to call upon you immediately, and I request you will give him what information you can with a view to the offenders being prosecuted.

I have, &c.,

J. HICKSON, Inspector.

46. What is there in that in connection with your complaint?—Where he says that her husband (that is me) was visiting Mrs. Smith.

47. Do you consider that a libel?—It insinuates that I go to Mrs. Smith for immoral purposes. I have never visited Mrs. Smith in my life. I have been petitioning the Parliament of New Zealand, and such evidence as that has gone against me unbeknown to me. I made inquiries from the Minister of Justice, as I wanted copies of their report, and they denied me that. I could get nothing to rebut such slanders as that, and he has followed it up by belittling me in the face of my fellow-men. I had nothing to do with that case, and why should he bring me into it. There was a man named Hatfield came to me and asked me if I would go bondsman for his son. It was eight months ago, as near as I can remember, and I said, "Yes, I will go bond for him," knowing him to be a decent young fellow. I went up to the police-station, and Sergeant Clark said, "Are you going bond?" and I said, "Yes." "Well," he said, "you have nothing; you cannot go bond for him." I said, "If I had what the Government have robbed me out of I would have enough to bail any one out." He said, "I cannot take you; you have not got anything." I went down the street, and came back with £50, which he wanted. He said he would not take my bond unless I put £50 down on the nail. He took the bond of the man's father, who had not £50. He tried to belittle me in the face of my fellow-men and make it appear that I was a man of straw.

48. Did you not tell us that was your position?—Yes, it was my position while I was in gaol. I had nothing while I was there. I was made out a rascal when I was there, but outside I was a respectable man.

49. You mean you had the means of satisfying that order if you had chosen to do it?—Not at the time.

50. You acquired that subsequently?—In fact, I had not it then—I borrowed it.

51. Then they were quite entitled to raise the question and put you upon your oath to swear that you were of sufficient substance to go bond?—They did not do that. They have been continually persecuting me like this. If I came up to the police-office, or had anything to do in connection with the Police Department, they would put me to all the trouble they possibly could.

JAMES HICKSON, Inspector of Police, examined on oath.

52. *The Chairman.*] What can you tell us about these matters?—Some few years ago I received a letter from Mr. Bell—I think he was in gaol at the time—complaining that his house and effects were sold by his wife. I replied he had better consult a solicitor, as the police could not interfere because it was a civil action, and that the police had no power to interfere in family quarrels of that nature, and the police did not interfere in regard to the sale of his property. I have heard many complaints about Mr. Bell. I had a complaint, which is referred to in the letter to Hannon, about a house reputed to be of ill-fame. I caused inquiries to be made, and I gave the substance of the result of those inquiries to Mr. Hannon. I was informed he visited the house of Mrs. Smith. Some time afterwards I received notice that proceedings would be taken against me, but I heard no more about it. On one occasion it was reported to me that Mr. Bell made use of very offensive language to an assembly in the public street. Mr. Northcroft was referred to there in a very insulting manner, and I thought it right to lay the matter before him, and he said it was not worth while taking any notice of it, so no proceedings were taken. Some person, whom I do not remember, did lay an information against Mr. Bell under the Police Offences Act for using insulting language in a public place which was calculated to provoke a breach of the peace. He referred to his wife and son, and described them in most offensive language. The point was raised that as neither his wife nor son were present at the meeting it would scarcely cause a breach of the peace, and the case was dismissed.

53. Have you acted in any of these proceedings otherwise than what you considered was your duty?—Nothing but what I considered my imperative duty.

54. *Mr. Bell.*] Who gave you the information that I was visiting Mrs. Smith?—I cannot call to mind now.

55. Surely you made a memorandum or kept some record?—Yes. There are records in the office, but no complaint was made to me personally.

56. If Tom, Dick, Bill, or Harry came to you and said Mr. So-and-so was doing a certain thing you would take that as a fact and put it in writing: is that not so?—When a complaint is made to me I hand it over to the sergeant in charge to have inquiries made. Inquiries were made, and the result was this. I do not say it is a positive fact. I was so informed.

57. Was it not a fact that when Sergeant Kelly was speaking to Mr. Hannon—did he not tell Mr. Hannon that Mr. Northcroft told him not to bring Mrs. Bell there?—I do not know. I was not there.

58. You were on the West Coast in 1860?—I was.

59. Did you know me in Hokitika on the West Coast?—No, I do not remember you.

60. Did you know me on the West Coast at all?—I have no recollection.

61. Did you know a man named Adam Porter, Chairman of the Harbour Board here, when he was in business in the Buller?—No; I never was in Westport. I have never had any complaint against you.

62. Not from the detectives or policemen?—No.

63. I have never been in gaol for drunkenness?—Not to my knowledge.

JOSEPH SWINBURNE KELLY, examined on oath.

64. *The Chairman.*] What is your rank?—First-class sergeant, stationed at Auckland.

65. What do you wish to tell us in reference to this matter?—That I have never interfered with Mr. Bell, either in the Court or elsewhere. I have never seen him in the Court with a case, and have never been present in Court with him, and I have never had any conversation with Mr. Hannon, or said anything detrimental to him.

66. Did you make any inquiries as to his connection with a house occupied by Mrs. Smith?—If I did so report I was informed by Mrs. Bell. I never went to the house. I do not know where Mrs. Smith lives.

67. You have done nothing in any way to his prejudice in the Court, or to the prejudice of his case outside the Court?—Never.

68. *Mr. Bell.*] How long have you been in the Auckland Force?—A little over three years this time. I have been here nearly twenty years.

69. Did you ever know any one who knew me to be a drunkard?—No. I have always found you to be a hard-working man of industrious and sober habits. I have known you for eight years.

HENRY PATRICK KENNEDY, examined on oath.

70. *The Chairman.*] What is your rank?—Third-class constable, acting as plain-clothes constable, stationed at Auckland.

71. When did you join the Force?—In November, 1895.

72. Have you been stationed in Auckland all the time?—Yes.

73. You have some suggestions to make to us?—Yes, as follows: I here wish to make a suggestion as to the rewards paid to police in the colony, and in making the suggestions undermentioned I would like to point out, in the first place, why rewards should be done away with. Now, sirs, the biggest majority of constables in New Zealand do not, as a rule, apply for a reward—they generally leave it to their Inspector or Commissioner; but as we know there are some men who apply for almost anything, and these class of men do not scruple to paint their applications for rewards in glowing terms of their work, and very often make lying statements for the purpose of obtaining these rewards, so there is no doubt rewards obtained thus cause a lot of ill-feeling, as the Inspector and Commissioner are not to blame, as they depend on a man's report as truthful—which in some cases are not truthful—so I would respectfully suggest all rewards be done away with, and, where real tact and zeal have been displayed by a constable or detective, a mark should be placed on his merit-sheet; the Commissioner to have the Inspector's report on the case, not the man's; and by doing away with these rewards it would stop a lot of ill-feeling in the police, as several constables are fully aware of the cases in which some of the rewards have been got on this station lately, which, when truthfully known, makes it discouraging for other men. A good honest policeman or detective does not care about the money part of it, but thinks more of the merit-mark on his sheet, which to him is lasting. This, gentlemen, is all I wish to put before you, and Inspector Broham, of Christchurch, has also spoken about it in his evidence before you.

74. You think rewards should be granted by the Inspector without application to the Inspector at all?—Yes.

75. The Inspector having full knowledge of the facts, you think it should emanate from him?—Yes.

76. *Mr. Tunbridge.*] Do you think it is a good plan to reward informants?—Yes.

77. Although you advocate the discontinuance of rewards to the police, do you advocate that rewards to informants should also be discontinued?—No.

JOHN HINTON, examined on oath.

78. *The Chairman.*] What is your rank?—Second-class constable, stationed at Eden Terrace, Auckland.

79. When did you join the Force?—On the 15th September, 1868, I joined the Armed Constabulary. I have been doing police duty since 1871.

80. Where have you been stationed at different times?—All parts of the North Island. I came to Auckland the last time about seven years ago.

81. You wish to bring before us certain suggestions?—Yes, as follows: I respectfully suggest that there should be a police pension formed for the Police Force in New Zealand. A pension fund could be formed in this way: Say that the Government places £2,000 to form a pension fund, which could be done in this way: Say there are twenty men in the Police Force who would be entitled to receive one year's pay from the Government, retiring-allowance through old age, instead of the Government giving each man one year's pay let the Government place that amount to form a pension fund. A pension fund could be self-supported by stopping 1d. per day from each man's pay. Say a man just joining, he would have 1d. per day stopped; a man who has served in the police for the past ten years to have 2d. per day stopped; and a man who has served fifteen years, 3d. per day stopped; and a man who has served fifteen years and up to twenty-one or more to have 6d. per day stopped from his pay—all moneys so stopped to go into a pension fund for the police. If a member of the Force wants to leave before he has served seven years, or through bad conduct, he will forfeit all money paid into the pension fund by him. If at the end of fifteen

years he wishes to retire and has a good character he will receive the money so stopped, less 2 per cent. In the case of a constable serving twenty-one years or more and having a good character for the last three years, and wishing to retire, he to receive a pension of 3s. per day for the remainder of his life from the pension fund. In the case of a constable dying whilst in the police, his widow or family, if any, to receive one year's pay at the rate he was receiving at the time of his death from the Government. If a constable commits himself, for any breach of discipline his case to be heard before a Stipendiary Magistrate, and if convicted to be recorded on his defaulter's sheet; and there should be so much time taken from his service from the pension, instead of the constable being fined and his pay stopped. The Government to provide clothing-allowance—say, 5s. per month per man. The Prison, Railway, Postal Department, and the Volunteers of the colony are allowed clothing from the Government. The Government to provide light for the suburban stations, or 5s. per month. Relative to promotion: Respectfully suggest that the ranks of first- and second-class constables be done away with, and all below the rank of sergeant be classed as constables, with the distinction that all constables who have served fifteen years to be classed as senior constables and to wear a distinctive badge on the arm. A constable who has served five years to receive 6d. per day, and to receive 6d. per day for every additional five years' service. The standard pay for a junior constable to be 8s. per day for the first five years. Promotion to go by seniority of service only. The past system of promotion has caused a good deal of discontent among the older constables, junior constables having been promoted over the heads of men that have served in the Police Force half of their lifetime. Suppose a junior constable has the good fortune to make a good capture, or rescue a person from drowning, he should not be promoted over the heads of his seniors; he should get a good reward from the reward fund. No constable would then have any cause to complain. I have been in the Armed Constabulary and Police Force in New Zealand for the past twenty-nine years, and during that time have borne a good character. I have been all through the New Zealand War, from 1861 to 1864 and from 1868 to 1870, for which I have received the New Zealand War Medal, and I was one of the first that received the long-service and good-conduct medal, and after twenty-nine years continuous service I have only risen to the rank of second-class constable.

82. Have you any black marks on your defaulter's sheet?—I have two—a reprimand and a fine of 5s., last year.

83. You have had no marks on your defaulter's sheet until last year?—No.

84. *Mr. Poynton.*] Have you any actual knowledge of the things by which these young constables were promoted?—No.

85. *Mr. Tunbridge.*] What was the date of your transfer to the police?—I think it was in 1885, last time.

86. Had you been in the Police Force before?—Yes, in 1870.

87. Why did you go back to the Armed Constabulary?—I applied to be transferred back to the Armed Constabulary.

88. When you came in in 1885 you came as a third-class constable?—Yes.

89. Although your service in the Armed Constabulary counts for service, you are aware it does not count for classes?—It has done in other cases.

90. *The Chairman.*] You have stepped from third-class to second-class constable since 1885?—Yes.

91. Was your rank third-class when you rejoined the Armed Constabulary?—When I rejoined the police from the Armed Constabulary in 1885 it was as a third-class constable; and all men, whether sergeants or constables, in the Armed Constabulary joining the police joined as third-class constables at that time, with one exception.

JOHN DEAN, examined on oath.

92. *The Chairman.*] What are you?—A fruiterer and market-gardener.

93. Where do you live?—At Onehunga.

94. What is your complaint against Sergeant Greene?—One night, early in 1895, shortly after the Shop Act came into force, Sergeant Greene came into my shop. Previous to this he had called and told me I would have to live on the premises, and could not have an assistant if I wanted to keep my shop open. I told him I was going to live on the premises, and that I had no assistance, and was going to keep my shop open. He came in again that night and told me I did not need to sleep in the shop—it would be better for me to go home to my wife, or I would find some of those men who came from Auckland in bed with her. I think those are the words. There was nothing more transpired. Sergeant Greene walked out laughing. He smelt very strongly of liquor at the time. That is all I have to say.

95. Was any one present?—Yes, William Haggan and Frederick Neave.

96. *Sergeant Greene.*] Who heard this alleged insulting language I used?—I have got a witness here.

97. Did you make any complaint about it at the time?—No. I went home and told my wife about it, but I had nowhere to go to make a complaint.

98. Had you not the Stipendiary Magistrate to go to and complain, or the Inspector of Police?—When my horse was stolen I went in and asked Sergeant Gamble to see Inspector Hickson, and he told me to go away to a lawyer round the corner, as it was not a case for him. I not think it was any use going to him after that, because I could not get any satisfaction. I thought it was no use going to Sergeant Greene after the way you had insulted me.

99. You expressed an intention to reside on the premises during the first Shop Act?—Yes.

100. And did I not tell you it was unnecessary, with a view of making it more convenient for you?—I have just stated what you told me.

101. Are you aware that I have the highest respect for your wife, and that, so far as I know, there is no more virtuous or respectable woman in the colony, and that I could have had no cause

for saying what you allege?—No; I have no knowledge of such a thing. I am positive it is untrue, or you could never have used the language you did to me. My wife is respected by everybody—I am quite aware of that.

102. Did your wife believe that I said such a thing if you told her so?—Yes; she did believe it when I told her so.

103. Have you had any dispute with the Postmaster in Onehunga?—None whatever.

104. Have you had any dispute with the Borough Council officials?—No.

105. Will you explain to me how you kept this matter to yourself without complaining about it for three or four years?—I had no one to go to to explain it to.

106. Can you tell me any person to whom you mentioned this matter?—No, I did not tell anybody.

107. You complained to no person about it?—I may have told several persons about my grievance.

108. Just name a person?—I cannot remember any one.

109. Will you swear positively I used this expression towards your wife?—I have just taken God's word and sworn to it. I swear these words were used.

110. Are you of a quarrelsome disposition?—No, I am not. I have been twelve years suffering all sorts of persecution. Previous to this I was a very bad man, before I was converted. Since I have been converted I have suffered all sorts of persecution, and never retaliated.

111. You have kept this by for four years and now desire to retaliate?—Yes. When I saw this Commission was coming up I thought I would bring the matter before it.

112. Could you not have written a letter to the Inspector of Police at the time?—I am not scholar enough to do that.

113. Could you have not got some one else to do it?—Very likely, but I did not want to go to the trouble.

WILLIAM HAGGAN, examined on oath.

114. *The Chairman.*] Where do you live?—In Onehunga.

115. What are you?—I am driving a baker's cart.

116. How old are you?—Nineteen.

117. Were you at Mr. Dean's shop when Sergeant Greene came into it?—Yes.

118. Have you been very often in the shop?—Very often.

119. The occasion I refer to is an occasion early in the year 1895, when there was a conversation about closing the shop or living on the premises?—Yes, Mr. Dean wanted to live on the premises.

120. It is a long while ago—do you remember the conversation? Tell us what you remember?—Mr. Dean wanted to live on the premises so that he could keep his shop open on the half-holiday, and Sergeant Greene told him he had better go home to his wife and not live on the premises, instead of having men coming out from town to his wife.

121. *Colonel Pitt.*] Did Mr. Dean make any reply to that?—I do not think so.

122. *Sergeant Greene.*] How do you come to recollect this so well?—I was in the shop, and I can remember things pretty well.

123. You have been here in the Court when Mr. Dean was giving evidence. Did you hear his evidence?—Yes, some of it.

124. *The Chairman.*] Did you hear him giving the words which he said Sergeant Greene used?—No, I do not think I did.

125. *Sergeant Greene.*] Can you not be sure whether you did or did not?—I was ordered outside at the time.

126. The words he used were these: "He told me I did not need to sleep in the shop. It will be better for me to go home to my wife, or I would find some of those men who come from Auckland in bed with her." Did you hear Mr. Dean use those words in the Court-room just now?—Yes.

127. Now Haggan, was not this what I said: "Mr. Dean, there is no need to stay in your shop, as it is only for the sale of vegetables and suchlike. You had better go home to your wife, and not stop here"?—No, I do not think so.

128. You know Mrs. Dean is a highly respectable woman?—Yes, a highly respectable woman.

129. Did I not say "Dean, it is a vegetable-shop, and you had better go home to your wife and not stop here"? Is that not the language I used?—It was something like that.

130. When did you hear first about the men from Auckland?—I think it was at the shop.

131. Are you sure—has Mr. Dean spoken to you about it within the last few days?—Yes, he spoke to me this morning.

132. Did he repeat to you what he repeated before the Commission?—Yes, he did.

133. Have you ever heard me use disrespectful language to females?—No. I never heard you use disrespectful language.

134. To females or of them?—No.

135. You have known me a good while?—Yes.

136. Well now, have you heard me telling Mr. Dean that under the Shop Hours Act it would not be necessary for him to stay there, and that he had better go home to his wife? It has also been said that I used the additional words about men from town. Did you ever repeat that to any other people before appearing here?—No.

137. Where were you living then?—With my father at that time.

138. Your father knew me?—Yes.

139. When you went home that night, if I used the language I am alleged to have used, how is it you did not mention it to your father?—I would not think of mentioning it to my father.

140. Would it not astonish you that I should use such language of a respectable family?—Yes, it would.

141. When did Mr. Dean first speak to you about this matter?—He came to Mr. Ireland, my employer, yesterday afternoon and brought the subpoena.

142. What did he say then?—He told Mr. Ireland about it, and Mr. Ireland told me last night when I came home that I had to appear in this case. I was astonished when I heard about it. I did not see Mr. Dean then, and did not get the paper until this morning.

143. When did Mr. Dean first repeat the whole of these words to you about these men?—He repeated it this morning.

144. Where?—I was on my round when he met me and asked me if I did not remember you saying it.

145. What did you say then?—I said Yes, I thought I had some slight recollection of it.

146. *The Chairman.*] If Mr. Dean had not repeated these words to you this morning would you have had in your mind a recollection of the words used in that shop in 1895?—No, I would not have had them all in my mind.

147. Then are you not telling us really what you learned from Mr. Dean this morning, and not what you heard from Sergeant Greene's mouth in 1895?—That brought it up to my memory this morning.

148. Are you telling us what you remember to be the words used by Sergeant Greene, or are you telling us the words which Mr. Dean repeated to you this morning?—I am telling you the words Mr. Dean repeated to me this morning.

149. *Mr. Poynton.*] Do you remember anybody else being in the shop at the time?—No.

150. Do you know a man named Neave?—Yes, very well.

151. Was he about Onhunga at the time?—Yes.

152. Could he have been in the shop that night without your knowing it?—Yes.

153. Do you remember him being there?—I do not remember him being there.

154. Do you know his Christian name?—Ted, I think.

155. Do you know his occupation?—He used to be a butcher.

156. Do you know where he is now?—I last heard, at the Thames.

157. Do you know what he is doing there?—No.

JOHN DEAN, further examined on oath.

158. *The Chairman.*] What is it you wish to state in regard to the non-observance of the Licensing Act in connection with the Hibernian Hotel at Onhunga? Have you any facts within your own knowledge in connection with this matter?—On Saturday nights I have had occasion sometimes to wait for some one coming in by the boat when she came in a bit late, and I have seen this hotel open until 12.30 and 1 o'clock, and have seen people going in and out, and the door open.

159. Have you been in the hotel?—No. I have seen people coming out using bad language and the worse of liquor. I have seen that repeatedly.

160. Up to what time?—I have stopped till about half-past 12, and I have seen it open.

161. On what nights?—Saturday nights generally.

162. Can you name any one instance?—I cannot give dates, but when there has been a ball on in the public hall alongside the hotel I have seen Sergeant Greene standing there looking in at the ball, and people trooping in and out of this hotel in twenties and thirties. Sometimes I have stopped at my fruit-shop until 3 o'clock in the morning, and people have been trooping in and out all the time.

163. Is this a matter of frequent occurrence?—Yes; the Rechabites and Foresters have a ball there once a year.

164. *Colonel Pitt.*] Have you seen these people going in and out yourself?—Yes.

165. And you have seen the sergeant there?—Yes; standing outside the hall. I have never seen him all the time. I have been there up by that hotel when the hotels are closed.

166. *The Chairman.*] What hour do the hotels close?—10 o'clock.

167. You say the house was not closed at the usual hour?—No; the front door was closed, but the side door was always open. Sometimes the blinds are down and sometimes up.

168. Do you know if there are boarders at the hotel?—They very seldom have boarders in this hotel at all. There might be one or two.

169. You told us on Saturday nights it is frequently open until 12.30, and on ball nights it is open all night, and you say people are going in and out up to midnight, and you said the sergeant was outside by the hall on the dance nights?—Yes.

170. *Colonel Pitt.*] What do you mean by saying it is open all night when the balls are on?—Men are going in and out using foul language.

171. Up to what time?—Up to 3 o'clock in the morning.

172. Have you stopped there to see them?—I have stopped there, and then the hotel has been open when I went home.

173. What were you doing there at that time of the morning?—I was selling fruit and refreshments to the people dancing there.

174. *Mr. Poynton.*] Do people come from a distance to these balls?—Yes, but they are mostly Onhunga people.

175. *Sergeant Greene.*] How often do the Foresters have a ball there?—Every year—it is an annual ball.

176. And do Foresters come out from Auckland in vehicles?—I have no doubt but what Foresters do come out.

177. At one of these balls have you seen as many as half a dozen or more big coaches—I do not mean cabs—from Auckland?—Yes.

178. Are you aware that some come from Panmure?—Yes.
179. And Otahuhu?—Yes. I am not speaking of those, I am speaking of our own people in the town.
180. And from Mangere?—Yes; and surrounding districts.
181. How far is your residence from this fruit-shop—is it not about a mile?—A few hundred yards; I do not think a quarter of a mile.
182. Are you aware that at these balls they have some soda and fruit and other things?—Yes; sometimes they get them from me.
183. They do not go shopping after 10 o'clock?—Yes, plenty of them. Some of them have asked me why I do not stop as long as the publican, and I said I could not stand it.
184. Then you have never stopped up as long as the publican?—No.
185. What is the latest you have stayed?—Up to 3 o'clock.
186. I have never seen your shop open until 3 o'clock?—I have seen you standing there with Constable Brooking.
187. Have you seen any Onehunga people going into the hotel?—Yes, plenty.
188. Are you aware that people can go in in scores, and even hundreds, on a Sunday, into a hotel without committing any breach of the Licensing Act, save so far as they are concerned, or the licensee is concerned?—I do not understand the laws. Only, I think when I see them going in and out the worse for liquor and using bad language it ought to be stopped.
189. Are you aware that there is really no restriction under the Licensing Act to prevent people going into hotels during prohibited hours?—No, I am not aware of it.
190. *Mr. Poynton.*] Were you under the impression that Constable Greene could have stopped these people from going in?—Yes; I thought he was not doing his duty in not stopping them.
191. And you are under the impression that he had authority, and that it was his duty to stop people going in and out of the hotel?—Yes.
192. *The Chairman.*] Did you understand it was his duty to go into the premises and see what was going on?—Yes.
193. *Sergeant Greene.*] And stop them from going in?—No, I did not think you could stop them, because there are visitors and boarders. I have seen opposite Sergeant Greene's door, when going down to the Salvation Army meeting at 7 o'clock on Sunday morning, people going out of the hotel with kits and taking them home.
194. Why should you accuse the police of allowing it when in reality the Licensing Act allows it?—I was not aware the Licensing Act allows it.
195. Is the bar door open or the side door?—The side door.
196. Is the door closed?—I have never been in—I do not know.
197. There are seven hotels altogether: are the other houses not as bad as this house?—I am just living opposite this one.
198. Are the others not as bad as this house?—I cannot say. I do not go to watch the people, or to watch the publichouses. That is only what just occurs before me.
199. I believe your vegetable paddock is adjacent to this publican's house?—Yes.
200. And has it not been disturbed by the licensee's fowls?—His fowls come in and eat my seed.
201. Have you ever made any complaint about it?—No.
202. Have you ever threatened to shoot them?—No, never.
203. *Mr. Tunbridge.*] When did you last see any Onehunga people going into this hotel?—The last Saturday night I was in the shop. I have been laid up for about four months.
204. You know Onehunga people—give me the names of some of them who go in after hours?—I cannot give names. I do not think I could remember names if I tried.
205. Do you know everybody in Onehunga?—Yes.
206. And you say you cannot now give the names of any persons you have seen?—No, I cannot.
207. Try. Who have you seen going in on Sunday morning and coming out with kits?—It was a considerable time since, when I was going to a meeting on Sunday morning.
208. Can you remember the names of any of those you have seen going into the hotel with kits?—Yes, I do remember.
209. Three years ago?—Yes.
210. Give their names?—I cannot give names. I was just walking by and saw them going in.
211. You have not seen any these last three years?—No; I do not go and watch hotels. I do not watch people. This is only what has happened in front of me.
212. *Colonel Pitt.*] Why have you made this charge against Sergeant Greene?—I think he might in future have the hotels better regulated.
213. And you refuse to tell the names of any persons seen going in there?—I do not remember any—it is so long ago.
214. You said just now that if you did remember you would not give them?—I would not like to bring anybody in in that way.
215. *The Chairman.*] Do you know any business of your own knowledge going on inside the house after closing-hours?—I fully believe it does, but I cannot say.
216. You have seen people going in and out?—Yes, and the worse for liquor and using bad language.
217. After 10 o'clock at night?—Yes.
218. You are clear about that?—Yes.
219. Are you going to call any evidence in support of these statements?—No. I only wish to see the laws carried out.
220. Do you suggest that any special consideration is shown by the sergeant towards this house?—I cannot say.

ARTHUR HUME, examined on oath.

221. *Witness*: I wish to state that there was a reward given for arresting deserters from men-of-war of £8 per head—£5 given by the colony, and £3 by the ship. Some time ago—four or five years ago—the Government decided to stop the £5 reward, and the admiral in command of the Australian station at once stated that unless the reward was given he could not bring the men-of-war to these waters, or something to that effect. On the strength of his representations the £5 reward was again granted. Consequently, that is one class of monetary reward that cannot be done away with.

222. *The Chairman*.] It is not limited to the police?—No, anybody gets the reward who arrests them.

223. *Mr. Poynton*.] Do you not think, from your knowledge of the Force, that the suggestion is a good one that the recommendation for a reward should emanate from the Inspector, and not the constable?—Yes, it virtually is the Inspector's recommendation now.

BERNARD GREENE, examined on oath.

224. *The Chairman*.] What is your rank?—Second-class sergeant, in charge at Onehunga.

225. How long have you been in charge of Onehunga?—Some fourteen or fifteen years or over. I am Clerk of Court there, Clerk of Licensing Committee, and Inspector of Factories.

226. When did you join the Force?—In 1862.

227. How many hotels are there in Onehunga?—There are seven within the borough, and one outside; and within the borough the population is something under three thousand inhabitants.

228. You say there is one man with you?—Yes, a second-class constable.

229. How are these houses conducted?—Well, on the whole they are fairly well conducted. I visit them frequently on Sundays and after hours, especially on Saturday nights, as that is the night when there is a disposition to stay longer in the hotels.

230. What is the closing-hour?—10 o'clock.

231. Are you strict in having these hotels closed at 10 o'clock?—I am to the best of my ability, but, owing to persons who go in there not being liable to a penalty, they do it with impunity. I have had experience of seeing the Licensing Act carried out in the Old Country, and I have never heard complaints that are made in this country against the police for not putting the law in force, when in reality it is practically impossible to do so.

232. Have you had any prosecutions against hotels for breaches of the Licensing Act?—There have been three within the last three months.

233. Who brought the charges?—I did. There were two convictions, and one was dismissed.

234. Has any complaint been made to you by anybody as to the lax manner of enforcing the law against licensed houses?—No.

235. And has anybody lodged any complaint with you which in itself would form the basis of a prosecution without your taking action?—No. People are not disposed to act in that way in order to assist the police; and the worst of it is that the police may go in and find ten, fifteen, or twenty in a house during prohibited hours, and nothing can be done to them.

236. *Mr. Poynton*.] Have any complaints been made to the Licensing Committee, not by yourself but by others, as to the way the houses are conducted?—No.

237. Have you yourself brought complaints to the Committee?—Yes, I have.

238. *The Chairman*.] Have complaints been made to you personally by temperance people?—No; the temperance people have never complained about any laxity to me in any place I have been stationed. I have always found justice and fair-play from them in that respect. If the New Zealand Act were assimilated to section 25 of the English Act it would make it very easy indeed to give satisfaction, I think, to all hands and justice all round.

239. Are you referring to the regulation making it unlawful to be on licensed premises at unlawful hours?—Yes, and receiving supply especially. I consider that worse than being on the premises.

240. What is the section of the English Act you refer to?—Section 25. In my opinion, unless that section is adopted, there will never be satisfaction in carrying out the New Zealand licensing-laws. I believe, if that section were adopted, there would be no more complaints about the police. I have had personal experience of the working of that section at Home.

241. *Colonel Pitt*.] What have you to say about the hotel being kept open until 3 o'clock in the morning on the occasion of these balls?—There are strangers. I have done my utmost to prevent the Onehunga people going in there, but it is very difficult. There are people from Auckland who attend these balls, and I have seen as many as six, seven, or eight 'busses drawn up, and the occupants of these 'busses would be in the hall, and, as a rule, they return home about 3 or 4 in the morning.

242. You regard them as travellers?—Yes. Well, on account of the law as it stands, others can go in along with them, and it is impossible for the police to put a stop to it so long as the law remains as it is. I feel the police are not fairly treated by the Licensing Act.

243. *The Chairman*.] Does it happen that many of these visitors take their lodgings at the hotel?—Not any great number. At present there are some lodgers there. People from Waiuku stay there.

SATURDAY, 11TH JUNE, 1898.

JOHN McMAHON, examined on oath.

1. *The Chairman*.] When did you join the Force?—In 1877.

2. And you resigned when?—6th February, 1897.

3. You were then holding the rank of?—Second-class sergeant.

4. *Mr. Palmer.*] You remember the 18th December, 1896?—I do.
5. Had you been on street duty that day?—Yes.
6. What time did you go off duty?—About 4.45 p.m.
7. Do you know Constable McCarthy?—Yes.
8. Did he make any report to you?—Yes.
9. What did he report?—He reported to Sergeant Kelly and to me that a stray child was in the hands of the Salvation Army, and I told Sergeant Kelly to have it brought to the station.
10. And a gentleman named Mr. South was mixed up in regard to this report about the child?—Yes. He came to the watchhouse with the child afterwards.
11. When you went off duty did you go to the watchhouse?—Yes. We were paraded in the yard by Senior-Sergeant Gamble and dismissed. The matter of the child was reported to him before we were dismissed.
12. You were in the watchhouse off duty?—Yes, after going off duty.
13. You mean after you were dismissed you went into the watchhouse?—Yes.
14. You were then off duty?—Yes.
15. Mr. South came into the watchhouse about the child?—He did.
16. He did not address himself to you?—He did not.
17. And you took no part in the proceedings?—No.
18. Because you were off duty?—Yes.
19. And was there any other reason?—There was nothing particular at the time to cause me to interfere. The senior sergeant was on the station, and the watchhouse-keeper was responsible to the sergeant in charge of the station. I had no standing in the watchhouse off duty, and had no right to interfere with the watchhouse-keeper.
20. *The Chairman.*] Was the sergeant in charge of the station in the room?—Not in the guard-room, but in his own office in the station.
21. You say the duty of this watchhouse-keeper is to communicate in all cases with the sergeant in charge of the station?—Yes, to take all complaints or send all complainants to the senior sergeant.
22. *Mr. Palmer.*] Mr. South was referred to Sergeant Gamble?—Yes, he was referred by the watchhouse-keeper upstairs to Sergeant Gamble, and he was shown upstairs by Constable Quirk.
23. Sergeant Gamble, I believe, had him placed under arrest, and he was brought down again under arrest?—Yes.
24. You were in the guard-room when he was brought down under arrest?—Yes; and when Sergeant Gamble and Constable Quirke brought him down they charged him with being drunk and disorderly.
25. Had you any right to interfere with Sergeant Gamble?—No right whatever. It would be insubordination.
26. Besides Regulations 211 and 212, did you always understand during the time you were in Auckland what your rights would be in regard to the watchhouse-keeper?—Yes, I did. I understood well I had no right to interfere with the watchhouse-keeper in the discharge of his duties as watchhouse-keeper, whether on sectional duty or off duty, except when I was in charge of the station for the time being in the absence of the senior sergeant.
27. Then, I understand you to say, when you were in charge of the station you had a right to interfere, and when you were in charge of your section you had not that right?—That is so.
28. If you were in charge of a section and had wished anything done by the watchhouse-keeper other than as a compliment, what would you have to do?—I would go to the sergeant in charge of the station and request him to direct the watchhouse-keeper to do it, as it was from him he received his instructions.
29. That would be going, in that case, to Sergeant Gamble?—Yes.
30. There are many senior officers to the watchhouse-keeper on the station?—Yes; all the sergeants are senior officers. On this occasion the watchhouse-keeper was a first-class sergeant of long service and had been in charge of stations.
31. If any one but the sergeant in charge of the station had this right, and it was their duty to interfere with the watchhouse-keeper, would that lead to confusion?—Most decidedly; it must result in confusion and chaos.
32. You think that some one person must be the responsible head in charge of the station?—Yes, certainly, and I have not seen it otherwise in New Zealand or other places.
33. You think it is a necessary rule for the discipline of the service?—I do.
34. You do not remember ever having seen this rule broken?—No. I should think the watchhouse-keeper would have good cause for complaint to the sergeant in charge of the station if he was interfered with.
35. You have known officers to get into trouble through not breaking this rule?—Yes.
36. And you think, in the interests of the Force now, that the matter should be definitely decided one way or the other?—Yes, and redress received for the injuries given.
37. *The Chairman.*] Can you give an instance?—I believe I suffered myself.
38. *Colonel Hume.*] Who else was present in the watchhouse on this occasion?—There was Watchhouse-keeper Clarke, Constable Quirke, Constable McCarthy, and two or three constables of the section which came off with me.
39. Was there a lunatic there?—Yes, sitting at the table.
40. And what were you doing at the time in the watchhouse?—I was writing out my duty return for the day.
41. There was a considerable disturbance going on in the watchhouse?—There was some noise, and a good deal of talking.

42. If that lunatic had been assaulted by anybody, would you have interfered?—Yes, most decidedly. I would always interfere to assist the police in their duty.

43. You were off duty?—Off duty or on duty I would interfere to assist the police. I would do so now.

44. Then if a certain man said he was being maltreated in there, would you have interfered?—Certainly I would.

45. Then, notwithstanding this instruction you mention you would have interfered?—I would interfere to prevent a breach of the peace or a disturbance—why not?

46. Is that not interfering with the watchhouse-keeper?—No; it would be assisting him to keep down a disturbance.

47. Then was there any disturbance on this occasion?—There was no disturbance—there was the removal of a man from the guard-room, but that was not an unusual thing.

48. What did they remove him from the guard-room for?—I heard Constable Clarke complaining about him disturbing some papers on the table, and he was removed. Not with violence, but he was removed outside.

49. You saw him being removed?—Yes.

50. When did you first hear of this rule or regulation?—I have never known any system to the contrary.

51. When did you hear of the rule?—When I came into the station at Auckland fifteen years ago.

52. Who told you?—Constable McGilp told me. He was watchhouse-keeper then. Constable Carroll told me afterwards under Inspector Broham.

53. What did he tell you?—That he was responsible for the guardroom, and that nobody else could interfere.

54. I suppose you mean by the guardroom the watchhouse?—Yes, certainly.

55. Now, was Constable McGilp watchhouse-keeper then?—Yes.

56. What rank did he hold?—First-class constable.

57. Fifteen years ago?—I think so. I am not positively sure as to the rank.

58. What rank did you hold?—I was sergeant.

59. Then, would the sergeant take instructions from a constable?—He was not giving me instructions, he only told me, I said. I knew it as well by the system. I did not require any instructions at all for I knew that that was the system.

60. Who was the Inspector?—Inspector Thomson and Sub-Inspector Parry.

61. Who was sergeant in charge of the station?—Sergeant O'Grady.

62. Now, did you ask Mr. Thomson, or Mr. Parry, or Sergeant O'Grady, whether that rule was right or not?—I did not. No occasion arose to do so.

63. Then, were you in the habit of waiting for an occasion to arise before you asked what were the rules and regulations?—I could read the rules and regulations.

64. Can you read us that one about the watchhouse?—There is nothing in the regulations about the watchhouse-keeper.

65. Which is the rule that does not let anybody interfere with the watchhouse-keeper?—There is no rule in the regulations.

66. You said it was not necessary to ask because the rules were in front of you?—It was an understood rule which was not in the book of regulations; but still, it is discipline, and understood by all experienced policemen, and I have long experience.

67. During your service in the police have you ever seen a third-class constable in charge of the watchhouse?—I have.

68. And would you not attempt to give that man any instructions as regards the watchhouse?—I certainly would not interfere with him when the sergeant in charge was there.

69. Do you mean when the sergeant in charge was in the watchhouse or in the station?—I mean available in the station for any emergency, or to give any information that was required.

70. Now then, will you tell us how far the office of the sergeant in charge of the station is from the watchhouse?—It is upstairs, on the next landing; it is no distance. He has the means of telephoning down direct to the room, and he often does so.

71. Had he the means of telephoning down fifteen years ago, when you first went there?—There was no telephone up or down.

72. Then he had to go to his office, or somebody had to communicate with him?—Yes, if he required anything.

73. *The Chairman.*] Did the sergeant in charge occupy the same room then?—No, I think his room was downstairs then, if I remember aright, on the same floor as the watchhouse-keeper, or outside the door, in the building which is now the Charitable Aid Board offices. The Inspector's office, I think, was where the detective-office used to be, and where the female searcher is. There have been great alterations in the last fifteen years.

74. *Colonel Hume.*] This Commission has been told that a policeman is always on duty. Do you hold with that?—No. I see no regulation to prove that. There is nothing in this book to say so, and nothing in any regulation that I have ever seen to say so.

75. Then, if you came down the street when off duty and saw some breach of the law taking place, would you interfere?—Yes, I would.

76. When you are off duty?—Yes, that would not prevent me doing duty—necessary duty.

77. Then, how can you say you consider a policeman is not always on duty?—Because he is not always on a particular duty—he is taking rest, preparing for other duties.

78. How could he arrest or take action in this breach of the law that he sees being carried on?—If it occurs under his notice, he would be a very poor policeman who would not interfere. He should be always ready for duty.

79. Now, is it not a fact that you did not know what was going on in the watchhouse on this particular occasion?—It is not a fact that I did not know.

80. Have you said you do not know?—I did not notice everything, because I was writing and attending to my own business, and did not take an interest in what was going on. It was a matter for the watchhouse-keeper.

81. *Mr. Tunbridge.*] You say you have known officers to get into trouble for not breaking some rule?—I have known myself to get into trouble.

82. What rule?—The rule as to the guard-room.

83. You admit there is no rule preventing you from interfering with the watchhouse-keeper?—No written rule, I admit, but I would be liable if I interfered with the watchhouse-keeper in the discharge of his duties.

84. Under what regulation?—Because the watchhouse-keeper gets his instructions from the superior officer, and is responsible; and not for anybody else am I to interfere, except through the sergeant in charge.

85. Can you give any regulation to prove that?—I can call witnesses to prove that the Inspectors give such instructions.

86. Now, if the watchhouse-keeper is not to be interfered with by the sergeants, what is the meaning of Rules 212 and 213—namely, "Every sergeant in charge of a subdivision will occasionally visit every part thereof, at uncertain hours, during the day and night; and, when on duty, will attend the Court and visit the watchhouse at least once during the day and once after midnight. Every sergeant in charge of a subdivision will be responsible for, and will take immediate charge of, the lockups situated in that division"?—These rules prove to me that only the sergeant in charge of the station is to interfere with the watchhouse-keeper.

87. Does not Regulation 213 give sergeants general power over the watchhouse-keeper?—No; it does not give a sectional sergeant power. It gives the sergeant in charge of the station, or his substitute, as the case may be, but not the sectional sergeant.

88. If you went into the watchhouse and saw the watchhouse-keeper drunk, what would you do?—I would tell Sergeant Gamble, who was in charge of the station.

89. Suppose Sergeant Gamble was not there?—I would tell the Inspector.

90. Suppose the Inspector was not there?—I would report him for being drunk.

91. Then, you admit that under these circumstances you would interfere?—Certainly. I would go and tell the sergeant in charge, and would report the matter to him. He is responsible for the state of his men.

92. Would you report that the man was drunk, and thereby committing a breach of the regulations?—Yes.

93. Well, now, did you report the watchhouse-keeper for allowing Mr. South to be expelled from that room by two constables on two or three occasions?—I did not commit any error in not doing so. The complaint was that the other man was doing wrong in disturbing the watchhouse, and had a right to be removed.

94. You say that if you found the watchhouse-keeper under the influence of drink or drunk, you would take action?—No, I did not say that at all. I said I would inform the sergeant in charge of the station.

95. Is that not taking action?—I do not call that taking action. I would bring it under the notice of the proper officer, who has a right to take action.

96. Then, assuming you came into the watchhouse and found the watchhouse-keeper allowing any other breaches of the regulations to go on, would you take action?—I would do the same as I would if he had been drinking. If I found anything I considered was wrong I would complain the same as if I was on the street. I would complain if I thought it was my duty or part of my duty.

97. Now, then, if you saw the watchhouse-keeper allowing some person to be improperly ejected from the place, would you take action?—No, I would not. That would not be part of my duty. That is a discretionary power that he has. That was for him to judge.

98. Would you allow that to go on?—I would have to inquire to find out who was right or wrong before I could report the matter to the sergeant in charge of the station. It is quite customary to turn men out of the watchhouse.

99. If you had any reason to suppose that the watchhouse-keeper was acting improperly, do you not think it would be your business to interfere to see who was right or wrong?—I do not think I have a right to suppose or make myself satisfied while there is an officer to do that. I would be interfering with his duty.

100. You are speaking about the general regulations of the service?—I am speaking only of this watchhouse.

101. Speaking of the general rules of the service, is it not a general rule that every sergeant has authority over constables?—I have never known a sergeant off duty to interfere with a constable on duty. If he sees him, or if he found him doing anything wrong, he would report him to the sergeant in charge.

102. Is complaining to the sergeant in charge taking action?—It is a very mild form of interfering to bring it under the notice of the proper officer.

103. You admit that you would draw the attention of the officer in charge to it then?—I would draw his attention to it, but I would not presume to dictate to him what was wrong. I would tell him what I saw.

104. If you saw a constable drunk and rolling about the street, would you take any action other than informing the sergeant?—No, I would report him to the sergeant. If there was a sergeant or constable present it would be their duty to take him away, but if there was no one about I would not have that disgrace to the service in the street, and I would remove him to some place where he would not be seen. I would do that to a civilian, or a policeman, or anybody.

105. *Colonel Pitt.*] You say if you were not on duty, and you saw the watchhouse-keeper being attacked or assaulted you would deem it your duty to assist him?—Certainly. If a man was assaulted I would assist him.

106. Supposing you saw him assaulting some one in the watchhouse would you deem it your duty to interfere then?—I would prevent an assault if I could.

107. *Mr. Tunbridge.*] You say you were off duty on this particular occasion?—Yes.

108. What were you doing in the watchhouse?—Making out my return for sectional duty for the day.

109. *The Chairman.*] When do you understand the duty of the sergeant in charge of the section ceases—when is he off duty?—As soon as he is dismissed in the yard by the senior sergeant.

110. Does he fall in with the men, and is he dismissed with the men?—Yes; he is paraded and inspected by the sergeant, and goes out and returns with the men, and he is dismissed with the men.

111. And in the case under review you give the case of a sergeant who is dismissed in the yard?—Yes. I might have gone home right away.

112. *Mr. Tunbridge.*] Is it not part of your duty to put in your report before you go home?—I could go home and write it at home, as long as I had it in before next morning. Most of the sergeants on duty here write their reports at home and put them in the sergeant's box before 9 o'clock in the morning, as well as other reports.

113. Was Inspector Hickson in charge of this district at the time you refer to?—He was.

114. How long had he been in charge?—Four or five years.

JOHN STRATHERN, examined on oath.

115. *Mr. Palmer.*] You are Inspector of the Charitable Aid Board?—Yes.

116. You were formerly a detective in the Police Force?—Yes; stationed in Auckland and Dunedin.

117. How long were you in the Force?—I joined in 1876, and left in 1884. I served under Inspectors Broham, Thomson, Weldon, and Sub-Inspector, now Inspector, Pardy.

118. Now, what is the practice in regard to the watchhouse-keeper and his senior officers?—The practice of the lockup-keeper is that you might say of supreme and absolute control of the watchhouse. He is directly responsible to the officer in charge.

119. Was that the rule while you were in the service?—Yes.

120. Did you ever know the watchhouse-keeper to turn anybody who was his senior out of the room?—Yes; I remember being turned out myself once. I was then a detective.

121. As a detective, what rank are you equal to?—A sergeant, according to class.

122. *The Chairman.*] Did you hold the rank of sergeant?—I was a fourth-class detective, and a detective is supposed to equal the rank of sergeant.

123. *Mr. Palmer.*] Then you think that the rule was that the watchhouse-keeper was directly responsible to the officer in charge of the station, and to him only?—Certainly. There is no doubt about it, and quite right too.

124. *Colonel Hume.*] Have you ever seen this regulation anywhere?—It is an unwritten law.

125. Who told you about it?—I joined under Inspector Broham and I was told of it.

126. Did Inspector Broham tell you?—Well, of course he told us so many things that I cannot remember all.

127. Who told you?—I cannot say. It is a well-known fact—it is an unwritten law.

128. Who turned you out of the watchhouse on this occasion?—One of the lockup-keepers, Constable McGilp.

129. What for?—It was partly my own fault because I was interfering with him as lockup-keeper; proving that he was in charge, and that what I say is true.

130. Then, did you report it to the sergeant?—Certainly not. Why, things are committed every hour of the day that you would consider it contemptible to report about—little things between the police constables in the station.

131. But the watchhouse-keeper having to turn a detective out of the watchhouse, is that a very trivial thing?—I admit that I was in wrong; it served me right.

132. Then you pocketed the insult and said never a word?—Yes, most decidedly.

133. Then, at any other time has the watchhouse-keeper ever interfered with you?—No.

134. That is the only occasion during the whole of your service?—Yes.

135. Have you ever seen a third-class constable in charge of the watchhouse?—Yes.

136. Have you ever seen them turning out a sergeant or anybody of the rank of sergeant?—I have been in charge of the lockup myself as a third-class constable.

137. And did you turn out any sergeant?—I never had occasion to do so.

138. Do you think that would be carrying out discipline if a third-class constable, or even a first-class constable, as watchhouse-keeper could turn a sergeant out of the watchhouse?—Discipline must be maintained at all hazards. The lockup-keeper is a special office by itself. He does not come under the discipline the same as other constables. It is a special and distinctive office of itself.

139. Then is not a sergeant a distinctive office of itself?—All are.

140. Now, the watchhouse-keepers are constantly changing?—Yes, of course they change, but not constantly. Lockup-keepers are men specially selected from the Force for that particular duty, in the same way as you would select detectives—you cannot educate detectives. It is a special natural qualification, and if you have not got it education and discipline can go to the wind.

141. Did you serve anywhere but in the Auckland District?—Yes, in Dunedin.

142. Was that an unwritten law there?—Yes, Constable Jeffries was lockup-keeper there.

143. You are quite certain?—There is no doubt about it.

144. How many years ago?—About fourteen years.
145. Who was Inspector?—Mr. Weldon.
146. Who was the Sergeant-major?—Sergeant-major Bevin.
147. And you say that same unwritten law was there?—Yes. Of course I might go a little further and qualify that. Of course, when you speak about the lockup-keeper, I refer to the lockup-keeper specially on duty during the day. There might be periodical changing with the lockup-keepers at night, and then the sergeant in charge of the night-duty is absolutely responsible for the lockup during the night. The lockup-keeper took charge at 9 o'clock in the morning, and he was then in charge until relieved in the evening. He was then absolutely in charge of the books, documents and records of every description in the lockup. After he is relieved at 6 p.m. another man takes his place, temporarily, from 6 to 9, and then the watchhouse-keeper for the night goes on from 9 until 5 or 6 in the morning.
148. Then the unwritten law draws that distinction?—I am giving you the practice.
149. And this same practice as regards day and night duty was in force both at Dunedin and Auckland?—Yes.
150. Then the man on duty at night can be interfered with?—He is under the control of the sergeant in charge that goes on on the night duty.
151. Now, supposing you at any time during the day or night went into the watchhouse and found the watchhouse-keeper drunk, what would you do?—The first thing I would do would be certainly to report the matter to the senior upstairs. That is all I could do.
152. And if you did not find the senior upstairs, would you go and look for somebody else?—I might then remain there for the purpose of security. That is, if I was satisfied he was drunk.
153. Supposing while you were away to make this report to the sergeant a person escaped or committed suicide, who do you think would be held responsible?—Not me, certainly not.
154. That is your idea of discipline, and what you consider proper and correct discipline?—Certainly not. If the discipline fails, and the officer who is responsible for that discipline fails also, you are not to say it is to be referred back on my shoulders. Suppose I did not appear on the scene at all and what you say took place, am I to be responsible?
155. You see a man drunk in charge of the watchhouse, and you leave him there—that is what I understand this unwritten law says?—Yes.
156. *The Chairman.*] If you saw him drunk and another man was there, would you send the other man to the sergeant?—Certainly. I might do it in a sort of confidential manner, but I could not do it officially.
157. *Colonel Hume.*] In other words, a sergeant of police is not always a sergeant of police—that is what I take it to mean?—It would be very hard indeed for that unfortunate man if he was.
158. He is occasionally to be put under a subordinate?—That is what has been the practice.
159. *The Chairman.*] You say this applies only to the day-watch?—Yes.
160. At night the watchhouse-keeper is under the charge of the sectional sergeant?—Yes, after 9 p.m.
161. *Mr. Tunbridge.*] You are speaking of an unwritten law. Is it not an unwritten law in the Force that every constable is subordinate to a sergeant?—That is the regulation.
162. They make no distinction as regards watchhouse-keepers or any other men?—No.
163. Can you find anything in the regulations to lead you or any other man to suppose that a sergeant is not at all times superior to a constable?—No, but with this special exception. The lockup-keeper is always a specially appointed man with special powers.
164. Can you point to anything in the regulations to that effect?—No, that is the unfortunate part of it.
165. The whole spirit of the regulations is that a constable is subordinate to a sergeant, and, consequently, a sergeant has a right to give constables instructions?—Yes.
166. Is not a constable out on his beat in charge of the beat?—Yes.
167. Has a sergeant any control over him?—Yes, the sergeant who takes out that relief is in charge of that relief, and no other sergeant.
168. No other sergeant is responsible for that constable properly carrying out that duty except the sergeant in charge?—That sergeant is in charge of the relief. Another sergeant has no right whatever to interfere with that sergeant's relief. If he sees the man misconducting himself it is his duty to report it to the sergeant in charge of the relief, but not to go and interfere with that man.
169. If a sergeant off duty or on duty witnesses a breach of the regulations by a constable, and does not report it, is he not liable to be reported for neglect of duty?—If a sergeant finds any constable in an hotel drinking it is that sergeant's duty to report him for that forthwith.
170. *Colonel Pitt.*] Could he interfere with the constable?—All he could do would be to report him. It is his imperative duty to do so.
171. *Mr. Tunbridge.*] You, as a detective, had a good deal of writing to do?—Yes, too much of it.
172. Did you consider making out your reports part of your duty?—Yes, certainly.
173. *Mr. Palmer.*] If you were making out that report at home, would you consider you were on duty at the time you were writing?—No, certainly not. I have gone off the streets at 3 and 4 in the morning and gone home and written reports out, and then perhaps turned into bed, and at 5 o'clock in the morning the fire-bell would ring and I would get no sleep at all. I had to be on duty.
174. I want to draw a comparison between the watchhouse and the guard-room. Do you know anything about military service at all?—Yes, for seven years.
175. Would you consider any officer, except the officer in charge of the guard-tent, even if a

sergeant, had the right to go and interfere with him?—If a private soldier was in charge of the guard-tent his authority is supreme.

176. Would you consider the watchhouse-keeper similar to that?—Well, we never called it the watchhouse until recently; it was always the guard-room until Colonel Hume came. Of course that is part of the old military spirit still existing in the Force.

177. *Colonel Hume.*] Will you tell me what military force this is you are speaking of?—The 3rd Lanarkshire Rifle Volunteers, and also the Ayrshire Rifle Volunteers.

178. Do you think if the orderly officer of the day came down to the sergeant and gave him some orders they would not be carried out?—No.

179. Would they be carried out if they came from a staff officer?—If an orderly officer brought down any commands it must be from a superior, not from himself. If he brought down any commands he would be the mouthpiece of his superior officer.

180. You say the watchhouse used to be called the guard-room?—Yes.

181. Do you know when these regulations were issued?—In 1881.

182. That is before I came to the colony. Does it call it the guard-room or watchhouse in these regulations?—The watchhouse.

183. Then it was not Colonel Hume altered it?—No.

184. *Mr. Tunbridge.*] You were asked about your military experience, and said it had been in the volunteers?—Yes.

185. Was it in the military regulations governing the volunteers that you saw this?—I cannot say.

186. *The Chairman.*] The orderly officer of the day would correspond with the sergeant in charge?—Yes.

187. You compare the orderly officer with the sergeant in charge of the station?—Yes.

ALEXANDER MCGILP examined on oath.

188. *Mr. Palmer.*] You are a constable stationed in the Auckland Province?—Yes, at Rawene.

189. What rank are you?—First-class constable.

190. How long have you been in the Force?—I think twenty-one years in November coming.

191. During that service you have been in charge of the watchhouse?—Yes.

192. Where?—In Auckland.

193. How long?—About two years, and sixteen years ago.

194. Who was the Inspector?—Inspector Thomson.

195. Who were you controlled by during the day when you had charge of the watchhouse?—By Mr. Pardy, who was then Sub-Inspector.

196. The Sub-Inspector holds the position that the Sergeant-major holds now in taking charge?—There was a Sergeant-major as well as a Sub-Inspector in those days.

197. Unless the orders came from him did you recognise any one else controlling you?—Oh, from my position I did not recognise any other controller except the Sub-Inspector, or whoever the Sub-Inspector sent.

198. What was your position in charge of the guard-room—what was your power?—I had sole control of the guard-room and its working.

199. Who was allowed to interfere with you outside the Sub-Inspector, or was there anybody at all?—No, except the Inspector, of course. I may be allowed now to draw a line, on very important matters. Of course, in ordinary matters I would go by the advice of any one.

200. *Colonel Pitt.*] You take the responsibility of that yourself?—Yes, where I thought the advice would be beneficial to me.

201. *The Chairman.*] You take advice, but not the orders?—No, not the orders.

202. *Mr. Palmer.*] Did you receive these instructions as to your duties from any of the Inspectors? How did you know what your powers were there?—The Sub-Inspector told me what my powers were in the watchhouse.

203. Did he tell you you were only responsible to him?—No, I would not go as far as that.

204. Can you remember what he told you?—During my service of two years I was under him only.

205. Did he tell you you were under him only?—I cannot say that he did, but it seems likely he did.

206. If he did not, would anybody else tell you?—No; I had very little communication with the Inspector.

207. Did you ever during your time turn another senior to yourself out of the watchhouse: do you remember Jeffries?—I often told them to get out of the room, and that they were molesting me.

208. *The Chairman.*] Constables?—Either constables, sergeants and detectives.

209. *Mr. Palmer.*] Do you mean molesting you or hindering you?—Hindering me while I was writing. That is, by loud conversation and general talking.

210. Do you remember ever preventing Sergeant Gamble seeing any prisoners?—Oh, yes.

211. But he was your senior sergeant?—No one had a right to see prisoners without an order from the Sub-Inspector, either constable, detective, or sergeant. Yes, I do remember refusing Sergeant Gamble, who was senior sergeant.

212. Do you remember Inspector Pardy ever telling you you were not to allow sergeants and others to congregate in the watchhouse?—Not sergeants and others. I remember him finding fault with me on one occasion for allowing a lot of men to assemble in the guard-room.

213. *The Chairman.*] Any sergeant in particular?—No; I do not know whether a sergeant would be amongst them or not.

214. When did you cease to be a watchhouse-keeper at Auckland?—Sixteen years ago, when I was transferred to the country.

215. You have been in the guard-room since you came down to Auckland?—Yes; just when visiting.

216. Have you ever seen any alteration in respect to the watchhouse-keeper?—Yes.

217. What alteration have you seen?—I saw that constables and sergeants were allowed to see prisoners without an order. That used not to be in my day.

218. But as to this control; have you seen any change?—No; I have not seen the day watchhouse-keeper's duties carried out there, and I cannot say. Of course, there was a distinction between the night watchhouse-keeper and the day watchhouse-keeper.

219. Can you tell us whether there was any alteration in the regulations of 1887 with regard to the control of the watchhouse from the previous regulations?—If there is, they are very slight, so far as I remember.

220. Now, supposing that every senior constable, or every senior to the watchhouse-keeper, had a right to go in and interfere with him instead of the watchhouse being under the control of the one man, would the discipline of the watchhouse be able to be maintained properly?—Well, it depends upon how you put that question. I believe, although I know very little of the present mode of watchhouse-keeping, that it is up to the present day under the direct line of the sergeant in charge, or the inspector in charge—it must be. I look upon the watchhouse-keeper as the most responsible position at any central police-station, otherwise it would not work.

221. I suppose is usual for some one to be in charge of the station—it is not often a station is left without any one in charge of it?—Never.

222. Supposing you went in and found the watchhouse-keeper drunk and intended to report him, would you always find some one in the station to report him to?—I cannot say that.

223. During the day would not some one be in charge of the station, or is it left in the absolute control of the watchhouse-keeper?—Not always; but I have seen days when there was no one else but the watchhouse-keeper.

224. And the watchhouse-keeper was in charge of the whole station?—Yes.

225. Supposing you went and found the watchhouse-keeper in charge of the station, and he was drunk, what would you do?—If he was in charge himself I would certainly consider it my duty to remain there.

226. But if you found any one to report him to, what would you do?—I would report him.

227. *Colonel Hume.*] Do you know in the old regulations of sixteen years ago whether No. 184 was the same as it is now?—I cannot say; I think it was.

228. Do you look upon this watchhouse-keeper as a special appointment?—I look upon it that it should be a special appointment.

229. Now, when you were watchhouse-keeper, supposing a disturbance occurred in the watchhouse and a sergeant was present, and, say, for the sake of argument, two men commenced to fight, and the sergeant said, "Watchhouse-keeper, make prisoners of those two men," would you consider the sergeant was doing his duty or exceeding his duty?—I would look upon it that it was my place to stop the disturbance.

230. But if you had not done it, and the sergeant said, "Watchhouse-keeper, make prisoners of these two men," would you consider he was exceeding his duty?—I should say it was in line with his duty.

231. *The Chairman.*] If the sergeant was not on duty, but was in the station, and told you this, would you feel bound to obey it?—Yes; if off duty or on duty, I say it would be my place to call the sergeant to help me; and if I failed in my duty and the sergeant called upon me, I should say I had a right to obey.

232. If you, as watchhouse-keeper, were dealing with men whom you are going to put out of the watchhouse, and a sergeant who was not on duty interfered with you in doing so, would you feel it your duty to obey him?—I would report him for interfering with me.

233. Do you mean you would obey him or disobey him and report him?—I would obey him and report him.

234. Now, when you have prisoners locked up, and a sergeant, either on or off duty, who is not the sergeant in charge of the station, comes and wants to see that prisoner, would you allow him to see the prisoner?—No; by no means.

235. You are held responsible for that man?—Yes.

236. *Mr. Tunbridge.*] You say you were under the orders of Sub-Inspector Pardy?—Yes.

237. Now, as a matter of fact, was not the section-sergeant and every constable on duty under the orders of Sub-Inspector Pardy?—Yes.

238. He was in control of the whole town, and every officer on duty in the town was responsible to him?—Yes.

239. Taking the general rules of the service, do you not consider that, at all times and under all circumstances, you have a perfect right to obey the orders of a sergeant?—Yes.

240. And if that sergeant's orders to you are wrong he is responsible, and not you?—Yes.

241. *Mr. Palmer.*] If that sergeant came and ordered you to let him in the cells to see one of the prisoners, would you do it?—I would ask him if he had got an order.

242. If he asked you to let a prisoner out of the station?—Certainly not, without an order.

243. Then, under certain circumstances you would not obey the sergeant?—I would not obey in the case of seeing prisoners.

244. If he asked you to commit any breach of discipline in the watchhouse, would you refuse?—It is not consistent that I should.

245. *Mr. Tunbridge.*] You would not expect to be asked such a question?—No.

JOSEPH SWINBURNE KELLY further examined on oath.

246. *Mr. Palmer.*] You are a first-class sergeant, stationed at Auckland?—Yes.
247. Who has charge of the watchhouse?—The watchhouse-keeper for the time being.
248. To whom is he responsible?—Directly to the sergeant in charge of the station, and then to all above him.
249. Now, in regard to the maintenance of discipline in the Force, if every senior to the watchhouse-keeper had the right to go in and control him, would you be able to maintain discipline properly in the watchhouse?—The watchhouse-keeper is responsible that order is maintained in the watchhouse to the sergeant-major or to the sergeant in charge.
250. You are sergeant in charge now?—I am.
251. Supposing one of the other sergeants came in and saw the watchhouse-keeper drunk, would you expect him to report to you, or do anything else—what would you expect him to do?—I would expect him to relieve the watchhouse-keeper of his duty, and put another man in his place—that is, supposing I was not there.
252. Supposing you were there?—He should communicate at once with me, in order that the watchhouse-keeper may be relieved of his duty.
253. If you were in the building you would not expect him to act on his own responsibility, and you would expect to be informed of what was the matter?—It only takes a second to blow the whistle communicating with my room, and I would speak to him.
254. Then, could the watchhouse-keeper turn a sergeant out of the watchhouse if he was not satisfied with what the sergeant was doing?—I would not allow him to turn me out.
255. Because you are in charge now?—No, if I was a sergeant. He would have to report me if I did anything wrong, but he could not turn me out. The watchhouse-keeper is a third-class constable.
256. *The Chairman.*] Do you consider that as a watchhouse-keeper he has any special powers in preserving the order of his watchhouse?—Yes, to a certain extent, if there is no superior officer present.
257. If a sergeant was misconducting himself or obstructing the watchhouse-keeper, and refused to quit the place, would he have the power to eject him?—He could report the matter at once.
258. Could he put him out, supposing the sergeant was obstructing him in his work?—I never saw an instance of it. I do not know how he could put a sergeant out if the sergeant was sober and thought he was justified in interfering with him. The watchhouse-keeper would certainly be at liberty to report him.
259. *Mr. Palmer.*] That is, he has not got the sole control of the watchhouse?—No; I do not think he has sole control when a sergeant is there.
260. When a sergeant goes into the room, whether off or on duty, then his sole control in the watchhouse ceases?—No; he has a certain duty in regard to the watchhouse, and he has custody of the money, books, and prisoners in the place.
261. Supposing a sergeant goes in and says, "I am going to take the custody of the money and books"?—He would not allow that. That is a case which would never occur. A sergeant would never do such a thing. A watchhouse-keeper is put there by the officer in charge of the station on account of his suitability for the position.
262. You said he is responsible for the control of the watchhouse to his immediate officer?—Yes, to see that no unseemly talking goes on.
263. Then, if he has not got the right to turn any one out, how is he going to be held responsible for his guard-room?—Of course, he could turn people out, but I do not think he should attempt to turn a sergeant out.
264. Supposing a sergeant was hindering him?—He would call the attention of witnesses to the affair and report him. That is the way I should take it.
265. *Colonel Hume.*] You say a watchhouse-keeper is responsible for order being maintained in the watchhouse?—Yes.
266. Supposing there is a disturbance in that watchhouse, and a sergeant is present, when on or off duty, do you consider it would be his duty to interfere and quell the disturbance?—If it was not taken notice of by the watchhouse-keeper I think he should interfere.
267. *The Chairman.*] If the watchhouse-keeper, in his discretion, thought it was necessary to put a man out of the watchhouse, do you think a sergeant, either when on or off duty, who happens to be present, would have the right to interfere with him?—I think a sergeant would naturally assist in putting him out.
268. Supposing a member of the public came into the watchhouse and was disorderly in his conduct, and the watchhouse-keeper, in the exercise of his discretion, was putting him out, would a sergeant, who happened to be present and not on duty, have the right to interfere with that watchhouse-keeper who was putting the man out whom he considered disorderly?—No; I do not think he would be justified in preventing him putting the man out so long as he did not use any more force than was necessary in putting him out.
269. *Colonel Pitt.*] Supposing a sergeant, though off duty, had reason to believe that the watchhouse-keeper was acting improperly in the manner in which he was putting a person out, ought he then to interfere, whether on duty or not?—Certainly; he ought not to allow any member of the Force to act improperly.
270. Do you think it was his duty to interfere at all in the circumstances which led to the ejection of that man—is it his business at all as a man not on duty to ascertain why the watchhouse-keeper was ejecting him?—If he was going to interfere at all he would have to inquire.
271. That is the case of a sergeant not on duty who does not interfere with the watchhouse-keeper who was putting a man out whom he (the watchhouse-keeper) considers disorderly: was

that sergeant, not on duty, wrong in not inquiring?—If he thought a man was being put out because he was interfering I do not think he would be wrong in not interfering.

272. Do you think it was his duty to think at all about it when he saw the watchhouse-keeper putting a man out, or his duty at all as a sergeant not on duty to think at all about it unless he saw unnecessary violence being used?—I cannot exactly say that. I would depend upon the circumstances. I do not quite follow the question.

273. Take the case of a watchhouse-keeper putting a man out of the watchhouse whom he considers disorderly, and a sergeant not on duty being present?—Yes.

274. Would it be the duty of that sergeant to ascertain the grounds for which that man was being ejected?—Not unless the person appealed to him, because the watchhouse-keeper is in charge of the watchhouse.

275. In that case, what do you say the sergeant appealed to ought to do?—I would inquire into the case and ascertain the reason why he was being put out.

276. *Mr. Tunbridge.*] Assuming you are in the station doing writing in connection with your statement of duty, and there is a great disturbance in the watchhouse, and a person is ejected who re-enters, who is ejected again, and who re-enters a third time, protesting against the action of the watchhouse-keeper, should you consider you would be justified in keeping your seat and going on with your writing, and not attempting to make yourself acquainted with the rights and wrongs of that matter?—No; I should think it my duty to find out what he wanted and why he came.

277. *The Chairman.*] Would his persistence in re-entering amount to an appeal to the sergeant?—I would know he had some business in coming in, and I would want to know what his business was, and it would be my duty to inquire into his business.

278. *Mr. Palmer.*] You say it would be your duty to ascertain and inquire what the man wanted?—Yes.

279. Even when the sergeant in charge of the station is present, and when he can be got at with a whistle, do you think it would be your duty to refer the man upstairs to the sergeant, or to whistle to the sergeant, or to interfere in the matter?—I would stop the row, and send for Sergeant Gamble, or whoever was in charge.

280. Supposing they all went to the sergeant upstairs?—I would have been finished with it.

281. And the sergeant upstairs arrested him, would you interfere?—No.

WILLIAM LYONS examined on oath.

282. *Mr. Palmer.*] You are a second-class sergeant, stationed in Auckland?—Yes.

283. Have you ever been in the watchhouse?—Yes; I was watchhouse-keeper in Wellington years ago.

284. Who is responsible for the control of the watchhouse?—The watchhouse-keeper.

285. To whom is he responsible?—To the sergeant in charge of the station.

286. Is he under the control of any one else but the sergeant in charge of the station and those immediately above the sergeant?—No.

287. Is he responsible to all the other sergeants in charge of the station?—No; he is not responsible to the sectional sergeants.

288. If you came and found the watchhouse-keeper intoxicated, what would you do?—I would report him to the sergeant in charge of the station. I would replace him.

289. Before or after you had reported him?—I would do that in the absence of the senior sergeant.

290. Supposing the senior sergeant was upstairs and you came in?—I would report the condition in which I found him.

291. And allow him to act?—Yes.

292. It does not take long to communicate?—No; there is a tube connecting both offices.

293. Would you consider it was your duty to report him and relieve him and take the responsibility upon yourself, unless there was no one in the station?—I would take the responsibility off the senior sergeant so absent. If he was absent I would communicate with him at once.

294. *Colonel Hume.*] You say the watchhouse-keeper is not responsible to sectional sergeants?—Yes, by the day.

295. Would he be justified, in your opinion, in disobeying anything a sergeant told him?—No, he would not.

296. Therefore, if one of the sectional sergeants came into the watchhouse and told him to turn out a man, ought the watchhouse-keeper to carry out the sergeant's order?—He is supposed to obey the sergeant's order, and report the matter afterwards if he had any grievance.

297. Now, as regards actual prisoners in the lockup, would he be justified in disobeying the orders of a sergeant to admit a visitor to one of them?—He would.

298. When were you watchhouse-keeper?—In 1879 in Wellington.

299. Have you been watchhouse-keeper in Auckland?—No.

300. *Mr. Tunbridge.*] Now, if you as sergeant were present in the watchhouse and a great disturbance was going on, and a respectably dressed person had been forcibly ejected two or three times—this person protesting the whole time at his treatment—would you consider yourself justified in keeping your back turned to the whole affair and taking no notice whatever of it?—I would not.

301. Not even to whistle up to the sergeant in charge: would you think that would be justifiable?—Yes, it would.

302. But to keep your seat and not even whistle to him: do you think that would be justifiable?—No, it would not.

303. *Mr. Palmer.*] Suppose that man went up to the sergeant in charge with another constable, and the sergeant in charge arrested that man, would you interfere?—I would not.

304. Supposing there is a disturbance taking place, and a sergeant came in and said to you—you being watchhouse-keeper—"Turn out that man, he is creating a disturbance," would you turn round and side with the man against the police?—If a senior sergeant ordered me, I would obey him.

305. Now, supposing you thought the watchhouse-keeper had no right to turn that man out at all, would you join towards turning him out?—I would inquire into his conduct first, and ascertain if there was any cause.

306. Would you whistle upstairs first?—Yes, if I knew the sergeant was on the premises.

307. Is it customary for sergeants, except the sergeant in charge, to come in and interfere with the watchhouse-keeper?—No, it is not customary.

MONDAY, 13TH JUNE, 1898.

ARTHUR POLE PENTON examined on oath.

1. *The Chairman.*] What is your official position?—I am Commander of the Forces. The Police Forces and the Permanent Forces are connected in so far that a certain number of men are enlisted into the police from the Permanent Force. Before I came to the country any man in the Permanent Forces was allowed to go to the Police Force on appointment by the Minister. As matters stand at present, since, I think, February of last year, no man enlisting in the Permanent Force after that date can go to the Police Force unless he has three years' service. All the men in the Police Force who have served with the Permanent Force are supposed to be available for military duty in case of war—that is to say, the Police Force is looked upon as a reserve for the Permanent Force. Each policeman enlisted from the Permanent Force is supposed to be called upon every year to do ten days' drill in the forts. The men are not available, so far as I know, for drill, and since my arrival in the colony in December, 1896, I have not had a single policeman come to do his ten days' drill. They have been called upon to do so. I have asked for them twice. There is no connection between the two Forces; but in the case of the Police Force wanting extra men for any special occasion, they have, in my experience, several times called for and been granted men from the Permanent Force to do police duty on the streets.

2. That is a right given them by what?—By custom, I think. I do not know whether it is in the Police Act. The men of the Permanent Force dislike this duty very much. It places them in a false position, and latterly, for some months, they have not been called upon to perform this duty at all; and I believe orders have been given that, unless under very special circumstances, they will not be called upon to do it.

3. Is there any existing regulation which gives you the right to call upon men who have been members of the Permanent Force, and who are now in the Police Force, to attend drill?—I cannot find anything in the Defence Act about it all. It has always been an understood thing that the drilled men of the police should be a reserve for the permanent fighting Force.

4. You do not find anything in the regulations or in the Defence Act requiring that they should come up for drill after being transferred?—No, not in the Defence Act.

5. Then you refer to it as if it was an existing rule?—I have never seen the circular, but it was in practice before my time.

6. Do you know if one of the conditions of enlistment on joining the Permanent Force is that they shall hold themselves in readiness for this drill?—Not in joining the Permanent Force.

7. *Mr. Tunbridge.*] Perhaps you will read the oath administered to a constable when sworn in as a Civil Police. There is nothing there by which the men undertake to serve in a military capacity?—Not that I see.

8. Do they take an oath when they join the Permanent Artillery?—They are sworn in; but I have not the form of oath.

9. Is there anything in that, in the event of their joining the Civil Force, to compel them to serve in the Permanent Force?—They are absolutely discharged from their duties in connection with the Permanent Artillery when they join the Civil Force.

10. Then, really, although the men might obey orders to go up to undergo this drill, if they choose to refuse, is there anything to compel them to do so?—I do not know whether there is any regulations in existence made by Ministers. That the Under-Secretary will be able to tell you.

11. I should like to know if you consider it a good system to draft men from the Permanent Artillery to the Police Force?—So far as the Permanent Force is concerned I think it is a very bad system, because I drill my men to a certain extent, and when I get them so far drilled they go away and are of no further value as soldiers. It is a waste of time from a military point of view their going into the Permanent Force before being taken into the police.

12. It is only the best-charactered men of the Permanent Force who have been transferred to the Police Force?—I cannot say.

13. But you know if a man has an indifferent defaulter's sheet in the Permanent Artillery he is not transferred to the Police Force?—That depends entirely upon the Commissioner.

14. At any rate, speaking as you do as Commander of the Forces, you would prefer that the best-charactered men of your Force should remain in the Artillery?—Most certainly.

15. Now, from your experience of matters connected with military disturbance and war, do you not think that, should there be anything in the shape of war in this colony with a foreign nation, the Police Force would be required equally as much in time of war as in time of peace?—I think you would want a much larger Police Force in case of war. You would have to protect

property a great deal more than you have to now, as no doubt there would be an exodus of inhabitants from any of the towns about to be attacked.

16. May I take it that you think that any attempt to rely on the Police Force as a military reserve is impracticable?—Under the present circumstances, when the men get no drill.

17. But even if they were drilled, would not their services be equally as much required as police as they would be required as soldiers?—Of course, from a military point of view, I would be very glad to get policemen into the forts after they had been drilled ten days annually for some years, because they would have a greater amount of military knowledge, and would be of more value than men I may pick up in a hurry from outside.

18. That you would apply to any person who had been drilled, whether he was a policeman or not?—Yes.

19. *Colonel Hume.*] Might I ask you to read clause 75 of the Defence Act?—"In special cases may be transferred from place to place in aid of Civil Police.—In the case of any sudden or extraordinary disturbance of the peace, and also whensoever any such disturbance is immediately apprehended, and also for the fresh pursuit of offenders, and also for the conveyance of prisoners, the Governor may order the whole or any part of the Permanent Militia to proceed to any part of the colony, and to act therein either in aid of or as a Police Force; and, when so acting, every member of such Permanent Militia, although not sworn as a constable, shall have the same rights, powers, and authorities, and be subject to the same rules, regulations, and orders, and be in all respects in the same situation as if forming part of the Police Force."

20. *Colonel Pitt.*] That does not touch the question of the Police Force having to go up for drill?—No, that is to aid the Civil Police authorities.

21. *The Chairman.*] Do you think that is a desirable provision, placing them for the time being under the control of the civil authorities?—No; I think this paragraph only makes one suppose it was provided in case the Force are asked to act in aid of the civil powers.

22. *Mr. Tunbridge.*] Do you see any objection to the Permanent Militia acting in aid of the police when required?—No; it is done in all countries. But then the Force act under their own officers, the civil authorities saying what they want done. That is a case of special emergency, and not for the ordinary street duty of the town.

ARTHUR HUME examined on oath.

23. *The Chairman.*] You were up to what date Under-Secretary for Defence?—I gave it over two years ago.

24. Can you tell us the exact position the Civil Police hold with regard to the military branch?—I was instructed that all men in the police who had served in the Permanent Artillery were to undergo a course of ten days' gun-drill annually, and that I was to keep the men as far as possible at places where they would be available for that. I think they underwent this course for two years running, and I think we put 101 men through in two years. Then, the next year I wrote, as Commissioner of Police, to the Under-Secretary for Defence, asking him when it would be convenient for the men to be put through again, and he told me that he could not put them through, but would let me know later on. I may state I will put this correspondence before the Commission in Wellington. They did not go that year at all. The two departments could not make it convenient at the same time. Each time these men were there they were of course replaced on the streets by gunners from the Permanent Artillery. In the form of application which they filled in to be transferred from the Permanent Artillery to the police, one of the questions asked was, "Are you willing to undergo a course of drill annually?" I should like to add that I found it quite impossible to get them near the four centres, where they would be available. Some of the men were stationed at long distances away. When I gave over the Under-Secretaryship for Defence there were 200 constables who had been in the Permanent Artillery.

25. *Colonel Pitt.*] Would there be more now?—Yes, there must be.

26. *Mr. Tunbridge.*] You found a good deal of difficulty in the way of carrying this out?—Great difficulty—in fact, that is why it fell through. Both departments found great difficulty.

Sir ARTHUR PERCY DOUGLAS, Bart., examined on oath.

27. *The Chairman.*] You are Under-Secretary for Defence?—I am.

28. Can you tell us the relations between Permanent Artillery Force and the Civil Police Force?—They are two distinct bodies.

29. Are any members of the Civil Police Force under any duties or obligations to the military force?—Well, I do not know that they are under any regulations exactly connected with it, but it was a custom that the police should be called out, I think, for ten days in the year in squads to learn gun-drill, and on these occasions we used to supply a certain number of our men to take their places. That obtained, I think, for about three years. That was prior to my being Under-Secretary.

30. *Colonel Hume* said this: "I was instructed that all men in the police who had served in the Permanent Artillery were to undergo a course of ten days' gun-drill annually, and that I was to keep them as far as possible at places where they would be available for that. I think they underwent this course for two years running, and I think we put 101 men through in two years. Then, the next year I wrote, as Commissioner of Police, to the Under-Secretary for Defence asking him when it would be convenient for the men to be put through again, and he told me that he could not put them through, but would let me know later on. I may state I will put this correspondence before the Commission in Wellington. They did not go that year at all. The two departments could not make it convenient at the same time. Each time these men were there they were of course replaced on the streets by gunners from the Permanent Artillery. In the form of applica-

tion which they filled in, to be transferred from the Permanent Artillery to the police, one of the questions asked was, 'Are you willing to undergo a course of drill annually.' Do you agree with that?—That is so. It went on, as I stated, for two or three years, and the last year it was observed was, I think, 1895. Well, in 1896, when it was thought that, as usual, we should send our men to do duty while the men were in the forts at drill, circumstances arose which made it very inconvenient, or almost impossible, for them to be drilled at once, and since that time I understand that custom has not been carried out any further.

31. *Mr. Poynton.*] Have you an expert knowledge of gun-drill?—Yes.

32. Supposing a constable was at the depot for three months, and a portion of that time was devoted to gun-drill, do you think it would be an advantage?—No, I do not.

33. You think it would not be long enough?—No; I may say I was an instructor in gunnery for about six years before I was in the Artillery Force of this country, and I do not think you can make a gunner in three months. We used to spend years and years of training at it.

34. *Colonel Hume.*] Do you think that if a man was thoroughly trained in gunnery previously that ten days a year would keep up his efficiency?—If he had ten complete drill-days every year, and he was really thoroughly efficient before he began, it would keep him from going back. I think, for instance, that if a man were to complete his drill on the 31st December, and then another year elapsed before he got his ten-days' drill, it is quite possible he would have forgotten a good deal.

35. And the gun-drill is changing almost yearly?—No, I should say, not now. Except in minor points of drill I should say it ought not to change very much.

JAMES HICKSON further examined on oath.

36. *Rev. Mr. Isitt.*] You have been twenty-eight years as Inspector and Sub-Inspector?—Yes.

37. You have read your evidence in the newspapers—is it generally correct?—Yes.

38. I am right in assuming you speak favourably of the efficiency of the Force in Auckland?—Yes.

39. You had nothing to complain of except inadequate numbers and some want of intelligence?—More a want of experience.

40. With regard to the efficiency, when do you date that back to? Do you refer to the immediate present, or since your term in Auckland have you regarded the Force as sufficient?—I do consider the short time many of them have been in the Force; and, of course, efficiency must be governed in a great measure by length of time in the service. Efficiency can only be gained by experience, in a great measure.

41. You do not share the opinion of some Inspectors that the mode of appointing them interferes with the efficiency of the Force?—That is very general.

42. Have you read the evidence given by Inspector Broham in Christchurch?—I have glanced at it—not very carefully.

43. Would you say that of late years the Inspector's authority has diminished?—No; I have never known a case in my district.

44. But have you not lost some authority or power that you had as Inspector some years ago?—Yes.

45. Could you not some years ago make transfers of sergeants and men within your own district?—Yes.

46. Can you now?—No.

47. Then that power is curtailed?—That was a matter for the head of the department.

48. There is an explicit statement that the power of Inspectors has been curtailed of late years?—Many years since.

49. How many years since you could make transfers?—I think eight or ten years. I cannot say accurately; I only speak from memory.

50. *Colonel Pitt.*] Is it since the provinces were abolished?—Yes, for I remember one particular case when I was in the Lake district in Otago, and a man was sent to me for a certain office, and I did not think he was quite suitable, and Colonel Reader replied to me that I could make what changes I thought necessary in my own district as I was responsible. Very soon afterwards I was told to the contrary, that sergeants and constables could only be removed by direction.

51. *The Chairman.*] Was that after Colonel Hume came into office as Commissioner?—No, before Colonel Hume was Commissioner.

52. *Rev. Mr. Isitt.*] Are you consulted now as to promotions?—On the last occasion I was.

53. During the last five years, have you been constantly consulted as to any promotions?—There have been no promotions, therefore I was not consulted.

54. Was it the rule that you should be consulted many years ago?—Well, it is so very long since anything of the like occurred that it really requires a little time for consideration.

55. Then you have never been impressed with any change in the mode of procedure in that respect?—No.

56. Are you consulted as to appointments?—No.

57. You are never asked anything as to the character or fitness of candidates for the police?—I send away with the application of every candidate of this district several testimonials from respectable persons, and unless the candidate has such testimonials I do not send forward the application.

58. You attach reports as to character from citizens?—Yes.

59. Do you make any separate inquiry of your own?—No.

60. Do you report as to his fitness?—No; the application speaks for itself. I have never been asked to make any further inquiry beyond attaching certificates from respectable people in the district as to his fitness, and whether he is a well-conducted, sober, and honest man.

61. Then, I understand, if a candidate made application for the Police Force, anybody might report concerning him, but you would not specially report as to his fitness?—No.

62. Can other people form as good an opinion of his fitness as you can as an expert?—No; because I would not have had any experience of him as to his fitness for a constable. He might come to me to-day and say, "I desire to join the police." The first thing I would ask is, "Where are your testimonials?" He presents them, and if they are satisfactory I give him a form, and when that is filled up I send it away to Wellington.

63. But if you and I had interviewed a man, could you not form a better estimation of his fitness than I?—Not in the short time I would see him, except in the matter of his physique, and I generally state my opinion as to his physique, and whether he is in good health or otherwise.

64. But, as a matter of fact, you are not specifically consulted as to the man's fitness, beyond sending on reports of other people?—That is so.

65. Everything is controlled in that matter from Wellington?—Yes.

66. Was it always so?—Yes, to my knowledge.

67. Then, if another Inspector were to say that the present system produces a spirit of insubordination and disobedience, would you confirm that statement?—There may be individual cases, but I would not confirm it, speaking generally.

68. Speaking generally?—No, I would not confirm it.

69. Would you indorse this statement: that "Men were appointed who had never been seen either by the Commissioner or by any officer of the Force"?—I cannot. I do not know, and have no means of knowing, whether the Commissioner has seen them or not.

70. Do you happen to know whether they are seen by any other member of the Force?—I do not.

71. Would you indorse this: that "No inquiry is made by anybody connected with the police regarding the character of the men who are appointed to the Police Force"?—No. I take it they produce some testimonials as to character, as I require myself in my district.

72. I will read some of Inspector Broham's evidence to you: "During the whole five years I have had a large number of men physically weak. They had often to go on the sick-list. A large number were not of sufficient intelligence to satisfy me, and a large number were in no way fitted for the police duties they had to perform. There were men, too, who had no sense of duty, and in them there was no spirit of obedience. The powers of Inspectors have been very much curtailed of late years. Formerly Inspectors had authority to remove within their own districts all sergeants and constables from station to station. That power was taken from them. They have not been consulted of late years regarding promotions, nor as to the transfer of men under their charge. They know nothing whatever of the transfers until the men were told to go to different places, everything being controlled from Wellington. The constables knew that the Inspectors' powers were largely curtailed; they knew that it was not by steady attention to their duty that promotion was to be obtained or advancement given, and they sought promotion and advancement by political influence. The system directly bred insubordination and the spirit of disobedience throughout the Force." Have you any general expression of opinion as to the correctness of that evidence?—I indorse a very small part of it, generally, at the beginning, but the greater part of the evidence I cannot indorse. For instance, I have said already that I had no power to transfer sergeants and constables. There have been no promises for many years, and there has been no necessity to consult me until Mr. Tunbridge obtained command of the Force. I was very glad to be consulted then, because there were many estimable men in the district whom I was glad to recommend.

73. *The Chairman.*] Is the portion of that evidence which you indorse the part relating to the reduction of the Force?—Yes.

74. Not to that about recruits?—Certainly not, because I do not know but what the Commissioner may have seen every one of them.

75. *Rev. Mr. Isitt.*] If men were appointed on these lines in other districts, would you regard it as calculated to destroy the efficiency of the Force?—You have read a very large paragraph, and I would be glad if you would subdivide it.

76. If it were true in other districts that men were appointed without the Commissioner of Police or any officer seeing them, do you think under that system you could get efficient men?—I do not suppose men would be appointed under such circumstances.

77. I ask you, suppose in other districts men have been appointed under such circumstances, would you expect to find that you would get efficient men?—I would not.

78. If this were true in other districts, "The Commissioner does not see them, and no inquiry is made by any one connected with the police regarding the character of the men who are appointed," would it be possible under those circumstances to get effective men?—It would not; but I cannot conceive how such a state of things could be. I have no knowledge as to how the Commissioner performs his duty in Wellington.

79. *The Chairman.*] Do you know who appoints the police?—I cannot tell. They come to me by order of the Commissioner, and as a rule they are not appointed until they come to me and are sworn in.

80. *Rev. Mr. Isitt.*] If this be true, in other districts, that "Men knew it was not by steady attention to their duty that promotion was to be obtained or advancement given, and they sought advancement and promotion by political influence," what would the effect be?—I consider very injurious to the force, but I have never had any experience of such.

81. Now, with regard to the efficiency of your own men, you say you are generally satisfied with them during the five years of your authority in Auckland?—Of course, there have been defaulters, and they have been dealt with; but on the whole I can speak well of them.

82. With regard to burglaries that occurred twelve months ago?—Yes. Insufficiency of numbers was what was at fault.

83. Can you give us a return of the number of burglaries reported in Auckland last winter?—Yes; I can give such a return. In 1897 there were 150 reported, in connection with which twenty-three males and sixteen females were committed for trial, and eleven were discharged; the total number apprehended being fifty.

84. Can you give me a return of assaults and robbery with violence?—Yes. There were 237 common assaults reported, and 230 people were apprehended or summoned, and ninety out of 230 were acquitted and discharged.

85. Do the assaults include robbery with violence?—No. There were twenty reported, four were committed for trial, and two were discharged, and six were apprehended out of twenty reported.

86. Can you tell me from your own knowledge by whom the larger number were apprehended—by members of the Force?—I cannot tell you now.

87. Ought you not to get special help—an augmentation of force in this district?—I got an augmentation to the Auckland Force.

88. To the regular Force or to the Detective Force?—Both.

89. Was Detective Maddern brought up from Christchurch?—Yes.

90. Specially to deal with this?—He was sent up to me at the time when burglaries were pretty rife, and so was Detective Herbert, from Invercargill—he was sent on to the Thames.

91. Did the arrests, apprehensions, and convictions multiply much when these men came up specially?—The annoyance ceased almost instantly when these men came up here.

92. Do you adduce from that that this ceased owing to the augmentation to the Force?—Certainly; because up to that time there was only one detective here, and his hands were full making inquiries and so on, and it was impossible for him to cope with them all.

93. Then I gather distinctly that your Force was insufficient until you got this augmentation. When did you get these men?—A little less than a year ago.

94. Nine or ten months ago?—Yes.

95. You say, with regard to the gambling-laws, that you are satisfied that everything is done that could be done?—Yes. The gaming- and gambling-laws are also as insufficient and offer as many difficulties as the licensing-laws. I mean the legislation is not sufficiently strong to enable the police to cope with the evil.

96. You say the laws against gambling will not allow you to cope with the evil?—No, they will not. I have had a few convictions here under very great difficulties.

97. *The Chairman.*] What evil of gambling do you refer to?—Betting.

98. What sort of betting?—Street betting and keeping "tote" shops.

99. *Rev. Mr. Isitt.*] Is that the particular class of gambling in regard to which you mean the law is defective? If there are gambling-dens in the town have you power to deal with them?—Not sufficient power.

100. Are you aware in Christchurch there have been convictions under the present laws?—I believe so, and I have had convictions.

101. You say there are four suspected "tote" shops?—Yes.

102. And have you had convictions against them?—Yes; three were convicted, and one case had to be abandoned owing to the absence of an important witness.

103. Any other convictions of "tote" shops?—Yes, there have been.

104. In Auckland City?—Yes.

105. Then the three convictions do not cover all?—Yes. Those were obtained in one week.

106. How many convictions have you had in five years in all?—Perhaps two more.

107. Perhaps there have been five convictions in five years?—Yes.

108. Have you had any convictions for street betting?—The first case of the kind that I had here after I came was dismissed by the Resident Magistrate. He held there was no law against it.

109. Have there been none since?—None.

110. Five convictions of "tote" shops and one ineffective prosecution for street betting is the record for five years?—Yes. I may say that in other cases where there appears to be anything like a *prima facie* cause I consulted the Crown Solicitor—and there were many such cases where I consulted the Crown Solicitor—as to whether there was any use in proceeding with the cases.

111. Are you correctly reported in stating there is a good deal of street betting?—Yes.

112. And a good deal of gambling done?—Yes; generally at the racecourse and by Vulcan Lane.

113. And you say particularly among young people?—Yes; and some men well advanced in years too, and apparently respectable men. They frequent Vulcan Lane and bet.

114. As a matter of fact, do you not have to put a constable specially in Vulcan Lane?—Yes; and at first I had to put two men on to keep the footpath clear.

115. Do you still keep a man on for that purpose?—Yes.

116. Every day?—Yes.

117. How many hours a day?—From 9 o'clock in the morning till evening.

118. What hour in the evening?—Five o'clock, because as a rule the people who are in the habit of frequenting there go home then.

119. On special occasions, is he there late at night?—No. I have had no occasion to keep him on late at night.

120. Then, betting involves the maintenance of a constable every day on duty to keep the street clear at Vulcan Lane, and sometimes two men?—Yes, there have been two men there.

121. Have there frequently been two men?—Not lately.

122. While you were short-handed, and had to have the Force augmented to cope with

burglaries and robberies with violence, you had to keep a man there specially to cope with this betting?—Yes.

123. *The Chairman.*] Did you tell us you made a special beat in order to cope with this?—Yes.

124. For how many weeks or days in the month?—It is going on still, and has been in existence for over twelve months.

125. What are the boundaries of that beat?—Only Queen Street. I find it necessary, as I cannot stop gambling otherwise.

126. *Rev. Mr. Isitt.*] Then there is still a special beat for that purpose?—Yes.

127. I suppose you use the ordinary Police Force besides the Detective Force to try and detect burglaries?—Yes.

128. Ordinary policemen would be making inquiries to try and trace burglaries?—Yes. The detectives are aided by what we call “plain-clothes men.”

129. One of these plain-clothes men might have to be on duty to keep this footpath clear?—No, I never put them on, as I leave them to discharge the duties of assisting the chief detective.

130. Might not the man who was on duty in uniform to keep this footpath clear of betters possibly have been employed in some way assisting the detectives with regard to burglaries and robberies with violence?—No, I do not think so, because he has nothing to do but to keep Vulcan Lane open.

131. But if he was not there?—Of course, if I did not require him at Vulcan Lane, he would be available to help the detectives and do ordinary police duty.

132. You say young people are gambling. What class of young people do you mean—young people in factories and workshops?—Yes.

133. Almost children?—Youths of fifteen and sixteen indulge in street betting. We have had a few prosecutions and convictions.

134. Boys and girls?—No; boys only.

135. You do not know anything of girls visiting or communicating with “tote” shops?—No; I have not heard of such cases.

136. Of course, you regard gambling as a much less serious offence than burglary?—They are both serious offences, because gambling leads up to more serious offences ultimately. Burglary is a much more serious offence than gambling.

137. That is, officially, you pay more attention to burglary than to gambling?—Yes; I would sooner catch a burglar than a gambler.

138. *The Chairman.*] Do you say these boys of fifteen and sixteen bet with men in Vulcan Lane, and you have had convictions?—In Vulcan Lane I have had no convictions. I have reason to believe they do bet.

139. *Rev. Mr. Isitt.*] Where do you say these boys do bet?—On the racecourse.

140. With whom?—With men.

141. On the totalisator?—No doubt.

142. Have you had any convictions with reference to boys betting with men on the racecourse?—Yes.

143. Do you know anything of boys betting in the streets of the city?—I do not know it, but I have very good reasons to believe they do. There is a difficulty in catching them. Really, there is only the person with whom they bet who can give conclusive evidence of it.

144. Do you know anything of boys frequenting “tote” shops?—No, I do not.

145. Have you ever had “tote” shops watched?—Yes.

146. Specially?—Yes.

147. Lately?—Yes. As I said before, they are very cautious now. They will not bet when there are three persons present, nor will they bet with any persons in whom they cannot place implicit confidence. Then they will not bet with strangers.

148. I suppose “tote” shops are kept by men who have ostensibly some other business: do not they run them under some other trade, apparently?—Yes; such as tobacconists. Boys might go in there for cigarettes, and we would have no knowledge of them betting, although we might suspect it.

149. Then, partly from the inadequacy of your Force and partly from the difficulty of the gaming-laws, you cannot suppress gambling?—It is more from want of legislation to deal with the evil; there is great difficulty in obtaining evidence.

150. *Colonel Pitt.*] What legislation would meet a case of that kind, where, you say, there is no third person present, and where they will only bet with those they can absolutely and implicitly trust?—That would be for the wise men in Parliament to consider.

151. Can you suggest any legislation?—I have no doubt there would be great difficulty in framing a law to meet such a case.

152. Can you suggest anything to meet the case?—Yes, in this manner: that the police should have more power to enter. At present we cannot enter without a warrant; and we should have power to seize books supposed to be kept in the place where they have ample evidence that bets are laid.

153. Do you suppose you would find evidence of persons' names in the books?—Yes, in many cases.

154. Because we have been told in other places—in Wellington—that when such a seizure was made there was nothing to indicate with whom a bet was made?—I have had proof of it.

155. Once a conviction has been obtained against a man, will he not fix his books up afterwards?—Yes, I dare say he would.

156. *Rev. Mr. Isitt.*] Would you say there is any hostile feeling on the part of the community to the enforcement of the gaming-laws?—I think all respectable residents are opposed to it. On the whole, I think all the respectable community are opposed to it.

157. Do not a large proportion of the people bet in one way or another?—I would not say a large proportion. If you include the totalisator there is a very large proportion.

158. *The Chairman.*] What is the difference between gambling?—One is permitted and the other is not.

159. *Rev. Mr. Isitt.*] If there is a very large proportion of the people gambling, you would not expect a strong feeling in support of forcing the gaming-laws?—No.

160. You said the licensing-laws are remarkably well enforced in Auckland?—Yes.

161. Probably better here than in any other centre?—Yes, that is my experience.

162. You say during the whole term of your five years?—Yes.

163. Last winter would it be so?—Yes.

164. You do not make any exception?—No; perhaps they are better conducted than they were some years ago. I believe they are for this reason: Certain clergymen and certain owners of public-houses conferred together, and a meeting of the Licensed Victuallers' Association was called; and I believe a proposition was made by the owners of the property consenting to reduce the rentals of the publichouse if the licensees would observe the laws better. I understand the amount of rent of many publichouses in the city has been reduced very considerably by the owners of the property, on the express understanding that if any breach of the law was discovered the hotelkeepers would forfeit a certain sum of money, and likewise be liable to ejection from the hotel.

165. When was this conference held, approximately?—I cannot speak personally of my own knowledge, but what I have heard and been informed, it is about twelve or eighteen months ago since the meeting of clergymen and owners of publichouses was held.

166. You said that the licensing-laws had been well enforced for the last five years?—Yes, I still say so, considering the difficulties the police had.

167. What was the need for this special agreement to improve them?—I suppose they thought it better. I cannot say what the object was, but no doubt it caused a very great improvement.

168. Well, would you not suppose, if the owners were willing to very largely reduce the rents to have the law observed, there must have been a very considerable non-observance of the law to induce them to make such a concession?—Yes, I suppose there was. When I said that houses on the whole were very well conducted, I mean considering the difficulties the police have had to contend with, and the difficulties of the law.

169. You say the laws were fairly well enforced. By whom?—By the police.

170. You were short-handed?—I have been short-handed ever since I came to the district until quite recently.

171. You had not enough to cope with burglaries and robberies with violence?—No; not as many as I required.

172. You needed one man and sometimes two to keep Vulcan Lane clear?—Yes.

173. And how many did you require to enforce the licensing-laws: one for each publichouse?—Not quite.

174. If you did not need a man to keep the street clear, you would have another man to watch some hotels on Sunday evenings?—Yes, some hotels.

175. Have you had that man?—No.

176. *The Chairman.*] If you had had one man to watch every house, could you have done it?—I doubt it under the present law.

177. *Rev. Mr. Isitt.*] It means that your statement that the licensing-laws are fairly well enforced amounts to very little?—It means that the law is observed as much as the police can do.

178. Do you still say the licensing-laws are well carried out?—I want to qualify it.

179. Did you qualify it in your evidence in chief?—I suppose not.

180. After considering the circumstances, can you say if the licensing-laws are well carried out?—I say the licensing-laws are carried out as well as the police have power to carry them out.

181. It seems from your evidence that the fact that they were not carried out was not the fault of the police, but because the police could not carry them out?—They were as well carried out as the law empowered the police to do it.

182. Can you submit your reports to the Licensing Committee for this year and last year?—Yes.

183. Do they show any considerable breaches of the law in many instances?—Yes. Occasionally there have been breaches of the law, and so far as they have come under the notice of the police they have been reported and proceedings instituted.

184. Now, if some extremist were to give evidence that probably scarcely a publican in Auckland kept the Sunday law, would you indorse it?—I dare say nearly all of them commit breaches of the law every Sunday.

185. Do or did?—Did and do.

186. Notwithstanding the conference?—Yes. I have only my suspicion of them, considering the law that is in force.

187. Did you ever tell any body of gentlemen that you believed that scarcely a publican in Auckland kept the law with regard to Sunday trading?—I say almost the same now, with a very few exceptions. There are a few, I believe, who never open their doors on Sunday.

188. Did the great mass of hotelkeepers trade very well on Sundays?—That is my opinion.

189. Did and do?—Yes.

190. In what way?—In one way that the most of them have only within the last few weeks kept a sentry outside their door to watch the police coming up. It has been reported that the police could not approach any hotel without an alarm being sent in. Within the last few weeks I have had reported that there has been no one on guard. I may say that the publichouses are visited frequently by a sergeant and constable in plain clothes.

191. How do they give the alarm?—The sentry gives the alarm either by an electric bell or by some private signal.

192. Where would the electric bell be placed as a rule?—Some at the front door.

193. And others?—They have to go inside.

194. Are there any under the window-sills outside?—I am not aware of it.

195. Have you had any report of any specially suspicious bells?—No. The telephone is made use of to warn the surrounding hotelkeepers that the police are on the round.

196. Do the police go at fixed hours every Sunday?—No, at different hours.

197. Do you personally inspect hotels?—I do not.

198. Who does?—Sergeant and a constable.

199. Do you inspect hotels before you report to the Licensing Committee?—I do not. I have not done so because I have not had time.

200. Do you depute your duties to the sergeant?—Yes.

201. Do you instruct him to look out for secret bells?—I have never had a report of any, and therefore there must be no cause to instruct him on that particular point. Secret bells are not known to me.

202. Did you need evidence before the Commission to acquaint you of the fact that bells were used as signals? Would you be surprised to hear that I have known of it for ten or twelve years?—You may.

203. Do you not think that an Inspector of Police ought to know more about secret bells than any person?—I do not think so.

204. Have you not known for the last twenty-eight years that the laws have been broken on Sunday and at other times?—I have believed so.

205. Do you not think it was your duty as a Police Inspector to find out how they outwitted you?—The mere fact of seeing the police coming is sufficient. They are too cautious to be caught.

206. Did it never occur to you to hunt out the means by which they signalled?—They have a man outside. If the landlord could not be outside, he would have some one instructed to stand outside and give warning when the police were coming.

207. I have elicited the fact that you never thought it necessary to look out for the means of communication with those inside when the police were coming?—No; because I always understood the warning was sent through the watchman kept outside.

208. Are you aware of any frank confession from members of the trade as to Sunday trading?—I cannot call any to mind.

209. Have you read the *Licensed Victuallers' Gazette*?—I have only time to look over the morning and evening papers.

210. You know it is your duty to control the liquor trade?—Yes.

211. *The Chairman.*] You have more serious crimes, such as burglaries and robberies?—Yes; they require my attention more than licensed houses.

212. *Rev. Mr. Isitt.*] Would this have any weight with you if the editor of the *Licensed Victuallers' Gazette* in Auckland were to write, "We suppose there is not one hotelkeeper in the Auckland District who is not asked every night in the week to serve liquor after 10 o'clock, and we dare say that very few publicans refuse to supply the thirsty souls, for each knows that, though he may be perfectly willing to close at the correct hour, his fellow tradesmen are taking the risk of a raid": would that lead you to think it was desirable to look into it if you saw a thing of that kind published?—It would not matter very much, for this reason: that the police could not do very much more than they have done with the laws in force. I have heard a very able Magistrate here say one time that the police were better employed in detecting burglaries and robberies than in watching publichouses. That gentleman is still in the district, but he is not in the service now.

213. You said, in answer to a question, you attributed the difficulty in carrying out the licensing-laws to the hostile feeling on the part of the mass of the community to the strict enforcement of these laws?—Yes.

214. Do you remember the poll which was taken in December, 1896, on the licensing-laws?—Yes.

215. 4,783 voted for "no license" in Auckland out of a total number of votes of 13,084?—I remember seeing it reported in the papers.

216. And 5,317 for a reduction?—I dare say it is a fact. I cannot question it.

217. Probably six or seven thousand in all voted for "no license" and reduction?—I cannot say.

218. Would you not regard it as probable that every one of those wants the licensing-laws strictly enforced?—I am not quite prepared to offer an opinion on that point, because I do not know whether the figures are correct.

219. Do you not think those who voted for "no license" and reduction would want the licensing-laws?—I cannot say that.

220. From what do you get your information as to the hostile feeling?—I will qualify that by saying that I think the majority of the women would vote for a strict enforcement of the licensing-laws.

221. You think the Prohibitionist vote is a woman's vote?—I think so.

222. Do you not think that a good many of those who want publichouses maintained also want the laws well enforced?—I dare say some of them do. They like to see the publichouses kept in a respectable manner.

223. Have you any return of the total number of persons convicted during your five years for sly-grog selling in the King-country?—Yes; there were eighty.

224. With regard to the King-country, you know that a deputation waited on the Hon. Mr.

Thompson, on the 31st May, last year, regarding the non-enforcement of the law?—It is not within my knowledge.

225. Were you not interviewed concerning it?—I have no recollection.

226. Do you not remember the publication of the statement?—There have been so many statements published that I do not recollect.

227. Do you not remember the fact being published that something would have to be done, but he would not say what, to more strictly enforce the law against sly-grog selling?—I have some recollection of the statement.

228. Prior to that period had much been done?—I had sent two policemen in plain clothes up there on several occasions with instructions how to strive to detect, and on every occasion there were one or two convicted; but the great difficulty they had to contend with was the fact that people would not supply liquor except to well-known persons or persons introduced to them. They would not supply strangers.

229. Some of your men obtained convictions, did they not?—They did.

230. Which of them?—I have had so many men up there that I would have to refer to the records.

231. Constable Cavanagh?—No.

232. Was he not in the King-country?—He may have been, but not since I came here.

233. Constable Stanyer?—Yes, he has obtained many convictions.

234. Several?—A great number of them.

235. Five or six?—Yes, and more.

236. Is Constable Forbes in that district?—Not since I came into this district.

237. He preceded Constable Stanyer?—Constable Steele.

238. Did he obtain some convictions?—I cannot say; he did not serve very long there.

239. You say you have several times sent men in plain clothes?—I have.

240. And they were successful?—One or two cases only resulted.

241. Were they men of your own, sent from this district?—Yes.

242. Did you ever have any men sent from outside the district?—Yes.

243. More than once?—No.

244. Did you specially apply that men should be sent specifically for this duty?—I did, for the reason that all the men in Auckland were too well known to be sent up.

245. You sent to Wellington?—I did.

246. Were men sent in response?—No, not immediately.

247. Did your application result in two men being sent up from any place?—No.

248. Were not two men from the Permanent Force sent especially from Wellington in response to your appeal?—They may have been, but not to my knowledge, because I know before Sergeant Cullen went up there were men up there without my knowledge.

249. Did you not give instructions to those two men?—No.

250. Are you sure your memory is not failing you?—I am quite sure on that point.

251. Do you not remember telling me that you had given instructions to two men who were sent up to Otorohanga?—Those were two Auckland men whom I appointed. They had been here for a few days and were sent up to Otorohanga.

252. Had they been long in the Force?—Only a few days. They were entered here.

253. Had you any reason to suppose they were specially qualified for the work?—The only qualification I required of them. I gave them instructions how to proceed: that they were to keep themselves quiet, and go about seeking for work, and were not to be too anxious to obtain evidence which might lead to convictions until they had been there some time—a week or a fortnight.

254. Practically, you mean they were to go up as strangers?—Yes.

255. You gave instructions to them in your own office?—Yes.

256. Did anybody know the instructions?—The sergeant in charge would probably know.

257. Anybody else?—The district clerk would know.

258. Do you happen to know of the hour you gave the instructions?—No, I cannot remember.

259. Would you be surprised to know that the Auckland publicans announced that they were going?—It would surprise me. I always instructed them carefully to inform no one—not even their comrades—where they were going, or the object of their departure.

260. Did you watch them at all to see whether they were fitted for their work?—No.

261. Did you see their swags?—No.

262. Is it within your knowledge that their swags had an Armed Constabulary look about them?—If I gave my opinion I should say they did not.

263. But you did not see them, and of your own knowledge cannot say?—I cannot say, but there is a man in this room who can.

264. Do you know whether they were recognised at Te Awamutu?—I do not.

265. Do you know whether the Te Awamutu public called them "traps" when they went there?—I do not.

266. Did you give them railway-ticket passes?—Tickets were obtained for them by train as if they were labouring-men, but they were not the regular passes such as the police use.

267. Government tickets, though?—They were not.

268. Did they use a pass of any kind?—They had the ordinary labourer's pass, the same as any person travelling by train would get; a second-class ticket.

269. Did you apply for them?—I did.

270. Personally or by letter?—Both; from the District Traffic Manager.

271. Then, any member of the staff might know you had obtained labourers' passes for these men?—I cannot vouch for what they might do.

272. There was no reason why they should not?—Yes, there was a reason. We gave requi-

sitions, and, instead of those requisitions being used or free passes being given to them, they got the passes which ordinary labouring-men would receive; and that should be only known to the ticket-clerk and the chief clerk in the manager's office.

273. How would an ordinary labouring-man obtain his ticket: would he have to go to you?—Certainly not.

274. Would he not go to the railway-office and get it himself?—Yes. But instead of paying cash they had tickets which they handed in at the ticket-office.

275. Then those men did not pay cash?—No.

276. *The Chairman.*] Who would deliver those tickets to those two men?—They came from me.

277. Were not tickets issued to you to give to the men?—No; but requisitions were issued by me and given to those men and taken to the railway-station. Instead of paying cash they handed in these requisitions, and got tickets the same as any other person.

278. What is the difference between that and a police-pass?—A police-pass is permanent, and is retained by a man as long as he is in the service.

279. What was your reason for adopting that course?—Because I had heard that the officials in the railway disclosed the fact that the police were on the train.

280. Would it not have been better to give them the money to put in their pockets to pay for the tickets in the usual way?—Perhaps it would; but the men did not have the money to pay cash.

281. *Rev. Mr. Isitt.*] I was going to ask you if you knew railway officials disclose information?—I do not know, but I have heard so.

282. Does it not occur to you that, if anybody on the railway would disclose information, it would be safer to give the men the money and let them pay for the tickets than that you should be in it?—They had tickets which they showed to the guard, the same as any other person.

283. But, before it got to the guard, would it not be safer to let them buy their tickets, so that anybody in the railway would not know you had anything to do with it?—Perhaps it would.

284. Did a sergeant in uniform go down to see them off?—I am not aware of it.

285. If a constable swears that a sergeant in uniform did go down, would you deny?—I could not deny it.

286. Were these two men long there?—I cannot call to mind the men you specially refer to.

287. I am referring to the two men who were only a few days in the Force, whom you specially sent up?—That occurred several times.

288. Did you always give men tickets in the same way?—I do not think I did.

289. Did you get tickets more than once for two men?—I did.

290. Did you know anything of men who went up there, one of whom wore police-trousers before he had been there many weeks?—I have heard that such a thing occurred. I subsequently referred the matter to the police constable stationed at Otorohanga, and he said that no such thing occurred there.

291. Did these men catch many?—I cannot call to mind what particular men were there.

292. Had you not a very clear recollection of the two men referred to when you and I talked about the matter a year ago?—I cannot call to mind who these two men were.

293. Do you remember talking to the Rev. Mr. Gittos and myself about two men?—I do.

294. You cannot recall these two men?—I cannot.

295. Is much sly-grog selling reported to you to be still going on in the King-country, despite Inspector Cullen's raid?—There is some near the tunnel, but not much at Otorohanga and at Te Kuiti. Lately I have had a report that some shanties have been erected up there.

296. At Otorohanga there is very little?—Very little.

297. At Te Kuiti?—Very little.

298. How is that suppressed?—As a result of convictions by Constable Stanyer. He has had several convictions at Otorohanga.

299. Can a well-known constable in uniform cope effectively with this evil?—He cannot; they would not supply a constable.

300. Suppose Constable Stanyer were to ride in search of evidence, is there anything to prevent notice being given of his coming?—The fact of his being seen coming would put the sly-grog seller on the alert.

301. Could they also see the direction in which he is coming?—I dare say they do.

302. Can the constables in this city be said to have a free hand?—Certainly.

303. You give your men a free hand?—I do.

304. Can a man be said to have a free hand if he has all sorts of other duties to discharge?—Yes.

305. If a detective wants to detect a crime, I suppose he goes away and does what he likes, practically?—No.

306. If you have got a man on ordinary duties he must be at his rooms at certain times? Can he adopt such methods as will enable him to cope with the cunning of an illegal seller?—If he is put on specially for breaches of the Licensing Act he is not to be at any room at all.

307. Is Constable Stanyer up there specially, and can he be said to have a free hand?—He has a perfectly free hand. I have instructed him to use his utmost endeavours to detect breaches of the licensing-laws, and I am happy to say he is successful.

308. While he is not trammelled by other instructions he is trammelled by his conditions?—Yes. But I remember well one of his cases where he discovered information instantly by overhearing a conversation that was not intended for him. I remember one night at the election of a School Committee the members were discussing the merits and demerits of a certain election, and through

overhearing them he obtained information that they had gone into a certain house and obtained liquor. He obtained a conviction for that.

309. Are you familiar with the Native areas where there are licenses?—Yes. There are two at Te Awamutu, two at Kihikihi, two at Ngaruawahia, one at Huntly, two at Te Aroha, one at Hokianga, three at Kaipara, and nine at Hauraki, including the Thames.

310. There are Natives in all these districts?—Very few. In some there are Natives, and in some none.

311. I think they are all more or less Native areas?—In some districts there are many Natives and in some others only a few.

312. Do you know of any cases of liquor sales to Maoris reported to you from these areas?—I do not remember one of sales to Natives.

313. Are there any of these districts in which the Natives predominate?—None.

314. Have you any knowledge of breaches of the licensing-laws regarding Natives in these districts where there are publichouses?—No.

315. Natives supplied after hours?—No.

316. Natives supplied when intoxicated?—No.

317. Or supplied on Sundays?—No.

318. You know nothing of such cases?—No.

319. Referring to the period between the 7th and the 17th December, 1896, in regard to the case of Matthew O'Brien, was he in the hospital between those dates?—I am not aware of it.

320. Will your report show?—No.

321. Did your report concerning him say as to where he was on that date?—No.

322. Did you on that date report in regard to Constable Matthew O'Brien, that he was in the hospital suffering from severe debility?—Yes. He was ill from the 1st December until the 23rd December, 1896. That is the return I furnished on the 1st January, 1897.

323. *Colonel Pitt.*] In the hospital?—No.

324. *Rev. Mr. Isitt.*] Did you know him to be in the hospital any part of that time?—No.

325. Do you now know he was in the hospital at any time?—From inquiries made I know he was in the Hagey Institute.

326. Was the Hagey Institute for the treatment of general debility?—No, not necessarily. The Hagey Institute is for the purpose of curing persons addicted to drink or suffering from alcoholism or nicotine.

327. And at the time you reported, did you know then that he was in the Hagey Institute?—Yes, from inquiries.

328. You took the doctor's certificate of general debility and suppressed the fact of other causes?—I did not suppress anything.

329. You did not report anything?—I did not.

330. *The Chairman.*] Where is the doctor's certificate in your report?—This is the certificate: "This is to certify that Police-constable O'Brien is under my care and unable to attend to his duties, suffering from very severe debility, caused by heat.—EDWARD W. SHARMAN, L.R.C.P., &c.—2/12/96."

331. *Rev. Mr. Isitt.*] Do you know that the Hagey Institute was not established for at least six or eight months from that date?—I do not.

332. Do you know that it had not been heard of in New Zealand at that date?—I was not aware of it.

333. You do not know that at that time he was in the Auckland Hospital?—No; I never heard he was in any hospital except the Hagey Institute.

334. Then it was not with a knowledge of his being there that you reported him suffering from debility—you supposed him to be in the Hagey Institute?—I supposed he was.

335. It was evident you knew he was suffering from the effects of alcohol?—I cannot say that; but I knew he was a man who used to tipple, but I never saw him under the influence of liquor.

336. Did you ever use the word "tippler" or "sot" concerning him?—I cannot call to mind; perhaps I have.

JAMES HICKSON, further examined on oath.

337. *Mr. Tunbridge.*] You are Inspector of the Police Station at Auckland?—Yes. I never heard of the order mentioned by Mr. Frank Palmer in this letter a few days ago. I never heard of its existence. In all my experience I never heard of such an order anywhere.

338. Or of any such rule as that the watchhouse-keeper is supreme in the watchhouse?—There is no such rule to my knowledge. On the contrary, it has been laid down that every order given by the superior officer must be obeyed by a junior or inferior officer. He must first obey it. If he thinks it is contrary to orders, it is for him to bring it under the officer in charge; but the order of the superior must be obeyed without question or command, otherwise it would be treated as insubordination.

339. In that case the watchhouse-keeper would be expected to act on the orders of any sergeant?—Yes, on the station.

340. And if there was anything to complain of it would be his duty to report it afterwards?—Yes.

341. *Mr. Palmer.*] Then, Inspector Hickson, you have never heard of any written orders being given to the watchhouse-keeper as to what his duties are?—The duties are laid down in the regulations. I have heard of no other orders, either written or verbal.

342. His duty you say is laid down in the regulations?—Yes.

343. Will you say where in the regulations his duties as watchhouse-keeper are laid down?—In Regulations 184, 185, 186, 187, 188, 189, 190, and 191.

344. Do you in all these sections mention to him from whom he is to take his orders?—No; but it is well known that every junior in the ranks must take commands, under all circumstances and in all places, from his superior in rank.

345. You give, therefore, no special directions to the watchhouse-keeper, and the only information he gets is from regulations 184 to 191 inclusive?—Yes. I have given instructions to watchhouse-keepers repeatedly on a particular subject: that is, that he must not allow any person to speak to prisoners charged with serious offences without being present and within hearing of the conversation that may pass between them.

346. That is a special instruction given by you?—Yes.

347. Is that not in the rules?—No; it is an understood thing in regard to prisoners.

348. Would any instructions given by you in that way have force?—Oh, certainly.

349. Suppose there may be a third-class constable in the watchhouse?—Yes.

350. Suppose a superior officer to him went in and asked him to see a prisoner, would he be justified in obeying the superior officer?—He would not be justified in disobeying any officer above him in rank.

351. Therefore he would not be justified in refusing to allow any officer above him in rank to see that prisoner, notwithstanding your express directions?—He would refer him at once before doing so.

352. Would he not, according to you, have to first obey the orders of that superior officer, and afterwards report the matter to you?—If I were within easy call he should refer that man to me.

353. *The Chairman.*] And not obey him?—No; that is when I am within easy reach.

354. *Mr. Palmer.*] If you were in a room in the station in Auckland he should refer to you?—Yes.

355. Or if you were absent he should refer to the senior officer in charge upstairs?—Yes.

356. If you were absent in the early days the senior officer would have been Sergeant Gamble?—Yes.

357. Now he is Sergeant Kelly?—Yes.

358. Then he would not be compelled to first obey the orders of his senior and then report the matter?—If it could not be countermanded it would. In the case I speak of when I would be within reach he should refer him to me.

359. If you were in the building or if the senior officer in charge were in the building, he would have to first refer either to you or to the senior officer?—Yes.

360. There is sure to be some officer in charge of the station if you were absent: would there not be the senior sergeant?—Yes.

361. Is the watchhouse under your supervision when you are in the station or under the supervision of the senior officer in charge of the station?—First me, and if I am absent under the senior sergeant for the time being.

362. So there is always somebody in the building responsible?—Yes. Possibly on some occasions there would not be any senior sergeant, but that would be for a very short period of time.

363. *The Chairman.*] Would not the sergeant who happened to be present be the senior sergeant?—Yes.

364. If there was only one sergeant present, he would be the senior sergeant for the occasion?—Certainly.

365. *Mr. Palmer.*] There is always a senior sergeant in charge of the station itself. You are in charge of the whole of the district, but is there not a senior sergeant especially appointed to have charge of the station?—Yes; it drops to the next in rank when I am absent without any special order from me at all.

366. *The Chairman.*] And if the next in rank is not there, who takes charge?—The next in rank who happens to be present.

367. *Mr. Palmer.*] Who appoints the sergeant in charge of the station: do the instructions come from Wellington or from you alone?—He takes it by right of seniority. The day I received orders to go to Rawene I had not time to communicate with Sergeant Clarke, but he knew he was next in rank, and the responsibility devolved on him in my absence. There is a regulation to that effect.

PATRICK CREAN, further examined on oath.

368. *The Chairman.*] You are watchhouse-keeper at the Auckland Police Station?—Yes.

369. How long have you been watchhouse-keeper?—For the last eighteen months nearly.

370. Had you been watchhouse-keeper previously here or elsewhere?—No.

371. Who is in charge of the watchhouse?—The watchhouse-keeper.

372. Is he as watchhouse-keeper bound to obey the orders of any sergeant who may happen to be in the station, whether there on duty or not?—Yes, he would if he was under him in rank.

373. Do you understand it would be a violation of an existing rule if a sergeant not on duty interfered in any way with the action of the watchhouse-keeper in the performance of what he considered his duty?—Well, the watchhouse-keeper would have to obey him if he ordered him to do anything.

374. Would you consider it an improper interference for a sergeant not on duty if he did interfere in any way with the watchhouse-keeper in the execution of his duty?—It is not for him to interfere. I never saw one interfere with my duties.

375. If you considered it was your duty to put a man out of the watchhouse, and a sergeant not on duty was present, would you consider it his duty to interfere with you in any way?—If he thought it was wrong I would think it was within his duty to interfere.

376. And you would feel bound to obey him?—I would.

377. *Mr. Palmer.*] Your duty as watchhouse-keeper is to see that nobody communicates with the prisoners unless you are present?—Yes, I am supposed to hear it.

378. Then, if a senior officer came to you and ordered you to allow him to speak to a prisoner without you being present, would you obey him?—I would.

379. It would be your duty to obey him?—Yes.

380. Then, you would not refuse to obey him and refer the matter to the officer in charge of the station first?—No, I would obey him first, and if I thought he was wrong, I would report him.

381. And you would do that to any officer senior to yourself on the station?—Yes.

382. You are to take orders therefore from every senior officer to yourself on the station?—Yes; I must obey orders.

383. In regard to the watchhouse?—In regard to anything.

384. I suppose there are a good many senior officers to a third-class constable in the Auckland District?—Yes, a good many.

385. Therefore, you would have a good many senior officers to obey?—Yes, I have.

386. Then the watchhouse is under a pretty large control?—Well, they do not as a rule interfere with the watchhouse.

387. You have got what you might term in slang a great many “bosses” in regard to your watchhouse?—There is not a great many interfere with me.

388. But they have all got this right to interfere, and you are bound to obey all of them no matter what the orders are?—Well, if any one senior to me ordered me to do anything I would obey it.

389. Therefore the watchhouse is not purely controlled by the officer in charge of the station, but by all the senior officers who are senior to you?—Yes, if they choose to order me.

390. Have you ever heard of any written instructions to the watchhouse-keeper?—I have heard that there were written instructions, but I never saw them.

391. Do you know what has become of these written instructions?—No, I do not at all.

392. *Colonel Pitt.*] Supposing you were on beat duty and your section sergeant gave you certain orders, and another sergeant, not your section sergeant, came along and gave you contrary orders, what would you do?—I would acquaint him with the first order, and obey the last if he insisted on it.

393. *Colonel Hume.*] Do you look upon the watchhouse-keeper as an appointment or merely as a duty?—Merely as a duty.

394. In accordance with the Police Regulations?—Yes.

395. Now, the Police Code says that a constable must readily and strictly obey the orders of his superiors in rank in the police. Is that the way in which you would look upon any orders given to you in reference to the watchhouse?—Yes.

396. And you would obey the orders, holding the person responsible who gave you the order?—Yes.

397. *The Chairman.*] Do you understand that all these rules apply to this Force?—No; they do not apply.

398. But this particular rule, you think, does?—Yes; I am positive it does.

JOHN BENNETT TUNBRIDGE, examined on oath.

399. *The Chairman.*] You are Commissioner of Police?—Yes.

400. With regard to the practice, not in New Zealand generally, but taking your experience in police-work in England, can you tell us whether there is any rule or understanding in connection with the position and duties of watchhouse-keeper?—There are no similar duties in England to the duties here, inasmuch as this, that in every police-station there is either a sergeant or Inspector in charge, so that constables are not placed in charge of the watchhouses. I am speaking particularly of the London Force.

401. Then a similar case to this could hardly occur there?—No.

402. Have you heard at all in connection with your office as Commissioner here of the existence of such understanding as has been referred to by ex-Sergeant McMahon?—I never heard of it until at this inquiry on Saturday last.

403. Do you think that any such rule or practice of placing the watchhouse-keeper absolutely in charge of the watchhouse and responsible only to the officer in charge of the station would be injurious to proper discipline?—I think if such a rule were issued, or if such a rule were in existence, it would be entirely subversive to discipline generally.

404. You say an officer, either a sergeant or an Inspector, is in charge in London, and here the duty is performed by an ordinary third-class constable. Do you think that it would be desirable that that constable in charge of the watchhouse should be responsible directly to the sergeant in charge of the station or to every sergeant in the Force?—He should obey any order given to him by a sergeant.

405. I am speaking of the watchhouse-keeper, whatever his rank may be?—A constable who is a watchhouse-keeper is merely a constable.

406. Suppose he happened to be a sergeant, would he be responsible to every senior sergeant in the service?—He would have to obey their orders, decidedly.

407. You would not confine his orders to the senior sergeant in charge of the station?—Your question, I take it, refers to one aspect of the thing and my reply to another. You say, “responsible to.” I will give you what I think to be an analogous case. A constable on a beat is responsible to his section sergeant; but being responsible to his section sergeant does not grant him immunity from control by every other sergeant if another sergeant should see him doing wrong. The other

sergeant has the same authority over him as the actual sergeant who is on duty over him for the time being, providing he sees that constable acting improperly.

408. And following that up, does it become the duty of any sergeant not on duty at the time to interfere with any constable who may be acting in excess of his duty as a constable?—Yes, certainly; and if a sergeant did not do so, and he was reported to me for not doing so, I would deal with him as having neglected his duty.

409. *Mr. Palmer.*] Then, at Home, either an Inspector or sergeant is always in the watchhouse itself?—Certainly.

410. Then, supposing they happened to be out of the room temporarily, and left another man in charge, and any one came in and there was a disturbance, would that other man first refer to the officer in charge of the station if he was in the room?—The officer left in charge of the watchhouse would be there.

411. Is the Inspector himself in the watchhouse?—Yes. You call it a watchhouse here, but it is the Inspector's office or charge-room at Home.

412. Suppose there is an officer in the charge-room, and he had to leave for a few minutes, and he went into the next room, and left some one in charge, and anything occurred, then would that be immediately referred to the Inspector?—Nothing would be done in the absence of the officer in charge of the station. He would be immediately called.

413. Would it not be better to bring the New Zealand system into conformity with that so far that if there was a man down below and anything serious arose the watchhouse-keeper could immediately call upon the man in charge of the station?—But a constable here is put in charge of the station.

414. But should he not call his immediate superior officer in charge of the station when any serious case occurs, to bring him into conformity with the English practice?—It would be a good thing if we did.

415. Then, it would be better to do that and to take command from every sergeant who goes to the station?—I cannot answer your question, Yes, or No, in that respect. I want you to understand that every sergeant or officer of police who gives an order to one beneath him is entirely responsible to his superiors for giving that order; and when you ask me the question whether or not the watchhouse-keeper should be liable to obey the orders of this man or that man, all I have to say is that it is very unlikely any officer of police would interfere with him unless there was good reason; therefore, the fact that he has to obey the orders of this man or that man does not come into the question at all.

416. But, assuming that he did go and interfere, perhaps rightly or wrongly—that would be a matter for judging afterwards—would it therefore not be better, instead of having to be controlled by every superior officer in charge of the watchhouse, that the watchhouse in New Zealand should be similar to the Inspector's room at Home, and that the Inspector alone, or the senior officer alone, should control that man?—If a watchhouse-keeper wishes to refer to a senior officer he can do so.

417. Then, should he obey the orders first of a senior sergeant, and refer afterwards?—Yes.

418. In a case were he is immediately connected by a tube between his room and the sergeant's room?—Yes.

419. Therefore, I take it to be this: that if a watchhouse-keeper had received an order that he was not to allow any one to see prisoners without he was present and saw what transpired, and if a senior officer to him came and ordered him to break the rule and let that senior officer see the prisoner without him being present, it would be the duty of the watchhouse-keeper to break the order and to obey the sergeant, and allow the sergeant to see the prisoner?—The watchhouse-keeper would very naturally say, "I have the order of the Inspector that no one is to see a prisoner unless I am present." (You say, "senior officer." I do not recognise that one constable has authority over another, unless a constable may be placed in charge of a station). If the sergeant then insisted on seeing the prisoner, the watchhouse-keeper would be perfectly right in permitting him to do it, but he should immediately call the attention of the Inspector to the fact, and the Inspector would call upon the sergeant to explain. The watchhouse-keeper would be justified in obeying the order of his superior officer, and would be exonerated from any blame.

420. We mentioned a case about being drunk. Assuming that the senior officer was intoxicated, and the watchhouse-keeper could see he was, would he have to obey an intoxicated officer because he was senior?—No; the watchhouse-keeper should charge the sergeant with being drunk.

421. Then he should refuse in that case?—Decidedly. He would not obey a drunken man. The Police Regulations are laid down to apply to men who are not drunk.

422. Then, if the sergeant was intoxicated the watchhouse-keeper would be justified in refusing to obey orders?—Yes.

423. Is that the only exception?—Well, the sergeant might be mad.

424. These are the only two exceptions you can think of?—Just for the moment.

425. Then, in a very serious case—perhaps some murder case—where no communication should pass to a prisoner, any one, if he was a senior officer or sergeant, could go, notwithstanding these instructions, to the watchhouse-keeper and communicate any information he liked to that prisoner?—If the sergeant desired to get dismissed from the Force, and wished to press it to that extent, he probably would be able to go.

426. Do you think that is a good rule?—I do not see how you can do without it. If you are going to set up such an authority you will destroy the discipline of the Force.

427. Then you do not think the watchhouse-keeper should be a special appointment, subject only to the officer in charge of the station?—It would be impossible. Very often, in fact daily, the sergeant in charge of the station is at the Court conducting the cases before the Court, and there is

no so-called sergeant in charge on the premises at all. The probability is, if you went to the station at the present moment, you would find no sergeant in charge there.

428. Then, sometimes the station is left utterly without any one in charge but the watchhouse-keeper?—Undoubtedly.

429. When that is so is the watchhouse-keeper in charge of the watchhouse in charge of the watchhouse and the station also?—Yes, until the superior officer comes in.

430. Therefore the senior sergeant in charge of the station can control the whole station, because there is always somebody there?—He can control it for the time being.

431. Therefore it is quite right for the senior officer in charge of the station to control, irrespective of others?—Of course, if he is present.

432. Then, why is it not beneficial that there should be some one in charge of the station and responsible for the whole station, instead of divided authority in regard to the watchhouse? If every sergeant has a right to control the watchhouse-keeper you have divided authority in the guard-room. Would it not be better to have one individual alone having charge over the watchhouse and responsible for it, and if he is away the next senior to him, and so forth?—The man in charge of the watchhouse for the time being is responsible for the watchhouse.

433. But he is to be controlled by every sergeant who comes in?—If a sergeant comes in and gives an order he has to obey that order; but, as I have said, the sergeant is responsible for that order, and not the man who obeys it. The sergeant does not come in to control the watchhouse-keeper unless he is doing something wrong.

434. But any sergeant may go in and do him a wrong, and I say, should there not be a definite rule to prevent that?—No, of course not. Every sergeant has a right to give a constable a proper order, and if it is an improper order the sergeant is responsible for it.

435. Then you do not think it should be in conformity with the English custom, that every Inspector or his immediate officer should have control of the watchhouse?—It is entirely on the same lines as it is at Home, with the exception that a constable is in charge here, and it is either an Inspector or a sergeant in London. The Chief Inspector or Superintendent is next in rank to an Inspector in London, and if a Chief Inspector came in and gave an Inspector an order the Inspector would have to obey that order. So that the same principle exists as here. It is only a question of rank of the officer in charge of the watchhouse.

436. Suppose the English Inspector was out of his room, and a sergeant came in and wanted to take away the control from the policeman in that room and to order him about, would not that policeman refer him immediately to the officer in charge?—To begin with, the Inspector would not be absent, and consequently if a sergeant came in and gave a reserve man an order, the reserve man would obey it undoubtedly, but I am telling you distinctly that before a sergeant would do that he would go to the Inspector, because he would know perfectly well that if he went in to order the reserve man about he would have to answer to the Inspector for doing so.

437. *The Chairman.*] Take the case of a watchhouse-keeper in New Zealand putting a man whom he considers disorderly out of the station in the presence of a sergeant not on duty. Was there any duty cast upon the sergeant in any way to interfere with the action of the watchhouse-keeper in ejecting the man whom he considered disorderly?—Undoubtedly there was.

438. How?—For instance, I take it you allude to the matter we all have in our minds, but which is not being mentioned. To eject a man from the watchhouse is an extreme measure under any circumstances. That is, I mean, to eject a member of the public. It creates considerable disorder in the watchhouse, and if a sergeant is present in the watchhouse and sees this disorder going on it is his duty to make himself acquainted with what is going on. If, we say, a respectable member of the community goes into the watchhouse to make some complaint, the sergeant cannot possibly avoid hearing what the complaint is if he is in the watchhouse, and if he is not deaf he must hear what is going on, and to eject that member of the community once or twice or three times would be such a condition of affairs as would necessitate the sergeant making himself acquainted with the matter. He could not possibly avoid making himself acquainted with it.

439. I may put the case where the watchhouse opens into a passage, and that passage communicates with the street. Now, assuming the ejection took place in the passage, and not in the watchhouse, and the sergeant was in the watchhouse?—If the sergeant could protect himself by saying that he never heard anything of what was going on, and his explanation was in keeping with the facts, and probably a true one, then the sergeant would be exonerated, but under no other circumstances.

WILLIAM GITTO, examined on oath.

440. *Rev. Mr. Isitt.*] You are a Wesleyan missionary?—Yes.

441. What office do you hold in the Church?—Superintendent of the Maori mission for the North Island.

442. How many years have you been in the colony?—Since 1841.

443. Have you been engaged in Maori mission work the whole of that time?—No, for forty years.

444. How far back does your knowledge extend of what is called the King-country?—About twenty years.

445. Prior to that your experience was gained where?—In the Kaipara principally.

446. In other places?—Hokianga.

447. Now, do you visit the whole of the places in this province where there are a number of Maoris as far as possible?—Yes; as far as Mokau in the Waikato district, and up to the North Cape.

448. And the West Coast of Taranaki?—No, not Taranaki.

449. Not even occasionally?—Occasionally only.
450. Then you have some general knowledge of the Maoris right through this North Island?—Yes, I think so.
451. Has your attention been much directed to the King-country?—For about ten years it has been directed to the King country, and the general aspect of things there.
452. Do you know the circumstances under which the King-country was declared a prohibited area?—I simply know from documentary evidence. I have no personal knowledge.
453. *Mr. Poynton.*] You know it is a prohibited area?—Yes.
454. *Rev. Mr. Isitt.*] Can you tell us as to the efficient or non-efficient enforcement of the law?—So far as I have been able to see, the law in regard to the sale of liquors in the prohibited district has been very seldom enforced. Occasionally it has been.
455. We are now speaking of the King-country from Otorohanga to Te Kuiti, and on to Mokau?—Yes.
456. For many years, speaking generally, do you suppose there has been any considerable amount of sly-grog selling going on there?—From personal experience I know seven years prior to that I have heard it was so. It was generally admitted.
457. For seven years you have known grog to be illegally sold freely?—Yes.
458. More so recently than previously?—I cannot speak positively about the recent aspect of five or six years ago, and since that, and to within the last one or two years.
459. Would you say there was more or less sly-grog selling five years ago than now?—I think there has been an increase of late years.
460. Have you any reason to give for that?—Well, from personal knowledge I cannot.
461. You have not been in the district for some months?—I was there in February last.
462. Did any evidence come under your knowledge then as to the prevalence of sly-grog selling?—Nothing whatever.
463. Are you familiar with other parts of the district besides the prohibition areas?—Yes.
464. Have you any experience as to the prevalence of excessive illegal drinking amongst Maoris in other districts?—Yes, plenty of it. Almost every sale-day you have drunkenness at Te Awamutu.
465. To a serious extent or only a few cases?—There might be three, four, or five—I have known six. I have helped some of them away myself once.
466. Are there any other places where you have seen the same thing?—Yes; at Kihihiki, at the Land Court. There is only one street, and it was hardly possible to get through the street during the time of the Land Court sitting. There was drunkenness every day—both men and women.
- 466A. *The Chairman.*] When was this Land Court held?—About six years ago.
467. *Rev. Mr. Isitt.*] Was that then a licensed area?—Yes.
468. Whilst the Land Court was sitting, would there be a policeman in attendance on the Land Court?—I think so.
469. You do not know?—No.
470. The drunkenness was open to the observation of the officials attending the Land Court?—Yes, to everybody.
471. *Mr. Poynton.*] That would be before the amendment of the licensing laws prohibiting the sale of liquor to Natives?—Yes.
472. *Rev. Mr. Isitt.*] Of later years have you seen anything of that kind?—No; with the exception of one or two cases in Ngaruawahia which I saw there. This is over six months ago.
473. Was that during the Land Court sitting or an ordinary occasion?—Just an ordinary occasion.
474. In the Hokianga district had you any experience of the same kind lately?—None.
475. In any other Native area?—Not of late.
476. From your observation would it help the police to enforce the law if there was a license instead of prohibition? Is it easy for them to secure prohibition where there are licenses as where there are no licenses?—My experience shows that the districts where they have licenses are very much worse than those which have not licenses. I do not approve of illicit selling, but we have more drunkenness where licenses are granted, so far as I know personally, than we have in the unlicensed districts.
477. Have you had any recent experience in Rotorua?—I have not.
478. *Colonel Hume.*] I understood you to say you knew from practical experience about seven years ago, that sly-grog selling was going on in the King Country?—Yes.
479. *Rev. Mr. Isitt.*] Did you ever give any information to the police?—Not positively so. In general conversation I think I have.
480. Well, now, would you give us a specimen of your practical experience of the sly-grog selling which was going on?—Well, at Te Kuiti, I spent a night there, and they had amusement and dancing at a gathering which I suppose they had almost weekly or fortnightly—I am not sure—and then I found two or three Europeans—two I am sure of—perfectly drunk, and a number of Natives amongst them, including two women.
481. What building was this in?—I think the building they were using then was the large railway-shed. The Europeans and Maoris were using that.
482. How long since?—About six years ago.
483. *Colonel Hume.*] What proof did that give you that sly-grog selling was going on?—I saw them drinking what was supposed to be hop-beer at one house there.
484. Kindly tell us what you mean by “supposed to be”?—It was called hop-beer.
485. Who called it hop-beer?—The person who sold it.
486. *Rev. Mr. Isitt.*] Did you tell the police about this?—I am not sure whether I did or not. I think I have in general conversation.

487. The next day you probably saw the constable at Te Awamutu and told him?—No.
488. When did you tell any constable?—Oh, it was some time after.
489. Then you did not think it of very much importance?—Yes.
490. Was it not important enough to tell the police about?—There was no policeman there.
491. At Te Awamutu there is one?—That is twenty miles away.
492. Then you did not think it was worth telephoning down?—I did not think so.
493. And you never told anybody until how long afterwards?—I cannot fix the time.
494. It might have been two years?—Very much less than that.
495. Was it six months?—Perhaps it might be three months.
496. Then, you must admit you did not give the police very much assistance on that occasion?—I did not. I am a moral policeman myself.
497. But you do not enforce the law?—No.
498. *Colonel Hume.*] You helped these Natives home, you say, in Te Awamutu when they were anything but sober?—Yes.
499. *Rev. Mr. Isitt.*] Now, on that occasion did you tell the policeman anything about it, because you had a policeman there on the spot?—I called his attention to it.
500. Were they not able to get home themselves without your assistance?—Two of them could not sit on their horses.
501. Then, were you not aiding and abetting an offence by helping them home?—No, I did not think so.
502. On this occasion you told the police about it?—I think I mentioned it to him.
503. That day?—I think so, I would not be positive.
504. Do you think you gave him a chance to get hold of these people, and put them into the lockup?—He did take some of them.
505. Do you not think that putting these people into the lockup and having them fined is a great deal more likely to stop them getting liquor than your taking them home?—No, I do not think so. I blame the public for selling it, not the Natives for drinking it.
506. *Mr. Tunbridge.*] I believe you are called in support of the contention that the police are not doing their utmost, or are not carrying out the laws of the colony?—I do not think they are.
507. Well, now, do you consider that eighty-eight prosecutions resulting in forty-eight convictions in two years for sly-grog selling in the King-country shows that the police are absolutely neglecting their duty?—No, I do not think so.
508. You think, then, that it does show they are doing something?—There has been a great improvement of late.
509. Now, may I take it on account of the police?—The Government, I suppose.
510. What other officials are there in the Government other than the police to carry out the laws?—You are correct there, it is the police.
511. May I put it this way, that it shows a pretty good record?—It might be better.
512. *Rev. Mr. Isitt.*] Now, as regards the drunkenness you saw at Te Kuiti. At that time I believe there was a man named Perry, who had a wholesale license to sell beer?—Yes.
513. Then, possibly, these people you saw drunk had procured their drink from this man in a perfectly legal manner?—Possibly.
514. And do you not think it is also probable?—Yes, I think so.
515. Therefore, the police were not to blame for these people giving drink when the law allowed them to do so?—Hop-beer.
516. I mean beer?—I was not aware that he had a license to sell beer.
517. Do you not know he held that license until the beginning of this year, when he was deprived of it owing to the frequent prosecutions instituted by the police?—No.
518. That is new to you, then?—Yes.
519. You know, also, I suppose, it is possible for the Natives to carry down drink from Te Awamutu?—Quite possible.
520. And, of course, it was quite possible to get drunk on the drink carried into the district in a legitimate manner?—I do not think so, but it was quite possible.
521. At any rate, although you do not think so, you have no evidence that it was not so?—None.
522. *Colonel Pitt.*] Is it within your knowledge that the Natives themselves practise illicit sales in liquor?—Yes.
523. At this Native Land Court at Kihikihi, where you say the Maoris were drinking every day: is that in a licensed district?—Yes.
524. Had you any evidence of hotelkeepers supplying liquors to the Maoris while they were intoxicated?—No personal evidence.
525. From whom had you evidence?—I think from the Maoris.
526. Did you communicate that to the police?—Yes.
527. *Rev. Mr. Isitt.*—In regard to a license at Te Kuiti, has there ever been such a thing?—Not that I am aware of.
528. Has not the King-country been prohibited from the time that the Maoris consented to be friendly with the Europeans?—Yes.
529. You say you have no special complaint about the police, but have you not been in the habit of speaking freely of general breaches of the law to the police?—Yes, in a general way: to friends around, and to the police too.
530. Have you spoken to Inspector Hickson?—Yes.
531. Frequently?—Several times.
532. And to individual constables?—Yes.
533. Have you not frequently spoken on the platform about it?—Yes.

534. Have you reported to the Methodist Conference annually about it?—Yes; I have done so.
535. That is to say, you have done your utmost to draw public attention to this matter?—I think so.

536. *Inspector Hickson.*] You say you have reported to him several times?—Yes.

537. When you made these reports to him, were they not long after the events had occurred?—Yes, some time after.

538. *The Chairman.*] Too late for him to take any action as a policeman?—Yes.

539. *Rev. Mr. Isitt.*] Did not you in my presence talk to Inspector Hickson very freely and fully for nearly an hour on the question of drink-selling in the King-country when we were in the train?—Yes.

540. *Inspector Hickson.*] Did I not say I would give you all the information I possibly could?—You did.

541. And on arrival at Otorahanga did I not send for Constable Stanyer to give you all the details he could as to sly-grog selling?—You did.

542. And did I not leave Constable Stanyer with you and Mr. Isitt in the room there?—You did.

HAMI KINGI, examined on oath.

543. *Rev. Mr. Isitt.*] What are you?—I am a minister of the Wesleyan Church.

544. Where do you live?—At Kopua, Waikato.

545. Are there any licensed publichouses there, or near there?—There are no houses licensed within the King-country.

546. Does that mean that the Natives are sober and get no drink?—I have not seen them buying it, but I have seen them when they have taken it. I have seen a drunken man.

547. Have you seen much drunkenness there?—Not many at Kopua.

548. Drunken men and women at Kopua?—Men only, so far as I know.

549. Are you often at Otorahanga?—Yes.

550. Have you seen them buying or selling drink there?—I have not seen them selling liquor, but I have seen people drunk.

551. Much drunkenness?—Yes.

552. Men and women?—A great many men and a few women. Women are not so bad as the men.

553. Do any children get drunk?—I have not seen any.

554. Do you visit Te Kuiti?—I have only been once at Te Kuiti.

555. How long ago?—In 1896.

556. What did you see then?—I did not see any intemperance there.

557. Do you go to Mokau?—No.

558. To any other places in the King-country besides those you have mentioned?—No.

559. Now, has drunkenness in the King-country been greater within the last two years than it was before?—There is more drunkenness now amongst the Natives than when I went first to the Waikato.

560. When would that be?—In 1896.

561. Do you visit other Native places where there are licenses?—I do not know the difference between licensed places and unlicensed places.

562. Do you go to Te Awamutu?—Yes.

563. Often?—Yes.

564. And do you see the Maoris drunk there?—I have not seen any.

565. Have you been to any other places—to Kihikihi?—No. I have been to Kawhia and Aotea.

566. Have you seen drunkenness at Kawhia or Aotea?—No; I have not seen any Natives drunk there.

567. *Mr. Tunbridge.*] How many times have you been to Otorahanga?—I cannot say exactly. I go constantly, according to my appointments.

568. When were you last there?—In May last—last month.

569. *Colonel Hume.*] Have you any knowledge as to whether it is Natives who are selling liquor or Europeans?—I do not know whether it is the Europeans or Maoris.

570. Well, I should like to ask whether you have formed any idea as to how it can be stopped if it is going on?—I would suggest that those who send grog up there should not send any more up.

571. *Mr. Poynton.*] Do you know of your own knowledge whether Maori men sometimes supply Maori women with liquor which the Maori men have bought at the hotel?—No.

572. *Mr. Tunbridge.*] Are you aware that within the past three years there have been about eighty prosecutions for sly-grog selling in Otorahanga alone?—I have heard from the people that they have been fined, and I know a great many have been fined.

573. *The Chairman.*] Do you know of any fact which has come to the knowledge of the police on which they ought to have taken action, but on which they have not taken action?—I have seen men so drunk that it was absolutely necessary for the policeman to take them away.

574. Have you any reason to believe that the police, or any member of the Force, have con-
nived in any way at a breach of the law in respect to the sale of liquors?—I am not aware of any.

575. In your opinion, are the police doing all they can, and all they are able to do, to put a stop to that improper sale of liquor?—I am not in a position of judging of a policeman's work. I am not capable of judging.

JOHN EDWARD TAYLOR, examined on oath.

576. *The Chairman.*] What are you?—I am a settler living at Mangere.

577. What office do you hold in Auckland on the Charitable Aid Board?—I am a member of the District Hospital and Charitable Aid Board.

578. Do you hold any office in connection with the Hospital?—No official position except that I have been elected as a member of the Board.

579. Do you produce an extract from the records of the Hospital?—Yes; this is the original document written by the house steward of the Hospital himself. I have compared it with the books and find it correct. It is the entry-sheet of Matthew O'Brien to the Auckland Hospital on the 7th December, 1896, suffering from *delirium tremens*. He was discharged on the 19th December, 1896. There is a letter from Dr. Lindsay, who writes as follows:—"DEAR SIR,—Kindly admit Constable O'Brien, who is suffering from acute alcoholism. He is full of delusions, and cannot be managed at home." This is dated 7th December, 1896.

580. Who has access to the Hospital books?—I, as a member of the Fees Committee, have.

581. When a man has been discharged from the Hospital, do you send any information to his employer as to what has been the matter with him?—Not in a private capacity, certainly.

582. But in regard to a constable, would an extract of that sort be sent to the Inspector?—Not to my knowledge.

583. Then the Inspector would have no possible way of knowing what he had been doing?—Not from the books. I have only been a member of the Board since last November, and this came under my notice since then.

584. *Rev. Mr. Isitt.*] Have you had much experience of men in *delirium tremens*?—I have had just one case of private experience.

585. From your knowledge of cases of *delirium tremens*, is it of sudden development or of long process?—It is a long process, to the best of my belief.

CHARLES STANYER, examined on oath.

586. *The Chairman.*] What is your rank?—Third-class constable, stationed at Otorohanga.

587. *Rev. Mr. Isitt.*] How long have you been stationed at Otorohanga?—Three years.

588. Your duties take you how far—what is the area you cover?—They take me back to the Wanganui River, a distance of over ninety miles.

589. What places would you traverse to reach the Wanganui River?—I leave Otorohanga and go through Te Kuiti, Mokau, Poro-o-tarao, Kawakawa, and Tamarunui.

590. Your nearest point to Auckland is Otorohanga?—Yes.

591. And have you had much difficulty in suppressing sly-grog selling?—I have had a great deal.

592. Have you had reason to believe there was much of it right along the line?—Well, I have reason to believe there is sly-grog selling along the line.

593. Are the persons you suspect Europeans or Natives?—Europeans principally.

594. Are there many Natives whom you suspect?—Not at present. When there is a large crowd of Natives got together, such as at the Land Court, then the Natives will start selling, but they will not when there is only a few of them together.

595. *The Chairman.*] Is there a made road right through this country from Otorohanga to Tamarunui?—Yes, it is right through to Wanganui.

596. And used by all classes of people?—Yes.

597. Is the whole of that country—that ninety miles—occupied by Natives?—Yes.

598. *Rev. Mr. Isitt.*] Does the sale-day, or the Land Court sitting, result in drunkenness?—Very little.

599. You say you know sly-grog selling goes on at the Land Court?—Yes, I have had convictions against Natives for it.

600. I suppose sometimes you are morally sure, though you cannot get legal proof?—I might think it is going on at a certain place.

601. You have a very strong conviction even when you cannot convict?—I have reason to believe it is going on at certain places, and I have no means of getting at it.

602. I suppose you sometimes see cases of drinking that would stop short of causing you to arrest the people for drunkenness?—Very little. I might tell you they are frightened to let them get drunk, because it would give the house away if they did.

603. At which of these places you have named have you reason to believe there has been most drinking? Where have you had the most convictions?—At Otorohanga.

604. More than at Te Kuiti?—Yes.

605. Do you assume from that there is more drinking at Otorohanga than at Te Kuiti?—Yes; there is a larger number of these gatherings at Otorohanga.

606. Has there been a considerable amount of drinking at Te Kuiti?—There has been.

607. Have you made several attempts to catch people at Te Kuiti?—Yes.

608. Have you been very much "on the war-path" at Te Kuiti and been baffled?—Yes, there is more than we have got.

609. And what do you attribute your failure to?—To being watched by these people. They watch me everywhere I go. If they saw me going to Te Kuiti it is quite possible the news would go before I went.

610. You mean to say the Te Kuiti people had persons to watch you elsewhere?—Yes.

611. Supposing you left Otorohanga in the direction of Te Kuiti?—Yes.

612. How would they get there before you?—There are different roads, and they would probably ride faster for this purpose than I would.

613. Do you regard it as possible for a well-known constable in the district to suppress this thing?—It is impossible for him to do it.

614. There must be special means adopted?—Yes.

615. How many convictions have you secured?—About twenty convictions within the last three years.

616. *The Chairman.*] In what localities?—At Otorohanga and Te Kuiti.
617. *Rev. Mr. Isitt.*] Do you remember how many persons were included in these convictions? Were there twenty separate persons?—No; there were two charges against some persons.
618. Can you give us the number of persons against whom you secured convictions?—I think three persons had two charges against them.
619. Then you have prosecuted seventeen persons?—Yes.
620. *The Chairman.*] How many were Europeans and how many were Natives out of these seventeen persons?—I think the three persons that have the two charges against them are Natives, and the others are Europeans.
621. *Rev. Mr. Isitt.*] Were you associated with Sergeant Cullen when he made his raid?—Yes.
622. Do you know what convictions he obtained?—Yes.
623. How many persons were convicted?—There were sixty-seven convictions.
624. But that would not be sixty-seven persons?—No. There were a large number of charges against some persons.
625. Is twenty-three persons the number?—Yes.
626. Then, did Sergeant Cullen obtain his information by himself?—He did.
627. That is, one man sent specially to take his own course could secure sixty-seven convictions?—Sergeant Cullen never obtained the convictions himself.
628. He obtained the information that led to the convictions?—I gave the information that led to the convictions.
629. To the sergeant?—No, to the men who were sent there by the sergeant.
630. Who were the men that Sergeant Cullen sent?—Two men, and a man I had myself along with them to show them the places.
631. Not regular constables?—No.
632. When a special effort is made by strangers it can result in sixty-seven convictions alone, and if it is left to the most effective man without such help he can only get seventeen in three years—is that the position?—Yes. These persons would not sell liquor to me if I went in.
633. When were these informations laid by Sergeant Cullen?—In August, 1897.
634. Now, prior to that you had been there about two years and a quarter. Had men been sent up specially to try and detect sly-grog selling?—I have had men there myself. I have employed men in the district who were willing to help me.
635. But, in addition to that, men have been sent up by the Inspector, or been sent up specially, on more than one occasion?—On one occasion in my time.
636. How many men came up then?—Two.
637. Was it a success?—No, I cannot say it was.
638. Did they secure any convictions at all?—One.
639. How long were they there?—About three weeks.
640. I suppose they were smart men?—I think so. I did not know them when they came there. They were perfect strangers to me.
641. Did other people know who they were?—Not that I am aware of.
642. Did they come as civilians?—They did.
643. Did you think they were swagmen?—I did not know about them. I may say, when a man arrives there with a swag, until it is found out who he is, he is put down as a policeman.
644. *The Chairman.*] Are there very many swagmen going through by that road?—A good number.
645. *Rev. Mr. Isitt.*] Did you see their swags? Did they look like the ordinary swagman's swag?—No, not exactly. They looked rather neat for an ordinary swagman.
646. Had they a sort of military appearance about them?—The swags were done up rather neater than the ordinary run of swags are done up.
647. Were they done up a good deal more neatly?—If he is a neat swagger he would do his swag up neatly.
648. If you took a body of men from the Armed Constabulary and a body of swaggers, would there not be a marked difference between the swags of the two bodies of men?—Yes.
649. Do you know if either of them appeared in the regulation trousers?—No; I never saw them.
650. With regard to the seven licenses: Have there been any licenses of any kind at Te Kuiti since you have been there?—Yes.
651. What for?—To brew beer and sell it.
652. How was that granted in a prohibited area—do you know?—I do not know, I am sure—I have no knowledge.
653. Was it not while you were there that an attempt was made to secure a license for Otorohanga?—No; not in my time. I believe they have tried it since. I believe at only the last sessions they tried. I saw a lot in the paper about it.
654. Did you know there was an attempt to procure a half-mile?—That was before my time.
655. Who would be there then?—Constable Steel was before me, but I do not know whether it was not before his time.
656. How long had he been there when you relieved him?—I cannot tell you.
657. Had he been there a year or two?—I think, about eighteen months.
658. Do you know if he is accessible?—He is farming in the Waikato district, near Alexandra.
659. With regard to the brewery license, when did that cease to exist?—At the end of last year.
660. That is a license for the brewing and sale of beer in wholesale quantities?—Yes.
661. Do you know where that license was issued from?—By the Customs. It was cancelled the last day of the year.

662. *Colonel Pitt.*] Why was it cancelled?—On account of a conviction brought against the man for retailing.

663. *Rev. Mr. Isitt.*] Have you had experience in other Native districts besides Otorohanga?—No.

664. Have you been in any European settlement where there were Maoris?—No, Otorohanga was my first station from the town.

665. *Colonel Hume.*] I suppose there might have been a dozen people in the King-country looking after the sly-grog selling without you knowing anything about it?—Yes.

666. The department might certainly have half a dozen men without your knowing anything about it?—Yes.

667. In fact, some were there without your knowing about it?—Those two men were sent there without my knowing anything about it.

668. And you had a certain man you employed yourself?—Yes, one man.

669. Did you ever ask your Inspector to be allowed to employ anybody else, and whether you were ever refused?—No; I cannot say that I have.

670. Were you ever impeded in any way from carrying out the liquor-laws strictly?—No.

671. Now, this man who had this beer license was convicted of sly-grog selling?—Yes.

672. You got him convicted?—Yes.

673. And that was the means of his license being cancelled?—Yes.

674. That was at the expiration of the license he had. When he was convicted you did your best to prevent it from being renewed, and you were successful?—Yes.

675. I think you found the license there when you got to the district?—Yes.

676. Do you know any system by which sly-grog selling can be thoroughly stamped out in the King-country or any other country?—Well, the only thing I can see, or, at least, the only two things, is either to grant a license at each place, or prohibit liquor from going into the country at all. You want either one of two things. At present it is allowed to go into the country, but it is not allowed to be sold; the sale only is prohibited.

677. Do you think a more constant change of constables would do any good?—No, I do not think so.

678. Because a man after he had been there a week would be known as well as anybody else?—He would be known before he was there a week.

679. Do you think if there were more constables in the King-country that would have the desired effect?—Not at all.

680. You think the best plan would be to either grant a license or stop liquor going into the country?—Yes.

681. *Colonel Pitt.*] Would stopping grog going into the country prevent illicit distillation and selling? How would you prevent people in the country distilling grog for themselves?—That would be easier to deal with.

682. In a country like that would there be many facilities for private distillation?—Any amount.

683. *Mr. Poynton.*] Do you think if a penalty were imposed on the person who bought as well as the person who sold liquor would have a deterrent effect?—I do.

684. *Rev. Mr. Isitt.*] Are you aware that in the 1895 Act there is a clause that provides that in the event of prohibition being carried in any district by the vote of the people it shall not be lawful, *inter alia*, “to send or deliver to any person residing therein, or to any place situate therein, any package containing liquor, unless such package bears distinctly, written or printed, on the outside thereof a statement that it contains liquor”?—Yes.

685. Would it not materially help you if a clause of that kind applied to the King-country?—Most decidedly it would.

686. So that you would have the power to examine packages going into the district by train or other vehicles?—Yes.

687. You have had some experience of the licensing-laws in other places?—In Auckland.

688. Had you any difficulty in enforcing the laws—does the law enable a constable to put a stop to illegal sales?—You would have trouble to do that.

689. *Mr. Tunbridge.*] Do you find that since Inspector Cullen was in the King-country the sellers of grog have been more careful to whom they sell?—Yes.

690. Will they sell now to any European until they know pretty well who he is?—No, they will not. When he gets “in the know” he is all right.

691. Inspector Cullen, I believe, went up there as an insurance agent?—Yes.

692. And represented himself to be an insurance agent?—Yes.

693. He adopted that subterfuge?—Yes.

694. Of course, in doing that he had to make use of a good many expressions that were not true?—Yes.

695. Have you heard or seen it expressed in evidence before this Commission and also in the public Press that such action on the part of the police should not be tolerated?—I did not say it. I tell lies myself.

696. And can you, as a practical police officer, see your way clear without having to do so?—It is impossible to do so.

697. Do you think the people of the country who are at present going against the Police Force could do any better than you without adopting this subterfuge?—They could not.

698. Do you happen to know this little expedition of Inspector Cullen’s cost the department a little over £400?—I dare say.

699. Now, did your Inspector tell you that you are at liberty to offer a very considerable money reward to any person who will assist you in procuring a conviction for sly-grog selling?—No.

700. Do you not understand that any person who will assist you in procuring a conviction for sly-grog selling will be rewarded by the department?—Yes.

701. And you have authority to tell a person so?—Yes. I have had people for that purpose, but you cannot get them now because they are not paid sufficiently. They are paid more by the defendant than by the department.

702. You mean sly-grog sellers are likely to pay them more than the department can see its way to pay them?—Yes. They pay these witnesses to swear falsely in the Court.

703. You feel, do you not, that you have perfect liberty in doing all you can to detect this sly-grog selling by every means in your power?—Yes.

704. And you have the privilege of the department to spend money?—Yes, by getting these men.

705. *Colonel Pitt.*] Which do you consider is the worst moral offence—to sell liquor without a license, or to tell a lie?—Selling grog.

TUESDAY, 14TH JUNE, 1898.

WILLIAM JONES, examined on oath.

1. *The Chairman.*] What is your rank?—I am a second-class constable, stationed at Te Awamutu.

2. *Rev. Mr. Isitt.*] How long have you been in the Force?—Just over nineteen years.

3. And where have you served?—In the Armed Constabulary and afterwards in the Police Force. I have been in the Police Force since 1885.

4. Where have you served as a constable?—I have been for the last ten years at Te Awamutu.

5. Four years prior to that where were you?—In Cambridge, and other parts of the Waikato.

6. In any country in the King-country itself?—No; part of my police sub-districts is in the King-country.

7. You know the place, then, as the King-country official?—Yes.

8. You have some knowledge of the circumstances prevailing there?—Yes.

9. Have you been pretty active in enforcing the licensing-laws in your district?—Yes.

10. Has it ever subjected you to any trouble?—No, I cannot say it has. There is no sly-grog selling in my part of the King-country.

11. Have you had an occasion to enforce the laws in regard to publicans?—Yes.

12. Has that involved you in any difficulty of any kind?—No.

13. I suppose you know pretty well what the mind of the Police Force is on that subject?—I really cannot say, because I know only a few constables in my neighbourhood.

14. Do you not know that in your neighbourhood there is a general feeling that it is dangerous to touch the liquor traffic?—No.

15. Do you know whether there is a general feeling that political influence is necessary for advancement?—No.

16. What places do you visit in the King-country?—Well, Otorohanga is below my place, but on the Kawhia Road and south of that is part of the country I visit when occasion requires.

17. Do you know if there is any sly-grog selling there?—None.

18. *The Chairman.*] You know of none?—No.

19. *Rev. Mr. Isitt.*] Do you know anything of the circumstances of Otorohanga?—Yes; I have been there on duty and in connection with the raids. I was connected with pretty well all of them.

20. Specially with Sergeant Cullen's raid?—Yes, and others.

21. Would you say from your own knowledge that there is much sly-grog selling?—Yes; a good deal in the neighbourhood of Otorohanga and Te Kuiti and that district.

22. In your raids did you visit other parts of the district?—Otorohanga and Te Kuiti.

23. And you say that there was a good deal of sly-grog selling in this district?—There is a good deal of it, and during the ten years there have been a number of convictions.

24. And do you think that a constable on ordinary duty has a fair chance of competing with sly-grog selling? I am not asking whether there is any restriction in his ordinary duty to render circumstances such as to give him a fair chance to grapple with the evil?—My opinion is this: that if people have money and want grog or anything else they will have it under any circumstances.

25. Do you think, then, that if a taste for opium developed that the law against opium-selling would be ineffective?—Undoubtedly.

26. You practically regard laws of that kind as valueless?—Yes, if the people who require these things have the money, I do.

27. But, apart from that question, is there not a certain amount of value in prohibitory laws or laws of regulation?—Yes. If I think the inhabitants will support these laws they are of value, but if they are antagonistic to them they are valueless.

28. Now, there have been convictions in connection with these special raids of Sergeant Cullen's, and other raids?—Yes.

29. That fact showed that the law could be enforced, and the law-breakers should be got and punished?—So far as I have seen, the principal effects of these raids have been that the sly-grog dealers take special precautions afterwards.

30. But at the time they were caught?—I think the constable in charge of that district can speak more freely than I could.

31. You know that sixty-seven convictions resulted from that one raid?—Yes.

32. Have you heard the total number of convictions?—I cannot remember, but I know them because they all passed through the Court at Te Awamutu, of which I am the Clerk.

33. My point is that, from your knowledge, of eighty-eight prosecutions there have been sixty-seven convictions?—That is correct.

34. And sixty-seven convictions resulted from one raid?—Yes, but that was not the result of the raid. The evidence to support these convictions was obtained months previously, and not as a result of the raid. The raid itself was simply half the business, and did very little.

35. Of course, I am using the general expression "raid" with regard to the special effort made by Sergeant Cullen, who visited the district and took his own means to detect. He also took others up as his helpers, and made the raid, and the result of the special efforts was sixty-seven convictions?—There was a large number of convictions.

36. The result of the special effort was a large number of convictions?—Yes.

37. A larger number, probably, than could be obtained by all the constables over a long period by their ordinary method?—I can simply say as to the convictions obtained.

38. *The Chairman.*] Do you attribute these sixty-seven convictions to Sergeant Cullen's action?—I cannot say.

39. *Rev. Mr. Isitt.*] Suppose you were stationed at Otorohanga: it would not be long, I presume, before every sly-grog seller would know you, undoubtedly?—Undoubtedly.

40. And then, however zealous you might be, would you not have very great difficulty in obtaining convictions in connection with your ordinary police duty?—Yes.

41. Now, if the department chose to send you to a strange district, and instructed you to obtain convictions for sly-grog selling, do you think you would have much difficulty?—I should say, judging from what I saw in the King-country, I would have difficulty in obtaining convictions in other districts. There are very few places where some people would not know me.

42. You say Sergeant Cullen came up and obtained convictions?—Yes.

43. Would you not have confidence in your own smartness, supposing you were sent to a city like Wellington, to detect a number of illicit publicans?—I believe I am known to a number of men down there.

44. With regard to Te Awamutu, is there much drunkenness amongst the Natives there?—Very little. There are very few living in the vicinity of Te Awamutu. In fact, there are not more than a dozen in the immediate vicinity.

45. Do they visit the districts occasionally?—Yes. On sale-days, which are held every month, a good few come in.

46. What about drunkenness then?—There is very little—practically none. In proportion to the number of persons who come in there is very little.

47. And, generally speaking, the Te Awamutu liquor trade is conducted without objectionable features?—Yes.

48. *Colonel Hume.*] Do you think there would be less sly-grog selling if a license were granted in the country?—Yes, I do.

49. Then, would you be in favour of having a license?—I would. It would make the matter much easier for the police up there.

50. Did you happen to know whether any other persons were sent up to the King-country to try and detect sly-grog selling other than Sergeant Cullen's?—Yes, I do; for years, from time to time.

51. And prior to Sergeant Cullen's coming?—Yes; for ten years before.

52. And periodically since?—Yes.

53. *Rev. Mr. Isitt.*] Do you know anything as to the success of these attempts?—Yes.

54. Can you give us the number of convictions which resulted?—No, not without looking at the books.

55. Did you hear the evidence of the Rev. Mr. Gittos yesterday concerning Te Awamutu?—I did.

56. Was he mistaken?—I would not like to say Mr. Gittos was mistaken.

57. *The Chairman.*] In what respect?—Mr. Gittos referred to the sale-days. No doubt he has seen a certain amount of drinking amongst the Natives and the Europeans, but, as I said before, there is very little. The Natives are not like Europeans, and Mr. Gittos knows that, because after a very few drinks they get excited and make more noise than Europeans would do.

58. *Rev. Mr. Isitt.*] You heard him say that he had seen several drunk, and had helped several to get home?—I cannot say about that—I never heard it.

59. Do you think he was mistaken?—I cannot say.

60. Are you not there on sale days?—Yes.

61. You make it a rule to be at Te Awamutu on sale-days?—Almost always, unless some very important duty takes me away.

62. However, you would not question that Mr. Gittos did see what he said?—No.

63. *Colonel Hume.*] Did Mr. Gittos report to you at any time that there were drunken Maoris or drunken Europeans about?—I cannot say. It is a good while since Mr. Gittos was there. I think he might have told me generally there was a certain amount of drinking amongst people at the sale.

64. If he had told you there were drunken people about, would you have gone and arrested them?—I suppose so.

65. *Mr. Tunbridge.*] I suppose you are aware that there have been people sent up often since Sergeant Cullen was up there?—No, I do not know.

66. You know that after such proceedings as were taken by Sergeant Cullen the sly-grog people have become very wary?—I know perfectly well, as a result of the raid, and for six months after, that it has been very difficult to do anything.

67. Still, there have been convictions ever since then?—Yes. In December, I think, was the last—two or three months after Inspector Cullen was there; and the same parties was convicted then.

JOHN CAVANAGH, examined on oath.

68. *The Chairman.*] What is your rank?—First-class constable, stationed at Ngaruawahia.
69. How long have you been there?—For seven years.
70. *Rev. Mr. Isitt.*] How long have you been in the Force?—I joined in 1878.
71. Where were you stationed prior to coming to Ngaruawahia?—At Tauranga.
72. How long?—I was first in the Field Force for two years, and then I was transferred to the police in 1880, and I was in the Tauranga district and between there and Opotiki up to 1890.
73. Then you have not been much in communication with other members of the Police Force; you have not been where you have known many of them?—No; not very many. I was a great part of my time on these stations.
74. Do you know anything of any feeling amongst the men as to political influence being necessary for their advancement?—I do not.
75. Have you been active in your enforcement of the licensing-law wherever you have been?—Yes, I think I have in all places I have been. I have attended to any breaches of the licensing-laws.
76. Have you got into any trouble for it?—No.
77. There is a license at Ngaruawahia?—There are two.
78. Does your district cover only a licensed area—do you go into the King-country?—No; I was there once in 1888 for a special duty.
79. Was that specially in regard to sly-grog selling?—Yes.
80. Were you sent as a plain-clothes man?—I was sent up as a swagger, and went in search of work.
81. How long did you stay there?—Not quite a fortnight.
82. What place did you visit?—I worked at Te Kuiti.
83. There was no brewer's license there then?—Yes; they were brewing the same way as they have been ever since. It was supposed to be always hop-beer, and was sent up as hop-beer, and yet it was proved that there was over 10 per cent. of alcohol in it when analysed.
84. *Colonel Pitt.*] Is that not so in all hop-beers?—Not quite so much.
85. *Rev. Mr. Isitt.*] Did you go to Otorohanga at all also?—No; I just called in on my way back.
86. Not on duty?—Yes; but there was very little use of my trying anything there on my way back. After my seizure at Te Kuiti I was well known all over the district.
87. Did you go to the Mokau?—I do not think there was anybody there at the time.
88. Was there much sly-grog selling at Te Kuiti at that time?—A good deal.
89. A distinction was drawn by the last witness between a "good deal" and a "great deal"—would you say a great deal?—Not a great deal in my time; they were very careful with it.
90. Did you lay many informations?—I had about eighteen. I cannot be exactly sure.
91. How many convictions did you secure?—Well, we withdrew a good many of the informations, as we saw it was no use prosecuting. We had about fifteen informations against four persons, both men and women.
92. Were four persons the whole of those you caught?—Yes.
93. Do you suppose you would have much difficulty if you could go unknown in obtaining as many convictions now?—I believe they are very careful indeed, and were then, and except you were well known, and known to be really a swagger and a workman, you would get nothing.
94. Then, you think they are more wary?—Yes.
95. Do you think much sly-grog selling is going on there?—I cannot say.
96. Could you obtain the same results on ordinary police lines: do you think the sort of work you did then is essential to the capture of sly-grog sellers?—It is the only way it can be done.
97. *Mr. Poynton.*] If you went straight to a sly-grog seller and told him you were a policeman you would not get evidence?—No.
98. *Rev. Mr. Isitt.*] With regard to Ngaruawahia, are there many Natives in that district?—A good few.
99. Is there much drunkenness?—Very little, indeed.
100. Are there sale-days there?—Yes.
101. Monthly?—No, about every three months.
102. Any drunkenness on sale-days?—No. The Natives do not frequent the cattle-sale; they have very few cattle about there.
103. *Mr. Poynton.*] Is the proportion of white population in the King-country to the Native population very small?—Very small.
104. Having regard to the special injurious effects of liquor-consumption on the Natives, and the fact that the King-country is a prohibited area, do you think an amendment of the law is required to make the selling to Natives a more serious offence?—The best way, I think, to put it down would be to grant a license at each of these places, and by doing so the licensees themselves would, in a great measure, put down sly-grog selling. The licensees and their agents would assist in every way to put it down, but as it is at present they are too anxious to sell what they can, and the little they do sell is most injurious to most men; it is bad, inferior liquor.
105. *The Chairman.*] With regard to obtaining information on which you can lay charges, you say that without deception you cannot?—No, it is impossible.
106. Now, another constable has told us that he considers the lies necessary to obtain conviction is a minor offence to the sly-grog selling without a license. I want to ask you whether there

is any other class of crime in the discovery of which you have to resort to the same schemes of lying and deception?—No; not that I know of.

107. *Rev. Mr. Isitt.*] Would it facilitate the detection of sly-grog selling if power were given to open packages?—Well, we know it is there, but it is impossible to do anything without you can prove a sale. They have it in their houses, but until we can prove a sale it is impossible for us to get a conviction.

108. You have had some experience of publicans in other places than Ngaruawahia?—Yes.

109. Do you find that granting a license suppresses illicit sales?—It does.

110. Are there no sales after hours?—I do not know that you could get drink in my district after 10 o'clock or on Sunday.

111. Nor in any other district in which you have been engaged?—Yes; there are some places where some publicans will take every advantage of a constable.

112. You mean selling after hours and on Sunday?—Yes.

113. In regard to gambling in their houses?—No; there is very little gambling. I have seen none.

114. *Colonel Hume.*] I take it you are of opinion that it would minimise the evil a great deal, if it did not put it down altogether, if licenses were granted in the King-country?—I do.

115. Now, are there any serious crimes reported in your district, such as cattle-stealing, or housebreaking, or burglary?—There is very little housebreaking—there are a few occasionally.

116. Generally, you manage to arrest the offenders?—Yes; I think I have brought all to justice in my district.

117. You say publichouses in your district close at the proper hour so far as you know?—They do.

118. And they are not open on Sundays?—No.

119. And little or no gambling is going on?—No gambling.

120. Now, suppose immediately a raid has been made, or prosecutions laid for sly-grog selling in the King-country or elsewhere, it is useless to send anybody up after that—they are a good deal too "fly"?—They are.

121. And it would be impossible to get a conviction for some time?—Yes; after twelve months they might get a little more confidence and sell more freely.

122. *Mr. Tunbridge.*] You, as a police constable, have to carry out the law?—Yes.

123. As regards the seriousness or otherwise of offences, do you base your estimate on the punishment awarded by the Legislature?—Yes.

124. For instance, if the maximum penalty for one offence is one month, and the maximum penalty for another offence is six months, you would consider where the Legislature imposed a penalty of six months that that was the most serious crime?—Yes.

125. You, as a police-officer, deal with the matter entirely from its legal aspect?—That is so.

126. You do not allow sentiment to come in?—No.

127. You cannot take into consideration the question of the indirect results of a breach of the law?—No; that is for the Bench to decide.

FRANK SOUTER MALCOLM, examined on oath.

128. *The Chairman.*] What are you?—An outfitter, in Queen Street, Auckland.

129. *Rev. Mr. Isitt.*] How long have you resided in Auckland?—Close on two years. I think I came up in August, 1896.

130. You are now living in a house of your own?—Yes.

131. At first were you doing so?—No.

132. And you then boarded where?—I stayed at two or three different hotels in Auckland.

133. Of course, you chose comfortable and respectable hotels?—Yes.

134. And you were there simply for accommodation?—I remained there till my family came to Auckland.

135. You were not there to see what you could see?—No.

136. Are you a member of any prohibition league?—No.

137. *The Chairman.*] How long were you in the hotels?—Approximately from September, 1896, to the end of January, 1897—four or five months.

138. Did you see any breaches of the Licensing Act while you were in these hotels?—Yes.

139. Can you tell us what form they took?—Well, the usual form was sales of liquor after 10 o'clock.

140. *Colonel Pitt.*] Were they trading with outsiders or with persons lodging in the house?—Outsiders.

141. *Rev. Mr. Isitt.*] Were there any sales on Sundays that you witnessed?—No; not on Sunday.

142. When you say you witnessed sales after hours, do you mean two or three, or any considerable number?—At one of the hotels it seemed that business begun after 10 o'clock.

143. And was there a considerable amount of business?—Yes.

144. Can you give the Commission any idea: were there twenty or thirty people, or more?—From my own observation I should say they were busier after 10 o'clock at one particular house than for the same period at any other part of the day. That is to say, for two or three hours after 10 o'clock there would be more business done.

145. *Colonel Pitt.*] Did you remain up till 1 o'clock?—I remained after 12.

146. *Rev. Mr. Isitt.*] And after 12 o'clock was it still going on?—Yes.

147. Vigorously?—Not perhaps so vigorously, but they were still doing business.

148. Can I put it this way: that from 10 to 12 they were doing brisk business?—Yes.

149. *The Chairman.*] You say this was the busiest part of the day's work so far as you could see?—Yes.
150. Do you know how entrance was obtained to the house?—In most cases by the front door.
151. *Colonel Hume.*] What hotels did you stop at when you first came to Auckland?—I decline to name the hotels.
152. You were staying at these hotels where they did brisk business from 10 to 12 nightly?—Yes.
153. And you saw this illicit trading going on every night?—Not every night—any night I was back.
154. Did you give any information to the police about this, or to anybody else?—I do not remember that I mentioned it to anybody in particular, but I think I mentioned it to one or two, otherwise I would not be here now.
155. Did you mention it with an idea of any prosecutions taking place?—No.
156. Did you still continue to remain at that hotel, notwithstanding you saw this breach of the law being committed so often?—I remained at three hotels in five months while I was here.
157. They did not all do this brisk business?—No.
158. You still continued to remain in this one?—So long as it suited me. I did not leave on that account.
159. You actually saw the thing going on, and you still remained in the hotel and took no steps to try and get it stopped?—Yes.
160. You say these people whom you saw drinking there were not boarders: how did you know that?—I did know a good many in Auckland at the time, and I knew a good many of these were not boarders. I knew them as citizens.
161. At these two other hotels did they carry on any illicit trading that you saw?—One did not at all so far as I saw, and the other frequently.
162. How did they get in by this front door: was it locked?—I think it was kept on the snip. There was a hall-porter to let customers in and out.
163. Did they go and knock at the door?—Yes.
164. And there was some attendant inside to let them in?—Yes.
165. Did they go out the same door?—I know some went in and out the same door. I did not know of any back door.
166. Then, there must have been a constant stream going in?—Pretty well.
167. Now, does this front door open on to any of the main streets?—Yes.
168. Can the bar-windows be seen from the main street?—No, I do not think so.
169. Was the barmaid there?—Yes.
170. Up till what time?—I do not know up till what hour, but as late as ever I have been there.
171. You say the barmaid was there up till 12 o'clock serving out drink behind the bar?—Yes.
172. *Mr. Tunbridge.*] Did the drinking take place in front of the public bar?—Yes.
173. Were you in the public bar seeing it going on?—I have been there after business. I am not a drinker, but I have gone in after business and had a bit of cheese and a glass of ale.
174. How long were you staying at this particular hotel?—Perhaps two months.
175. How many times do you suppose you were in the public bar between 10 and 12 during these two months?—That I cannot tell you. Every night that I went in the public bar was really open to any one to see what was going on. Going from the main entrance you can see the public bar.
176. You mean going to the part of the house reserved for the boarders?—Yes, even if you do not go in.
177. Now, did you see drinks paid for over the counter?—I have seen some.
178. By whom, can you say?—No; I cannot give you any names, but I know there was nothing hidden about it. It was a matter of nightly occurrence.
179. You said you knew some of the people who were in the bar during prohibited hours as citizens of Auckland?—Yes.
180. What I want to know is, did you see these persons whom you knew as citizens of Auckland paying for drink over the bar during these prohibited hours?—I have seen persons paying for drinks who were not boarders.
181. Were these the persons whom you knew as citizens of Auckland?—I might not know them as residents of Auckland, but I meet them every day in Auckland. They might have been residents of the North Shore or Ponsonby. I am not acquainted with their residence.
182. *The Chairman.*] They were persons you met daily in Auckland?—Yes.
183. *Mr. Tunbridge.*] For all you know, every person who paid for drink in the hotel you mention might have resided three miles from the hotel?—Yes.
184. Do you know it is not an offence for a person who resides three miles away from a hotel to be supplied with drink?—I know it is.
185. Are you able to say that the law was broken in any respect?—Yes.
186. Why?—Because the North Shore people are not three miles away.
187. Did you see some people living at North Shore in the hotel?—Yes.
188. Can you give me their names?—I cannot give their names.
189. Then, so far as you know, the law was not broken at all?—So far as I know, the law was broken.
190. Do you understand the law?—I understand a man is considered a traveller if he resides three miles away from the hotel.
191. And the licensee has perfect liberty to supply that person with drink on demand without breaking the law at any time, day or night?—Yes.

192. He has also perfect liberty to provide persons with drink who are sleeping in the house?—Yes.

193. And that these persons who are sleeping in the house can pay for drink to be consumed by others not boarders in the house?—Yes.

194. If you understand the law as far as that, I want to know how do you know the law was broken if you are not able to give names, or any other proof? How do you know that a person not entitled to be supplied with drink on demand was supplied with drink on demand?—Well, I do not know. The only thing I do know is that people came there whom I met every day in business in Auckland, and who were residing in the usual places about Auckland.

195. But you cannot name those persons?—No; I was a stranger, as I say, to the place.

196. Have you been to the hotel since?—Yes.

197. After hours?—No; not since I left there.

198. You cannot say what is going on at the present time?—No.

DAVID GOLDIE, examined on oath.

199. *Rev. Mr. Isitt.*] What are you?—A timber merchant, residing in Auckland.

200. Have you been residing in Auckland long?—Thirty-four years.

201. Do you remember anything of a deputation which waited on Inspector Hickson about two years ago last April?—I was one of a deputation. I do not know the exact date.

202. Have you accompanied deputations to Inspector Hickson more than once?—Only once.

203. Were the *Rev. Mr. Williams* and *Mr. French* members of the deputation?—Yes.

204. What did you bring before Inspector Hickson that day?—It was in connection with selling after hours and on Sundays in Auckland.

205. Were you remonstrating or asking questions?—We were complaining about the looseness of supervision.

206. Had you any authentic information to warrant you making that complaint?—I had been a member of Licensing Committees, and I had taken part with committees working with me in closing ten hotels in Auckland.

207. Were you a member of the Licensing Committee at the time of the deputation?—No.

208. Was it in connection with your duties as Licensing Committee man that you became aware of the facts you submitted to the Inspector?—No, because several years had elapsed from the time I was on the Licensing Committee up to this time.

209. Did you say you had knowledge that caused you to remonstrate with the Inspector as to the looseness of the licensing-law?—Yes; and yet we did not blame the Inspector very much, because we knew the difficulty to get convictions. We had knowledge that people in large numbers went into hotels, but we could not prove the sale of liquor; and unless you can prove the sale of liquor you cannot get a conviction. On one occasion we had watched one of the hotels, and 633 passed into one hotel between 7.45 a.m. and 10.5 o'clock in the evening. That was before Inspector Hickson was in Auckland. It was when Inspector Thomson was here. That was the report given us by the watchers.

210. *The Chairman.*] You have no personal knowledge?—No.

211. *Rev. Mr. Isitt.*] What were the circumstances concerning the recent information at that date that led you to wait upon the Inspector?—I was simply asked by *Mr. French* to accompany the deputation. I had no special information.

212. Did you at that time say anything about the King-country?—Yes.

213. To what effect?—We spoke to Inspector Hickson about the drink taken into the King-country, and asked him if there was any means to stop drink going in there. He gave us to understand he did his best to stop drink going in there.

214. Did you express any dissatisfaction as to what was being done or not being done in the King-country?—Very likely we did; I do not remember. I know we had a general talk with him on the question.

215. *The Chairman.*] You did not blame him much because you knew the difficulties?—Yes.

216. *Rev. Mr. Isitt.*] Was the general purport of your conversation to press him to do more in the King-country?—Yes.

217. Now, speaking generally, have you had much observation or opportunity of observing what has been done with regard to the enforcement of the licensing-laws?—I have not very much information about what is being done. I know a number of persons enter hotels on Sunday, and I have always recognised the difficulties the police have had to contend with. I knew perfectly well that the fact of entering a publichouse, or the fact of drinking in a publichouse, was not a breach of the Act. I know a man must pay for the drink he is consuming before there is an offence. I can understand the police trying to get convictions and failing, and then simply getting careless about the matter. I have seen within the last twelve months people on watch before some hotels, and persons passing into hotels on Sundays.

218. Large numbers going in and out?—Not a great number.

219. Is that all you have to tell us concerning the non-enforcement of the licensing-laws? Do you know anything of illicit sales after closing-hours?—No.

220. Have you any knowledge as to gambling?—Well, I believe there is a lot of gambling being done. I know this: that in going down to my booms a short time ago I saw a number of lads inside a fence near the fumigating-house—perhaps there were twenty or thirty boys within this close-boarded fence shuffling dice and cards. I also saw some in Customhouse Street behind a little rifle-range playing cards.

221. Do you know if they were playing for money?—I do not know. And in the Domain on Sunday mornings I see a number under the clumps of trees playing cards.

222. Playing for money?—I do not know.

223. You know nothing concerning gambling?—No, I do not.

224. *Colonel Hume.*] I take it from the evidence you have given that you think the police have done their best to suppress any illicit sales of liquor?—No; I think it is very difficult to get a conviction, and I could quite understand the police, knowing that difficulty, have got careless because of the difficulty.

225. You think that the laws want amending?—Yes, I do.

226. What hour of the day was it you saw this man on watch outside the hotel?—He would be there from early morning—from 9.30 o'clock—walking backwards and forwards. I have passed him walking up and down.

227. You of course jumped at the conclusion he was on guard—you do not know he was, but merely suppose he was?—I saw the same man walking up and down, and people going in. I may say a conviction has been obtained against that hotel, and the licensee has left the house.

228. *Mr. Poynton.*] You recognise the fact of these watchers being on guard makes it very difficult for the police to cope with Sunday trading?—Yes.

229. *Mr. Tunbridge.*] You were asked if you complained of liquor being taken into the King-country, and you said Inspector Hickson promised to do the best he could to stop it?—Yes.

230. Are you aware the police have no power to stop it?—I understood the law did not allow it to be carried into the district.

231. Considering the police have no power to stop drink being taken into the district, do you suggest they neglect their duty in not stopping it?—There could be no neglect of duty if there is no power in the matter.

232. *The Chairman.*] With regard to the action of the police in regard to the city and King-country, can you point to any case in which you consider there has been neglect of duty on the part of the police?—I cannot within the last few years, but when we were closing hotels when I was on the Licensing Committee there were facts brought to me on which I closed the hotels. In some cases I thought the police were very neglectful of their duties, because complaints were made against the police themselves. That was ten years ago. I have no recent knowledge, or since Inspector Hickson's time. The closing of these hotels had this effect: it made them very careful for a time.

233. *Inspector Hickson.*] Do you know that the police are now empowered by law to compel people found on licensed houses to disclose their names and addresses?—I do not know that.

234. And unless the police knew the person found in a publichouse was a resident, and could prove he paid for the liquor, it would be useless for him to prosecute?—I knew that. This is the reason why the Licensing Committee was more effective than yourself, because we had the power to close without a conviction.

235. You know we have had convictions against many publicans, and the cases have been dismissed because we have not been able to prove the people were not boarders or lodgers?—Yes.

236. The responsibility is thrown on the prosecution, and not on the publican?—Yes.

237. So that if the publican chooses not to answer questions when a policeman comes in as to who he has supplied with drink, as to whether they are boarders or lodgers, we have no means of proving to the contrary unless we know them?—Yes, I know you have very great difficulty. In respect to a statement made by Inspector Hickson, I would like to say, although there may be no legal brothels, there are houses which are called houses of assignation, and there are very great numbers of them. If the police do not know about them they ought to know.

238. *Colonel Pitt.*] What do you suggest the police should do to stop them?—If there is no law to stop them there ought to be a law.

239. *Mr. Tunbridge.*] Are these houses very quietly conducted?—Not always. I have passed by sometimes and found music and dancing going on in the front rooms, and a number of young ladies about the doors. I passed by a number of these houses last night, and everything was as quiet as could be. I do not know whether it is because the Commission is sitting here. Perhaps that had something to do with it.

240. Do you know if the neighbours made any complaints?—I have heard that in some cases complaints were made about those in Cook Street. I think there were convictions there, but a number of people came to me and complained who did not care to go to the Court to give evidence.

241. Of course, as a matter of fact, the Cook Street houses have ceased to exist?—As brothels.

242. *The Chairman.*] Are you aware of any complaint made in respect to the character of a house where the police failed to investigate and prosecute?—No. But what I complain of is that the police should have to be complained to. They ought to know their duty.

243. Do you not know that the police are not empowered to take action unless under certain conditions?—We look upon the police as those who should see the law enforced, and so look to them to take action in these matters, and not to leave that to the people who pay them.

244. *Mr. Poynton.*] Do you not know that the same difficulty exists in getting convictions against these people as exist in getting convictions against hotelkeepers for illicit trading?—Yes.

245. *Rev. Mr. Isitt.*] Complaints were made, and you believe when the complaints were made convictions followed?—In one street.

246. Had you any complaints made against houses of assignation?—I know complaints were made to me, and I and my Committee closed the hotel adjoining such house.

247. The complaint and convictions were against brothels, and not assignation-houses?—Both.

JOHN WATSON FORBES, examined on oath.

248. *The Chairman.*] What is your rank?—First-class constable, stationed at Te Aroha.

249. How long have you been at Te Aroha?—About six or seven weeks.

250. *Rev. Mr. Isitt.*] How long have you been in the Force?—Twenty-five years.
251. Can you tell us where you have been stationed?—I have only been in the police since 1886. I was at Kawhia from 1886 to 1891, and from 1891 till about two months ago I was at Hamilton.
252. Have you mixed much with other constables in country places?—No; during the time I was at Kawhia there was no constable within thirty miles of me.
253. Have you ever been in Auckland during the period you have been in these country districts?—Occasionally I have come with prisoners and left the following morning.
254. You do not know much as to what the general impression of the police is in regard to political influence affecting the Force?—No.
255. You have nothing to say on this subject?—No.
256. Is Kawhia a licensed area?—No.
257. It is a Native area without a license?—Yes.
258. Is there much drink sold there?—During my time there was absolutely none.
259. Does it follow that there was no drunkenness?—I never saw the slightest sign of drink on any one there.
260. During the whole of those five years?—Yes.
261. That is, it was a prohibited area in which prohibition did prohibit?—In that case it did.
262. Are there many Europeans there?—Very few.
263. Any European storekeepers?—Two.
264. Any accommodation-houses?—Not in my time.
265. *The Chairman.*] Do you say so long ago as six years that was a prohibited district?—There was no license.
266. Do you know the Proclamation of 1884, making a certain large area a prohibited district?—Yes.
267. *Rev. Mr. Isitt.*] Is it included in the Native area which was prohibited by Proclamation in 1884?—Well, I believe it is, because a license was applied for, or some endeavour was made to get a license, and it was refused.
268. On the ground of being a prohibited area?—The Natives, I believe, objected to a license there.
269. Was it not a chief whose influence went to secure this good result?—Not that I am aware of.
270. You then moved to Hamilton?—Yes.
271. Are there many Natives in that district?—Not in the immediate vicinity.
272. Do many come into town?—Very few.
273. Are there sale-days held in Hamilton?—Fortnightly.
274. Do Natives come in then?—There might be a few—say, half a dozen.
275. Not enough to let you form any opinion as to the habits of intemperance among them?—No.
276. Have you been sent into the King-country officially at any time?—Yes; both to the King-country and Kawhia. I conducted a raid on sly-grog sellers in March, 1897, at Kawhia.
277. You did that yourself: who reported it?—It was reported, I believe, by the district constable who was there. He asked for some assistance, as there was sly-grog selling in Kawhia.
278. And you were sent?—There were two constables who had come up from the south and just joined the Force sent from Auckland by Inspector Hickson prior to my going. They were not known in the district.
279. Did they succeed?—Yes.
280. And you joined them for the purpose of the raid?—Yes; I was sent over to conduct the raid, and to prosecute.
281. Were you long in Kawhia on that occasion?—I was five days altogether. I went over three days before, to grasp the situation before the men came who were to make the raid, and I made arrangements for them to meet me at a certain place to conduct them into the township secretly, and we made the raid the following morning.
282. *The Chairman.*] Under whose control were these men?—They were under my control for the time being.
283. Were you then travelling in uniform?—No. I was well known in Kawhia, and I was in the habit of visiting there frequently, and they would take no notice of me.
284. *Rev. Mr. Isitt.*] Were you able to form any estimate then as to whether there was much sly-grog selling going on?—So far as I could learn, it was only when there were large meetings and gatherings.
285. Then, you gathered there was a good deal of sly-grog selling?—Yes, amongst Natives.
286. By Natives to Natives?—Yes.
287. How many convictions did you secure from this visit of the men?—Seven convictions against seven persons—six Natives and one European.
288. Do you think you caught all the offenders?—I think there might have been one or two of them who were not caught. The evidence against them was not sufficient.
289. Did you secure any evidence as to where the Natives got their grog from?—It comes by steamer from Auckland.
290. Did you get any explicit information on that point: do you know where it came from?—No; the Natives got it consigned as goods of all kinds.
291. You left Kawhia in 1891, and there was a raid in 1897?—Yes.
292. Do you know whether any complaints were made in these intermediate areas that sly-grog selling was going on?—I cannot say, except that the district constable used to write to me on the subject.

293. Did he report it was going on?—He wrote to me on the subject just before reporting it, and it was on my advice he reported it to the department, and got assistance.

294. He wrote in 1897, but between 1895 and 1897 did you get any communication saying there was sly-grog selling? When did you first hear of it?—The first I heard of it was in 1897, from the district constable.

295. As a matter of fact, so long as you were there, there was no sly-grog selling?—Absolutely none.

296. And afterwards it crept in?—Yes.

297. Can you give any reason for that?—I cannot give any reason.

298. Did the sly-grog sellers come to the district after you left?—Three of those convicted were strangers in the district. I think they came from Otorohanga and that district.

299. Came there purposely?—No; they were employed by Kawhia Natives to sell for them.

300. They were imported from Otorohanga on purpose to sell?—No; they were there on a visit, and they were employed by the Kawhia Natives to sell for them during the meeting or gatherings, and, of course, they were caught and prosecuted; but they did not actually belong to the place.

301. Have you visited other parts of the King-country? Were you on Sergeant Cullen's raid?—Yes.

302. Was that your first visit to Otorohanga and Te Kuiti?—No; I had been previously to both places.

303. Was that when you were stationed at Kawhia or Hamilton?—From both places.

304. So long ago as that was there much sly-grog selling?—There was sly-grog selling, but to what extent I cannot say. I was there on other business.

305. At Te Kuiti was there sly-grog selling?—Yes.

306. And at Otorohanga?—Yes.

307. When you went in connection with Sergeant Cullen's raid were you in the district long?—No; one day. We arrived there during the night, and were there the whole of the next day, and left the following morning.

308. Then, you had not much opportunity of judging what was going on?—No.

309. What was the date of Sergeant Cullen's raid?—1897.

310. Now how many hotels are there in Hamilton?—Four hotels.

311. Are you able to secure the enforcement of the law?—Yes; I have had convictions there.

312. Has that resulted in the enforcement of the law?—Yes; I have prosecuted publicans for breaches of the law in Hamilton.

313. Do you think that stopped all sales after hours?—It was not for that I prosecuted; it was other breaches of the law.

314. What kind?—Such as exposing liquor for sale during prohibited hours, and for having an extra bar contrary to the Act, and for allowing dice to be thrown.

315. Then, you have been rather active in enforcing the licensing-laws?—I do not know; I think my experience is that every constable is active so far as lies in his power.

316. Do you think you have succeeded now in suppressing all after-hour sale?—Of course, I am not in Hamilton now.

317. Do you think that up to the time you left Hamilton you did?—I did. I considered the houses very well conducted indeed.

318. And Sunday sales?—There were no Sunday sales.

319. Are you meeting with the same success in Te Aroha?—I have more difficulty there. There is such a floating population. The hotels are full of boarders and travellers continually.

320. Therefore you anticipate a good deal of difficulty in enforcing the law at Te Aroha?—No; there will be more opportunities for breaches of the law, and less opportunities for me detecting them owing to the travelling public, but I anticipate no special difficulty.

321. Then, you would not use the words "special difficulty in enforcing the licensing-laws" so far as your own experience goes?—No, I would not.

322. Do you think they can be administered if you deal with them with a firm hand?—If we had publicans who insisted on breaking the law I would have considerable difficulty.

323. *The Chairman.*] Do you think the publicans in your district generally observe the law, or are desirous of observing the law?—They are all desirous of doing so.

324. Have you much Native element in Te Aroha?—Not a great many.

325. Have there been any Native Land Court sittings or sale-days?—Not since I have been there.

326. *Colonel Hume.*] You joined the Police Force in 1886?—Yes.

327. Are you a first-class constable?—Yes.

328. You have been fairly quick?—I do not know. It is a matter I have not troubled about very much.

329. Are there not men with as much service who are only third-class constables?—I am not aware of it.

330. You have been pretty active in looking after the liquor trade. You consider you have done your duty?—Yes.

331. And have you got rewards when you got convictions in connection with the liquor-laws?—In connection with sly-grog selling I have. Not in other breaches of the law, or in connection with publichouses.

332. And has this activity you have displayed in the performance of your duty in any way told against you in the Force?—Not that I am aware of. I do not think so.

333. Did you ever seek political influence to get you promotion?—Absolutely No.

334. How many raids do you know of in the King-country?—I have only been connected with one—Sergeant Cullen's.

335. You say you were connected with one at Kawhia?—Yes, but I do not look on Kawhia as the King-country proper.

336. *Mr. Tunbridge.*] Were the prosecutions at Kawhia the outcome of the report of the district constable?—I believe so.

337. Speaking about rewards given to you, do you know that for rewards for sly-grog selling there is a special vote by Parliament?—There may be; I am not aware of it.

EDWARD WILLIAM SHARMAN, examined on oath.

338. *The Chairman.*] You are a duly qualified medical practitioner, residing in Auckland. We had before us yesterday a certificate given by you, dated the 2nd December, 1896, referring to the illness of Constable O'Brien; and we also had before us yesterday a document from the Hospital showing that Constable O'Brien was admitted on the 7th December, 1896, suffering from *delirium tremens*. Do you wish to make any remark in reference to that?—I wish to say I was called to attend Constable O'Brien about this time. He was then suffering from debility brought on by excessive heat. He had not been drinking to excess at the time. I finished my attendance on the 3rd or 4th December, when he was all right, and on the 7th December I was called again after I had informed him that I should not attend again. When I got to the house I found another doctor had been there previously, and Constable O'Brien had by his advice been admitted to the Hospital. I was informed by his wife that during the time intervening between my previous visit and my visit on the 7th December he had been drinking very heavily, and had had a fit, and the doctor arrived there during the fit, or just afterwards, and advised his removal to the Hospital.

339. At the time you saw him on the 2nd or 3rd December, in your opinion he was not suffering from the effects of excessive alcohol?—No.

340. Do you suggest that between these dates—the 4th and 7th—he had taken liquor to such an extent as to develop *delirium tremens*?—It was quite possible.

341. Would his then condition of health tend to accelerate the mischief of alcohol?—The alcohol he would take in that time, and taking into consideration his state of health, would affect him more severely than if he had been in robust health.

342. *Rev. Mr. Isitt.*] You say there was nothing to indicate excessive drinking when you saw him?—Yes.

343. Would his state of health, in your opinion, be due to drinking, even if not to excess? I mean, he might have been drinking more than was good for him: would you in any way attribute his illness to drinking?—Not when I saw him. Certainly not. I saw him again on the 4th, and informed him he was all right and able to go to work again.

344. You did not see him after the 4th December?—I saw him at a subsequent period in June, 1897.

ARTHUR CLEAVE, examined on oath.

345. *Rev. Mr. Isitt.*] Are you proprietor of the *New Zealand Sporting Review and Licensed Victuallers' Gazette*?—Yes.

346. Are you also editor?—No.

347. Do you accept any responsibility in the editorial statements?—Entirely.

348. *Mr. Poynton.*] Legal liability or liability for the accuracy or otherwise of his statement?—Legal liability.

349. *Rev. Mr. Isitt.*] As to the accuracy of his statements, do you accept that?—Yes.

350. Do you happen to remember a statement on the 12th May, 1898, which read as follows: "We suppose there is not one hotelkeeper in the Auckland District who is not asked every night in the week to serve liquor after 10 o'clock, and we dare say that very few publicans refuse to supply the thirsty souls, for each knows that, though he may be perfectly willing to close at the correct hour, his fellow-tradesmen are taking the risk of a raid. The hour is too early for the convenience of the inhabitants, who, if they want anything stronger than tea after 10, must creep round to a back door, enter stealthily, and in fear and trembling drink the modest half-pint, or nip of whiskey—that is, if they can get it. This thing is degrading in the extreme." Is that a correct quotation?—That is right.

351. It implied your conviction that there is selling after hours?—Personally, I have no conviction in the matter.

352. Editorially?—Well, I am not editor.

353. Proprietorily? You say you have taken the responsibility for the accuracy?—It is not a definite statement. It is entirely supposition. It is a presumption on our part. We suppose and we dare say.

354. Well, you know editors never assume what they are not prepared to establish?—I know nothing about that.

355. Well, dropping the paragraph, have you any strong convictions on that question?—No; but probably my editor has.

356. Have you any knowledge in respect to illegal sales?—I have none.

357. Can you oblige us with the name of your editor?—Yes; Mr. Lawry, M.H.R.

358. Did Mr. Lawry write this article?—That I am not prepared to say.

359. Mr. Lawry either wrote it or it passed through his hands?—I do not know about this particular paragraph. Mr. Lawry can very likely tell you. The sub-editor might have written it.

360. Then, you really know nothing about this within your own knowledge?—I have no personal knowledge of after-hour trading.

WILLIAM HENRY WILSON, examined on oath.

361. *Rev. Mr. Isitt.*] Where are you residing?—I am vicar of Paeroa.

362. How long have you been residing there?—About twelve months.

363. And before then?—I was vicar of Waikato West, residing at Te Awamutu.
364. For how long?—I think about four years.
365. Was any part of the King-country included in your parish?—It was an addendum to my parish. I was supposed to go every three months, but sometimes I went every six weeks.
366. What parts did you visit?—Otorohanga and Te Kuiti, and I have been once nearly to Mokau. When I say Mokau there is the Mokau Station and Mokau proper further away. I have been to Mokau Station.
367. Did you become conversant with much about sly-grog selling?—I have known there has been sly-grog selling in the country. From the first time I went there I heard of it.
368. Did it come under your own observation?—No.
369. Did it on any of your visits come under your observation?—The facts have—not the actual sale of liquor.
370. Did you stay in any accommodation-house?—Yes; I stayed at the one kept by Mr. Tanner, and one kept by Mr. Hettit at Otorohanga.
371. Did you see anything of it in either of these houses?—No; of course, I was only there one night. I have known it has been going on. Of course, I was up there for a certain purpose, and not as a spy for the police or to try to spy out sly-grog selling.
372. Did you know it was going on in the houses?—I have heard it was going on.
373. You never saw liquor consumed by any people in these houses?—I have seen liquor consumed, but I have never seen it sold.
374. By Natives?—No, by Europeans.
375. They might have brought it with them or had it given to them?—That I cannot say.
376. Have you known of any active efforts to suppress it?—Yes. I have always believed the police have done the best they could under the circumstances, and I have made public expression of that before.
377. Have you seen much indication of drinking amongst the Natives in the licensed areas?—I have seen one occasion that I specially remember, and that is the occasion when the Rev. Mr. Gittos was there—the occasion of the sales in Te Awamutu.
378. You saw some drunkenness there?—Only one case—that of a Native. I remember this case very specifically, because I know that Constable Jones was doing his best to arrest this man, and I went over with another person with the intention of helping the constable to arrest him.
379. *Colonel Hume.*] I suppose your duties bring you constantly into contact with the police?—Yes, I see a good deal of them.
380. And both the constable at Te Awamutu and the one at Otorohanga?—Yes; Constables Stanyer, Steel, and Jones.
381. And from what you have seen are you satisfied with the way they perform their duties generally?—Most certainly in the King-country.
382. And do you think there is much undetected crime?—That I cannot say.
383. I mean, do your parishioners ever mention to you the loss of cattle, sheep, or horses, or their houses being broken into?—I have not had any intimation from any of my parishioners of that.
384. It is probable if it was going on to that extent they would mention it?—I should most likely hear of it.

LAWRENCE CARROLL, examined on oath.

385. *The Chairman.*] What is your rank?—First-class constable, stationed at Kihikihi.
386. *Rev. Mr. Isitt.*] How long have you been in the Force?—About seventeen years in the New Zealand Police Force. I have been in the Sydney Police also.
387. At what places have you been stationed?—Auckland City and where I am at present.
388. What years were you in Auckland City?—From January, 1882, to June, 1895, and since that time at Kihikihi.
389. Then you know a good deal about the Auckland police?—Yes.
390. Did you know of any feeling in the Force that to secure advancement it was necessary to use political influence?—I did not.
391. What duty were you on in the city?—I was on beat duty the first six years.
392. Can you give us any opinion concerning gambling or betting during these years? Was there very much came under your knowledge?—Not under my knowledge.
393. Did you know anything of "tote" shops?—Not up to that time. I have not been on the streets since 1887.
394. What were you doing after street-duty?—I was about five years and a half watchhouse-keeper, and about a year and a half as assistant clerk in the Inspector's office.
395. In the night hours you would not get to know what was going on in the city proper?—Except by hearsay.
396. Now, can you give any evidence as to the extent of "tote" shops? Do you know of any "tote" shops?—No.
397. Any betting-shops of any kind?—I suspected some of being betting-shops when I used to pass by on the streets off duty, but at that time I did not think there was any law in force regarding them.
398. What made you suspect they were betting-shops?—They were tobacconist-shops, and I used to see a good many going in and out of back-rooms. I did not know they were betting-shops.
399. Did you take any steps to bring the matter under the notice of the Inspector?—No. I did mention it to some of the men on the beats, and they said there was no betting done there.
400. Have you any knowledge as to immoral houses—brothels or houses of assignation?—They were in the city when I was doing duty.

401. You are speaking of how long ago?—Six years ago.
402. I am asking, up to the date of your leaving the city did you get to know much of this?—I heard about brothels and a number of prosecutions established since Inspector Hickson came.
403. You gave us your experience of betting-houses in that time; can you give any experience of brothels in that time?—I heard of them, and there was a large number of prosecutions which Inspector Hickson instituted here.
404. Have you licenses at Kihikihi?—Yes.
405. And a Native district?—A portion of it.
406. Is there a large number of Natives there?—Yes.
407. Is there more than one licensed house?—Two.
408. Much drunkenness amongst the Natives?—Not much.
409. There is some?—Sometimes when there is a large meeting of Natives, such as on sale-days or rabbit-days, or the day of election.
410. There is some drunkenness then?—Some, but not much since I have been there.
411. I would not say drunkenness that would cause persons to be locked up?—I have locked up very few, but under the influence of liquor they get excited and noisy, and a stranger would think they are drunk. I thought myself they were drunk when I first went there, until I became accustomed to the Natives.
412. Define what is drunkenness?—If a man was lying incapable on the street or unable to take care of himself or a nuisance to others I would say he was drunk.
413. If he simply staggers you would not lock him up?—Well, if he was near his home and I knew the person I would not lock him up. It would not be my duty to do so.
414. Have you visited the King-country?—Yes.
415. On more than one occasion?—Yes. I was there last July on duty, and in June for a day or two, and in August and September of last year. I have been there since that this year.
416. What places have you visited?—Otorohanga and Te Kuiti.
417. The Mokau?—No.
418. Did you find sly-grog selling going on there?—There is some.
419. Each time you had reason to believe there was sly-grog selling going on?—Yes; but I would not say to any great extent, except in July and August last, from the appearance of the places.
420. What places do you refer to?—Otorohanga and Te Kuiti.
421. Do you find that the sly-grog selling induces much drunkenness?—No, I would not say so. I have not seen many Natives drunk. I have seen them under the influence, but none drunk.
422. You have seen no Natives really drunk during your visits to the King-country?—Not even one.
423. Then you have not found that the sly-grog selling in the King-country has not had a worse effect on the Natives than in Kihikihi, where there is a license, so far as you can see?—You see more Maoris under the influence of liquor in Kihikihi when there are big meetings there than in the King-country. At other times they are really quiet, and there is no drinking going on.
424. Have you been in the King-country when there has been a big meeting on?—Yes.
425. Have you seen any under the influence of liquor then?—One or two in July or August, but, as I say, my visits were only short, for three or four days at a time or perhaps five days.
426. Would you say you have seen more Maoris under the influence of liquor at big meetings at Kihikihi than at big meetings in the King-country?—Yes.
427. *Colonel Hume.*] I suppose you have always instituted prosecutions when you saw there was any chance of getting a conviction?—Yes. It was impossible for me to do anything in the King-country. I was there in uniform. I was sent there on special duty. I was not sent to detect sly-grog selling on any occasion.
428. Did anybody ever try to prevent you carrying out the laws rigidly?—None whatever.
429. *Mr. Tunbridge.*] Was your knowledge of brothels in Auckland gained through seeing the correspondence and other things which passed through the Inspector's office while you were clerk?—Yes, for seven years.
430. That means where there were prosecutions?—Generally.
431. You would see papers in the Inspector's office, and then prosecutions would follow?—Sometimes I would, and sometimes not.
432. And from that you gained your knowledge that there were brothels in the town?—Yes. When the Inspector came here he nearly absolutely wiped them out.

JOHN HENRY UPTON, examined on oath.

433. *The Chairman.*] You are a bookseller, residing in Auckland?—Yes.
434. *Rev. Mr. Isitt.*] Do you hold any official position—Mayor or Councillor?—Not any elected position.
435. You are simply a private citizen?—Yes.
436. Do you remember a public meeting held on the 13th October last, convened by certain clergymen and the representatives of brewers, and held in Newton?—Yes.
437. Were there any others connected with the meeting—licensed victuallers?—Not that I am aware of—I was simply chairman. I was asked by my friends to be chairman, and who called the meeting I do not know.
438. Are you able to define the objects of the meeting?—No. I am sorry you did not give me some information as to what you want to ask me about. It is so long since now, and I do not carry these things in my mind. This is the first I know why you wanted me here.
439. You know a meeting was called by clergymen and brewers?—I understood, but I may be wrong, that certain clergymen and those representing the liquor interest decided to have a meeting, and they asked me to take the chair. That is really all I know about it.

440. What was done at the meeting? Did you hear the speeches delivered?—Yes.

441. Do you remember the general purport of these speeches—was it to secure a better observance of the laws?—I understood, as far as I remember, that the object of the meeting was this, to endeavour to secure a closer observance of the licensing law—that is all. Certain resolutions were proposed, but at this moment it would be impossible for me to remember what those resolutions were, but they could easily be supplied to you. They were published and sent by me as Chairman of the meeting to some authority, but I forget who. I think it was the Premier. At the close of the meeting I wrote a letter to the Premier sending the resolutions that were passed, and I received an acknowledgment from the Premier that he had received them.

442. *Colonel Pitt.*] Were the police invited to that meeting?—I am not aware of any arrangements whatever, except that I was asked to take the chair, as being probably an impartial person.

443. *Rev. Mr. Isitt.*] As a citizen, if a meeting should be called to secure a better observance of any laws, you would regard it as a kind of indictment of those who were supposed to be the law-breakers, would you not?—I should think not so, necessarily. It would depend a great deal on who called the meeting. Of course, I imagine the laws are broken; I have never heard of a law that was not broken, and I imagine it would be better to observe the law more closely, and I can understand that a meeting of citizens may be called at any time to secure a closer observance of the law, and especially a law so easily broken as the licensing law. I believe, if I can trust my memory, that the whole basis of the meeting was Sunday-trading, and the clergymen and the whole of the brewers were anxious to prevent Sunday-trading, and to make the whole business more reputable.

444. Then, may I not rightly assume this: that it was a meeting wholly friendly to the trade, and not antagonistic to it?—I think it was a meeting held in the interests of the community at large; I do not think there was either friendliness or hostility in it—I saw no signs of one or the other. There were standing on the platform men who had been active in securing a closer observance of the licensing law, and also those who had tried to secure the prohibition of drink, alongside of brewers and brewers' representatives.

445. How long have you lived in Auckland?—Thirty-two years.

446. Now, have you taken a keen interest in public events?—Yes, a reasonable interest.

447. Have you been Mayor of the city?—Yes.

448. More than once?—Two years.

449. Do you remember any instance in which a public meeting has been called to promote the observance of any other laws than these licensing laws?—I cannot for the moment say I remember.

450. Would you not probably remember if there had been—would it not impress itself on your memory?—It would depend really on what it was. In a sense there is a meeting held every Sunday morning to secure a greater observance of the law—the laws regarding theft and other awkward social evils. As a matter of fact, there are dozens of meetings held every year of a public kind, and presided over by a properly appointed officer to secure a closer observance of the law.

451. You mean churches?—Yes.

452. Did you ever know one advertisement in regard to Sunday morning to secure a better observance of the laws relating to gambling, theft, and other offences?—I should say I have read hundreds of times in the newspapers advertisements stating that a sermon would be preached in regard to the subject of gambling and other evils of the community, especially gambling.

453. That means some individual citizen has thought it necessary to speak on a subject that he regarded as an evil?—No, some person whose duty it is to do so. He is appointed by the community to a certain extent, and he regards it as a solemn duty to speak on this subject.

454. You are a bookseller?—Yes.

455. Have you ever known a meeting convened in Auckland or elsewhere to promote a better observance of the law amongst booksellers?—I am not aware they break the law.

456. I think you said just now all laws are broken?—Yes, all laws.

457. Was the meeting you referred to largely attended?—No.

458. *Mr. Poynton.*] Do you know anything of the facts that led up to it?—No, nothing at all.

459. *Colonel Hume.*] Does your memory serve you well enough to say whether any representative of the Church of England was there?—There were several Church of England clergymen on the platform, but no representatives of the Church of England. A representative must be chosen. As far as I know these were acting on their own motion.

460. *Rev. Mr. Isitt.*] You say there were clergymen of the Church of England on the platform?—Yes.

461. Were they speakers at the meeting?—Yes.

462. *Mr. Tunbridge.*] You have been Mayor of the City of Auckland?—Yes.

463. You know the city pretty well?—Yes.

464. Your official position brought you in contact with the police pretty frequently?—At that time it did.

465. From your knowledge of public affairs, do you recognise that the police have very great difficulty in carrying out the laws relating to publichouses?—I know nothing about that thing at all. The licensing system is entirely apart from municipal business.

466. As Mayor of the town, did you ever sit on the bench?—No. I did not consider I was qualified to sit on the bench, and I declined to sit.

JOHN WILLIAM ELLIS, examined on oath.

467. *The Chairman.*] What are you?—Runholder, residing at Otorohanga, in the King-country.

468. *Rev. Mr. Isitt.*] How long have you resided there?—About ten or eleven years. I have been about twenty-three years in the King-country altogether.

469. At Otorohanga chiefly?—At Kawhia and Kihikihi and Otorohanga.
470. Have you lived any nearer to Te Kuiti than at Otorohanga?—No, I have had businesses there.
471. Then you are familiar practically with that area?—Yes, with the King-country down to Mokau.
472. Have you much knowledge as to the observance or non-observance of the law regarding the liquor-traffic there?—I cannot fail to know.
473. Will you tell the Commission what you have seen and know of that matter?—They have already heard that sly-grog selling is very prevalent in the district.
474. Has it been so for long?—It has increased of late years.
475. How lately?—Within the last three or four years it has become more of a scandal than it was previously.
476. Do you know it from your personal observation?—Yes.
477. That is to say, the results of it in drunkenness or witnessing sales?—Yes, drunkenness, and I have witnessed sales.
478. *The Chairman.*] Have you witnessed more sales during the last three or four years than formerly?—No, I have seen less, but the effects have been more marked of late years.
479. *Rev. Mr. Isitt.*] But you have witnessed illegal sales of liquor?—Yes.
480. Have you any objections to giving particulars?—Yes, every objection to doing so.
481. You do not wish to say by whom or where?—I do not intend to.
482. Can you say in any of the localities you have seen this thing—generally, I mean?—Throughout the King-country.
483. Then, if you have witnessed these sales, do you think there have been special difficulties in the way of others doing so who have wished to stop it?—Of course, there have been difficulties in the way of the police—that is whom you refer to, I suppose.
484. Or any special gentleman?—Yes. A man has to be known.
485. They would not expect you to tell of them?—No.
486. So they would let you see things they would not let others see?—Yes, I suppose so.
487. Have you seen enough of it to make you feel it to be grave enough to demand very earnest efforts to suppress it?—Yes. I may say, as one of the Justices of the Peace there, that over a year ago we took united action and wrote to the Minister of Justice about the state of affairs.
488. I suppose you did not take such views as would make you think the mere sale of liquor a very serious thing in itself?—It is breaking the law. That is the stand we, as Justices, took up, that while it was law the police should make an effort to check it.
489. You simply took it from a standpoint of lawbreaking?—Yes, not wholly, but principally, and because of the bad effects it had on the Natives.
490. As a Justice of the Peace, do you think there was need for special pressure owing to the effect on the Natives?—Yes; partly for that and partly because the thing had grown to such an extent that it was becoming a very gross scandal.
491. Do you remember the date within a month of a letter to the Minister of Justice?—It was just previous to those two men being sent up to the King-country. That was the result of the letter.
492. Were you present when the inquiry was made here concerning the two men who were sent up when I was examining Inspector Hickson?—No. I may say we complained of the police not taking sufficient action to prevent it.
493. Do I quote you correctly in saying that you said the inactivity of the police was the cause of it having grown to such an extent?—That is what we stated in our letter. We said that there had been no determined attempt on the part of the police to stop it.
494. And as a result of that letter you think, or know, that two men were sent up?—We were told action would be taken, and these two men appeared on the scene.
495. We have been told that there were several occasions on which a couple of men have been sent up. Are you familiar with such cases of any going up prior to these two men?—I knew that Constable Cavanagh was up. I heard of one or two others. There are very few I do not know of. There were one or two previously—I believe some years ago, when the railway was going on. I do not believe there have been any of late years except these I have referred to. These were the two big affairs, these two men and Sergeant Cullen's raid.
496. Some years prior to this letter of yours to the Minister you believe one or two men had been sent up about the time the railway opened to try and secure convictions?—Yes; I do not know of my own knowledge. It was general rumour.
497. Then, after an interval of some years, in response to a letter from the Justices of the Peace two men were sent up?—I presume that was the cause.
498. Did you see these two men?—Yes; they were pointed out to me when they arrived.
499. On the day they arrived?—Yes, it was known in Otorohanga before they arrived that they were on their way up.
500. Do you say when they arrived or immediately when they stepped out of the train?—I was on the station waiting for the train, and I heard on the platform that they were coming up. Everybody knew it—it was quite a joke.
501. It was a source of amusement to the people that these men were coming up?—Yes.
502. You were not then told officially, as a Justice of the Peace, by a constable or anything of that kind?—No.
503. Do you remember who told you?—No. It was a matter of general conversation on the platform.
504. Was there any special gathering to meet them?—Oh, no. There is always a large gathering when the train arrives at Otorohanga.

505. Would you say that probably nearly everybody on the platform knew they were coming up—was the conversation as general as that?—Yes; I should say so. Of course there were a large number of Maoris there. I do not know that they would know. I think practically all the Europeans know. It was not spoken of secretly.

506. Did you happen to notice their swags?—No, I did not.

507. Or anything about them?—No.

508. Nothing to direct your attention to the men?—No, nothing. I do not think they landed there. I fancy they went through. I would not be certain.

509. I suppose, as a Justice of the Peace, and having written this letter, you were anxious that the police attempt should be a success?—Yes, of course.

510. Had you the slightest hope it would be a success when these men came under these circumstances?—Not the slightest.

511. Now, when Sergeant Cullen came later, did you know anything about his coming?—No.

512. Do you know now what occurred?—Yes, I know pretty well what occurred.

513. Do you know now in what capacity he first visited the district?—Only as a matter of hearsay.

514. *The Chairman.*] In what capacity did you hear he did come?—As an insurance agent.

515. *Rev. Mr. Isitt.*] But at the time he came you knew absolutely nothing about it?—No.

516. Did you know anything about it before he left the first time?—Absolutely nothing.

517. And are you in the way of getting as much information as anybody else?—No official information.

518. *Colonel Pitt.*] Did you see him at all?—Not till afterwards. I saw him before the informations were laid.

519. *Rev. Mr. Isitt.*] Would you regard the first attempt as an absolute failure?—Yes, I should say so. There was one conviction.

520. And the later visit of Sergeant Cullen as a creditable success to all concerned?—I do not think so.

521. *The Chairman.*] You mean not creditable to all concerned?—No, I think not.

522. *Rev. Mr. Isitt.*] I mean not as a matter of morality, but simply as an attempt to carry out a certain work: do you think that that was done effectively?—No, I think not.

523. Then you think now the thing was not managed as it might have been?—I do not think nearly so much of Sergeant Cullen's attempt as the public do. I can explain why.

524. *The Chairman.*] Why?—Simply for this reason. I may state there are two classes of sly-grog sellers—those who provide accommodation for the public, and those who go in for sly-grog selling pure and simple. He did not catch one of the real sly-grog sellers. He obtained the liquor really in the houses we have to depend on for accommodation, and there were a number of European sly-grog sellers pure and simple who were not touched.

525. *Rev. Mr. Isitt.*] From your observation has much drunkenness resulted to the Natives from this sly-grog selling?—Of course, you see the effects of drinking; but a Maori gets very noisy when he has had one or two glasses, but up till within the last three or four years there was very little drunkenness. Sly-grog selling was in the hands of a few people, and they were very particular whom they supplied.

526. Does your business carry you into other districts which are not prohibited?—Yes; I lived at Kihikihi four or five years.

527. Have you noticed very much drinking amongst the Natives in licensed areas?—I have always maintained there is far more in licensed districts than in the King-country. Kihikihi was pretty well on all fours with the King-country in the matter of Land Courts and Native population, and I have never seen nearly so much drunkenness in the King-country as in Kihikihi.

528. If there is more drunkenness in a licensed area, there must be more consumption of liquor, probably?—Not necessarily, I should think. You see, the individual may have taken more in one place than the other. There may be more liquor actually sold, but it would be spread over more people. Of course, I said when the trade was in the hands of a few they were more careful not to let the people become drunk.

529. Your statement is wholly free from any interview with me?—I have not seen you at all. I am not a friend of yours at all. I think you have blackguarded the King-country too much.

530. Yours is wholly independent testimony?—Quite independent of you.

531. *Colonel Hume.*] I understand you say you know the King-country so well that if anybody who was up there on behalf of the police you must have known it?—I did not say that.

532. Would you probably have known it?—Very probably.

533. How do you account for not knowing Sergeant Cullen was there?—Of course that is an exception. I do not for a minute say I knew before they arrived there.

534. But he was there some time before you knew he was there, and had gone away too?—Yes.

535. Do you happen to know a detective was up there?—Yes.

536. Did you meet him at all?—Yes.

537. How long had he been there?—I do not know how long. I saw him there.

538. Will you tell us what you know of the activity or inactivity of the police?—By the results.

539. What do you mean by the results?—When it is possible for you to send men up there and get sixty-seven convictions. There is the result of one raid.

540. You do not suppose if a man went up there to-morrow that he would get sixty-seven more?—I do not know that he would. The police have made these isolated attempts. There has never been any sustained action. That is my contention. I would not like to say the police are powerless to suppress it if they would really put their minds to it.

541. Then they sent up two men who were known to be coming before they arrived?—Yes.
542. Now, notwithstanding that, these men got a conviction or two?—They got one conviction.
543. Then they must have been pretty clever?—Yes, they were very clever to get that. There is a history connected with the conviction that does not interest the Commission.
544. You as a Justice of the Peace saw the law being broken?—Yes.
545. And do you know whether any Justice of the Peace gave any information to the police about that?—No; I am quite prepared to take my share of the blame.
546. Now, do you think that is encouraging the police at all?—No; but the police knew just equally as well as I did. It was not my part to act as an informer.
547. Not as a Justice of the Peace?—No. It was not the duty of a Justice of the Peace to act as informer.
548. If a Justice of the Peace sees the law being broken he should take no notice of it?—Not at all. I have had many conversations with the constables on this matter.
549. Did you go to the constable and say, "I saw so-and-so"?—No, I did not. I should not think of doing so.
550. Now, you and some other Justice of the Peace wrote to the Minister?—Yes.
551. Did you make any stipulation in that letter, or any condition at all?—No, I think not.
552. Not that you remember?—No.
553. Did you say you and your brother Justices were willing to come forward yourselves and give any information you could?—No.
554. On the other hand, did they ask that names should be suppressed?—No. We consulted together, and decided that these letters should be brought before the Commissioner to show that we had taken action. At the time they were sent it was done just to urge the police to take action, as the thing had got to be such a gross scandal.
555. You said that these two men were so well known that their mission was an absolute failure?—I qualified that by saying there was one conviction.
556. Then, you say there was not a great deal of drunkenness in the King Country?—No, not a very great deal of drunkenness.
557. Then I understand you to say that Sergeant Cullen did not catch the right people?—He did not go far enough. He caught perhaps some of the right people. The grog-sellers pure and simple he did not catch.
558. Then, as you know he did not catch them, you know who they are?—So do the police.
559. I want to know if you ever told the police who they are?—No. I never took up that position. The police know as well as I do.
560. Though you are a Justice of the Peace you have given the police no assistance at all?—I would not say that at all. I have not given as much assistance as I might have done.
561. *Mr. Tunbridge.*] You admitted that these people would not sell to any stranger?—Yes.
562. Then how do you suppose that persons sent into the district are to get liquor?—I have seen the trade kept well within bounds in that district.
563. When?—Previous to the last three or four years. It was kept within very reasonable limits up till then. They were left alone, and gradually their number grew until almost every other man in the district sold grog.
564. You say these people do not sell to strangers. Well, then, how can you expect the police or any other persons sent up there as strangers to get the necessary evidence to prosecute these people?—There are three or four things which would help to suppress this sly-grog selling. First of all, I think a first-class intelligent constable should be stationed in the district. We had one good man up there, Constable Gordon, and Constable Forbes, and there is no doubt these men checked sly-grog selling in their districts very effectively.
565. Has not Constable Stanyer had more convictions than either of these two men?—Yes, but that does not prove anything. I am, of course, quite satisfied there is more sly-grog selling going on than previously, and when the trade is larger you can get convictions easier. Constable Stanyer will not say that the twenty-three caught were all who were selling sly-grog in the King-country.
566. Do you not think that the prevalence of it now has increased the demand rather than any other reason?—No, my contention is that it is owing to the lack of police action.
567. Up to the time that you had the railway, there was some difficulty in getting grog into the country?—Practically that country was not occupied.
568. Well, if the country was not occupied you do not, of course, expect sly-grog selling?—The railway started from ten to eleven years ago, and up to three or four years ago the sly-grog trade was well under control.
569. How long is it since the railway was opened through Otorohanga?—About eight or nine years.
570. That, of course, brought a lot more people into the district?—Yes.
571. Do you not think that is responsible for the increase in sly-grog selling?—There were a great many more people in Otorohanga when the railway was going through than there are now. You see the white population follows the railway. Of course, the Maoris have been there all the time.
572. Now, you think you would know about every one who has gone up there to detect sly-grog selling from the results?—I do not know that I would be likely to know of everybody going up, but I should most likely know of any attempts made by the police.
573. You mean if these attempts were successful?—Yes.
574. Suppose they were unsuccessful, would you know about them? You would know nothing about them unless the case came before the Court?—Yes, I suppose that is the case.
575. Can you swear that at the present moment there are not half a dozen men up there on behalf of the police?—No.

576. Nor can you swear there have not been half a dozen men up there during the last twelve months?—They must have been very poor men. You know the thing could be stopped well enough if you tried.

577. What do you think would help us in the matter?—I think a good intelligent constable, with the command of a certain amount of money, would be the first step. I may say all the constables there have complained about the want of financial support to go as ground-bait for the informations.

578. Has any constable ever told you that?—Every constable that has been stationed there for any length of time.

579. Did you hear Constable Stanyer swear he had permission to promise who might supply him with information a considerable amount of money?—Yes, and I have known these promises not kept, and this is where the trouble comes in. Of course, where money is the inducement to the informer you have to get an inferior class of men to do the work. I think they ought to be given money apart from the fine. When a man elects to take it out in gaol there is no fine to divide.

580. But independent of any fine so long as there is the conviction the informer will be given something by the Department?—Yes, a small sum; hardly covers his expenses.

581. You think it is not enough?—I have heard them complain that it barely covers their expenses.

582. *Mr. Poynton.*] Do you think then the reward should be increased?—Yes, and paid directly a conviction is obtained.

583. *Mr. Tunbridge.*] I suppose you realise that the head of the Department for the time being can only spend as much money as is voted by Parliament?—Yes.

584. When you hear that the whole of that money has been expended you will probably think that the head of the Department did all he was able to do in that direction?—Of course, I heard you say that Sergeant Cullen's raid cost £400. That is a very big amount. I think if that had been spread over a few years the effect would have been very much greater.

585. What would you think a reasonable sum to give a man?—I am not in the business, and I cannot judge in the matter. I have only heard they complain that they hardly get enough to cover expenses without a fine was inflicted.

586. *Colonel Hume.*] Do you know any case where the reward was promised and not paid?—I have knowledge of one who made that complaint to me.

587. I suppose the Natives do not always tell the truth?—No.

588. *Rev. Mr. Isitt.*] You told Commissioner Tunbridge that you probably would not know all cases of unsuccessful attempts. You know, do you not, that unsuccessful attempt where they only got one conviction?—Of course, they were known all the time they were there.

589. I understand you to say that you believe the thing was held with a firm hand at the time the line was being constructed there some years back, and that the constables then held it in check?—Yes.

590. Then the vigorous hold was relaxed and the thing grew beyond control?—Yes.

591. Will you kindly state to the Commission what your mode of operation would be?—I think the first point would be to put a good man there with a command of a certain amount of money. The second would be to apply to the Government of the country that a clause be inserted in the 1895 Act giving the police the right to search for and prohibit liquor being taken into the King-country; and another thing is, I think, the alternative for the first offence should be greater than a month.

592. *The Chairman.*] You know in some cases the rewards are very considerable?—Yes, where the people pay the fines. Of course, I quite realise that the constable stationed there cannot do much personally, but he could lay the plans.

593. *Mr. Poynton.*] You have no sympathy with crime?—I should hope not.

594. Yet you are unwilling to disclose the names of persons who you say break the law?—Yes.

595. If you saw a man picking a pocket, or committing a murder, would you be so unwilling?—No.

596. Now, does not that show the difficulty the police have in getting evidence?—I know they have a great deal of difficulty, but I have seen the thing held in check in the district, and I know it can be done.

597. If all are as unwilling to disclose the names of persons, of course the police will have difficulty?—Of course, it is a difficult question, but I should not like to say it is beyond the police.

598. Do you think that imposing a penalty by law on the person who buys from the illicit seller would be beneficial?—Yes, I am strongly in favour of that.

599. *Mr. Tunbridge.*] You say everybody knew these two men were coming up?—Yes.

600. Can you suggest how the information got there?—I believe, by wire.

601. From whom?—I do not know from whom.

602. Did the telegram come up from Auckland?—I did not know where it came from.

603. You have no idea who received the wire?—No.

604. *Colonel Hume.*] Would you be in favour of licensing a house or two up there? Do you think that would improve things?—Well, it would certainly kill sly-grog selling in a great measure, but it would not cure drunkenness.

605. It would increase drunkenness, and decrease sly-grog selling?—Yes.

606. Which do you consider the greater evil?—Drunkenness and the demoralisation of the people are the greatest evils, undoubtedly.

607. *The Chairman.*] Knowing the character of the community and the class of men likely to give information of sly-grog selling to the police, do you not think it is a dangerous thing to give a

constable an absolutely free hand in buying that secret information on which to lay his charge?—There is that danger; but, of course, the case goes before the Magistrate.

608. What effect do you think it tends to have on the evidence?—Well, of course, you simply cannot get informers unless you pay them.

609. What is your experience of evidence which is dependent on rewards?—It was bad, no doubt.

610. Therefore the use of that power should be carefully exercised?—They want a careful, experienced man in the district. I think there should be a stated sum on conviction, whether the fine is obtained or not.

611. Does your experience as a Magistrate enable you to say whether you have met with cases in which you have been satisfied perjury has been committed, with a view to obtaining the reward on conviction?—Well, I have had no experience as a Magistrate of these cases.

PATRICK MACDONNELL, examined on oath.

612. *The Chairman.*] What are you?—I am a storekeeper at Otorohanga and Te Kuiti.

613. *Rev. Mr. Isitt.*] And your business takes you from one place to the other?—Yes.

614. Have you resided long in the district?—Twelve years.

615. At Otorohanga?—At Otorohanga, principally in Te Kuiti.

616. You could not have had a store at Te Kuiti as long ago as that?—I had a store there as long as ten years ago, and left it for some time and started again.

617. Then you have had a pretty considerable acquaintance with Otorohanga and Te Kuiti during the last ten years?—Yes.

618. Any other parts of the King-country?—Yes, I have been about the King-country a little.

619. At Mokau?—Not very much. I have been to the tunnel, and so on.

620. You are a Justice of the Peace?—Yes.

621. Were you one of the Justices of the Peace who joined in writing to the Minister of Justice about two years ago?—I was.

622. Have you personal observation of the result of sly-grog selling that made you send that letter?—Yes, I saw a lot of drunkenness.

623. Had you seen sales effected?—Yes.

624. Grog sold in your presence?—I have seen whiskey sold.

625. Would you say there had been an excessive amount of it?—Well, I think from what I saw there had been a fair amount.

626. Right through the district?—Yes. I did not see such an amount sold, but I saw the effects of it occasionally.

627. You mean people under the influence of drink?—Yes.

628. Has there been a decrease or increase in this sly-grog selling of late years?—I think it has been on the increase of late years.

629. Did you hear the evidence of the last witness?—I did.

630. You heard him say that for some years sly-grog selling was held in check by a firm hand of the resident constable?—Yes; it was held a great deal more in check some years ago, when the country was first populated by Europeans and when the railway was first opened.

631. That is to say, when the railway-line was being formed there?—Yes. Sly-grog selling began about that time.

632. Is there a greater likelihood of sly-grog selling when the railway is being formed, or afterwards?—Yes, there are more Europeans and more money.

633. That is, the best period for the sly-grog seller and the worst period from your standpoint is when the line is being formed with the men at work?—There was a lot of it being sold then, but there is more sold of late years.

634. At the time the line was being formed, was it then being held in check by effective police work?—Yes; there were not so many sly-grog sellers.

635. *The Chairman.*] Were the police more able or more efficient in preventing the men selling at that date than they are now? You say there were not so many disposed to sell?—I do not say the police were more efficient. There were not so many anxious to sell.

636. *Rev. Mr. Isitt.*] However, you say that for a time the police held it more effectively in check?—I do not know that the police held it in check. There were times there when we had no policeman.

637. Then what was the operating cause—what was it that kept it in check?—I suppose the people were more afraid to do it.

638. Do you think that the immunity with which some of these people did it led other people to do it afterwards?—Yes, there is no doubt about it.

639. And of late years that has been somewhat considerable?—Yes.

640. Then, about two years ago were you and your fellow-Justices so impressed with this that you wrote to the Minister of Justice?—Yes, we wrote asking him to try and check the evil.

641. Would you use the expression that your clique did because it was becoming a great scandal?—It was talked a lot of, and I think we were frequently asked why we did not do something.

642. What led you to write?—We saw a lot of drunkenness carried on, and it did not seem to decrease much. We met and said we would ask the Minister of Justice to try and check the sale of liquor.

643. And you thought this law-breaking could be stopped?—Yes.

644. You heard what the last witness said as to people recognising the men who came up?—Yes; I quite agree with all the last witness said about sly-grog selling and the men who came up.

644A. That is, as to the men who came up being recognised and known beforehand?—I did not know the men who came that evening, but I saw them afterwards. I may not have been in Otorohanga that day.

645. And, generally, you corroborate the evidence of Mr. Ellis?—I do, generally.

646. Is there any detail of his evidence you wish to differ from?—Well, I think if the money that was spent on Sergeant Cullen's raid was given to the local constable to deal with he could have made better use of it. I think the local constable should have the power to use the money. He would use it better, I think. Any local man, I mean—I do not say the present man.

647. Was any second letter sent to the Minister of Justice after these two men came?—I think there was.

648. That is, after the two men came and before Sergeant Cullen came the second letter was sent?—Yes.

649. Can you give us the purport of that letter?—To urge the police to take action, I think.

650. Did it contain any complaint of their inaction?—No, only we thought they might do a little more to check the sale of sly-grog.

651. *The Chairman.*] Was it written by yourself, or by yourself and others?—I think each Justice wrote one. I wrote one, I know.

652. *Rev. Mr. Isitt.*] So far as you know, was there an agreement on the part of the Justices to write?—I do not think there was an agreement. I wrote mine.

653. Do you know if the others wrote?—I believe they did.

654. You have no idea how long that was before Sergeant Cullen came?—No.

655. Did you know Sergeant Cullen was there?—No.

656. When he was doing his effective work, did you know anything about it?—He came into my store and spoke to me. I did not know he was on police duty. I had my doubts about him.

657. Have you had an experience of licensed districts? Do you visit other Native areas, such as Te Awamutu and Kihikihi?—Yes.

658. What is your experience as to drunkenness in those districts?—I never saw much drunkenness in them amongst the Maoris.

659. Do you think that granting a license in Otorohanga would check the sly-grog selling?—Yes, I believe it would.

660. Do you think it would check drunkenness?—I do not know about that.

661. *Colonel Hume.*] Do I understand you to say that you are satisfied with the local constable?—I have no complaint with the local constable.

662. Then you do not hold with Mr. Ellis when he says if a smart constable were sent there with a lot of money things would be better?—I believe that if a smart constable were sent there with a lot of money he could get convictions easily.

663. Then do you or do you not consider Constable Stanyer a smart constable?—Well, I think he is an average constable, but I think there are smarter men.

664. Do you think he has exerted himself to try and get convictions?—Yes, he has.

665. You know the King-country well?—Yes, fairly well.

666. Is it not a fact that every one who arrives there now is looked upon either as a policeman in disguise or as an informer?—Yes, strangers are.

667. This sly-grog selling, I understand you to say, was kept in check when they were making the railway?—There was not so much of it carried on in those days.

668. Was there as much European population about there as there is now?—I think there were more then. There must have been pretty nearly a hundred navvies working on the line about Otorohanga and Te Kuiti.

669. Then how many are there now: are there not considerably over a hundred at the tunnel?—I do not think so. There are very few residents now.

670. I understand you to say that if that money given to Sergeant Cullen had been given to the local man, ordinary constable that he is, it could have been better spent?—Yes; I think the local constable can get a conviction any day if he has a few pounds to spend. In fact, I feel sure he would.

671. *The Chairman.*] Do you mean reliable, honest information, on which he could lay an information?—Yes; I believe he could get a conviction with a few pounds. There are Natives there who will go and get a man convicted if they can get money for it.

672. Whether he is guilty or not?—The Natives have got pretty nearly all the convictions that have been got.

673. *Colonel Hume.*] Are you prepared to swear that the local constable has not got many?—I would not like to swear, but I have it on very good information he has not. The informants who were the cause of getting convictions got very little money.

674. Do you know what they got?—Barely expenses, I believe.

675. And nothing else?—Nothing else.

676. You really believe that?—I really believe that, and have very good grounds for believing it.

677. Then, have you ever known the local constable to be restricted in the expenditure of money in finding out sly-grog-selling cases?—Well, I do not know that the local constable came to me himself. I believe I did hear from the local constable that they had not much money to spend in finding out sly-grog-selling cases.

678. Did the local constable tell you that?—I believe a local constable told me.

679. How long ago?—I have heard it at different times in ordinary conversation, but I did not take the dates.

680. Would it be a year or two years ago?—That I would not like to swear to. I have heard from the constable that money was pretty hard to get when they wanted a conviction.

681. Then did you suggest that you should give them any money?—No.
682. You did not think of saying, "Well, as a Justice of the Peace, I will advance you £5 and risk getting it back from the department"?—No. I am a business-man in the place, and must hold my tongue or I will get into trouble.
683. You did not give any information about the sale of whiskey to anybody—you did not inform the local constable?—No, there was no occasion. The local constable very likely knew as much as I did.
684. You cannot swear he knew that?—I do not know. He should know it.
685. Any way, you did not think it worth while telling him?—No.
686. *Mr. Tunbridge.*] Do you not think that a good deal of this sly-grog selling is in consequence of the passive sympathy shown by the better class of people up there—more particularly Europeans—than anything else? In other words, do not the better class of people have their sympathies with this sly-grog trade?—No; I do not think they do.
687. Were you in earnest when you sent that letter to the Minister of Justice?—Certainly.
688. And you really desired to see the sly-grog business stamped out?—Yes; it has been an injury to me from the start.
689. You wrote to the Minister of Justice declaiming against the inactivity of the police, and you come here and give evidence against the police. Well, now, on the occasion of Mr. Mohr's election as Chairman of the School Committee you and other members, residents of the place, went to Mrs. Hettit's house?—Yes.
690. And had whiskey?—I did not say I had whiskey.
691. At any rate, you had drink there?—Yes, I had drink. I was asked weeks afterwards what drink I had that particular night.
692. Did you pay for it?—No.
693. Did Mr. Mohr pay for it?—I think it came out in evidence.
694. The Magistrates thought so, and convicted her?—Yes.
695. After having conferred this honour on Mr. Mohr, you adjourned to Mrs. Hettit's house?—We did. We met there.
696. You remember you were called as a witness?—Yes.
697. You remember you swore you did not know what you drank in her house on the occasion when Mr. Mohr was elected Chairman of the School Committee?—Yes, I did swear that. I drink lemonade as often as I drink everything else.
698. Now, sir, do you consider your action in writing to the Minister of Justice consistent with your action in going to Mrs. Hettit's house and getting drink in this way?—I do.
699. *The Chairman.*] In the one case you were acting in the character of Justice of the Peace, in calling the attention of the Minister of Justice to what you considered a public evil, and in the other you were joining other companions in doing that which was really a breach of the law, and you did not think it necessary to report it?—I did not think there was the slightest difference in walking in there and than walking in the Star Hotel.
700. *Mr. Tunbridge.*] Of course, you are able to speak from personal experience when you wrote to the Minister of Justice?—I had personal experience.
701. Getting whiskey, I mean, every day?—I did not say whiskey. I take drink when I want it, and I let it alone.
702. You get drink in a place not licensed?—Well, I have got it in that place.
703. *Mr. Poynton.*] There is an unwillingness to give information to the police in cases of sly-grog selling?—Yes, there is.
704. More so than in the case of other crimes?—Yes; people do not like to be mixed up with it.
705. You yourself have seen whiskey sold and given no information?—Yes.
706. You would not like to disclose the names of those people to this Commission?—No, I would not. I would be looked upon as an informer.
707. Do you recognise that that has a tendency to prevent the police obtaining convictions?—It has.
708. Do you think the penalty should be imposed on the persons who buy drink as well as those who sell it?—I think it would be a great means of preventing the sale of drink altogether.

ALEXANDER ROSE, examined on oath.

709. *The Chairman.*] You are Collector of Customs at Auckland?—Yes.
710. *Rev. Mr. Isitt.*] You have, I believe, a brewer's license granted to some person in Te Kuiti?—I have a copy of a license granted to a person named Edmund Parry, living at Te Kuiti, and the last one issued to him was dated 1st January, 1897, and expired on the 31st December, 1897.
711. Then do I understand there is now no license in force?—He is not licensed as a brewer or to make hop beer.
712. Is it within your knowledge as to when the first license was issued to the same man?—No; I believe it is not new, because I found him licensed when I came here first. I came here in 1892. I might say he has been licensed for at least five years.
713. Can you tell us in brief what the license covers?—This is the license: "License to Brewer (under 'The Beer Duty Act, 1880'). Borough of Auckland. No. 1978.—Whereas Edmund Parry, of Te Kuiti, having paid into my office the sum of one pound, in accordance with the provisions of 'The Beer Duty Act, 1880,' is licensed to carry on the business of Brewer, and to sell in quantities of not less than two gallons, beer, ale, porter, made at his brewery at Te Kuiti, from the first day of January, in the year one thousand eight hundred and ninety-seven, to the thirty-first day of December, in the year one thousand eight hundred and ninety-seven.—ALEX. ROSE, Collector of Customs, Auckland." It is issued under "The Beer Duty Act, 1880."

714. *Colonel Hume.*] I believe this license is cancelled now?—Yes; I refused to renew it.

715. It ceased on the 31st December last?—Yes.

716. Will you tell the Commissioners what led to your not renewing it this year?—I observed in the papers on various occasions that this man had been convicted under the Licensing Act, and it seemed to me that he was enabled to commit this breach of the Licensing Act under the cloak of holding a license as brewer. In consequence of this having occurred several times to my mind I applied to the Inspector, if I remember aright, and asked him if he would furnish me with the dates and number of convictions against the man. I received information giving the dates and convictions.

717. Have you a copy there of the memorandum you wrote to Mr. Hickson?—Yes, and also one I wrote to Mr. Perry. The one I wrote to Mr. Hickson is as follows:—

Auckland, 7th December, 1897.

THROUGH information given to me by your department respecting the way in which Mr. E. Perry, brewer, of Te Kuiti, carries on his business, and the fact of his having been convicted of breaches of the Licensing Act on several occasions, the Hon. the Commissioner of Customs has decided that the brewer's license issued to him shall not be renewed after the 31st December. Notice has been given to him of this decision, and also that your department has been notified of this fact. Will you, therefore, kindly advise the police-constable at Te Kuiti, so that Mr. Perry does not go on brewing in defiance of the law. He will render himself liable to heavy penalties if he does so.

The Inspector of Police, Auckland.

ALEXR. ROSE, Collector, Customs.

718. Then it was from information that you got from the police that caused the license to be cancelled?—Well, it was from information I saw in the papers, and I communicated with the Inspector of Police and got a list of the convictions against him. This list I sent to Wellington, and the result was that I was authorised not to issue a new license to Perry.

719. *Rev. Mr. Isitt.*] Then, I understand the issue of a brewer's license is in the hands of the Commissioner of Customs?—It is. So far as the Beer Duty Act is under the control of the Commissioner of Customs for the time being, I carry out the details which devolve upon the Collector of Customs in the authorised district as described by the Act.

720. Without referring to the Commissioner?—Yes.

721. But what you do you do in the name of the Commissioner?—Yes. It seemed to me that, as the police had been convicting him on several occasions, it was very improper for the man to be licensed as a brewer, and so be enabled to use that as a sort of cloak by which to avoid the Licensing Act.

722. Did the police report to you, or did you gather the facts from the newspapers?—I gathered them from the newspapers.

723. The police did not report to you until you applied to them for a list of details?—I really do not remember—I really cannot charge my memory with that, because it would not necessarily be their business to do anything of the sort. Their business is to prosecute under the Licensing Act, and my business is to attend to the Beer Duty Act, and we do not often interfere unless to communicate to one another on any particular occasion.

724. Would it be your custom or habit if an application were made for a brewer's license to apply to the police for information as to the character of the applicant?—No.

725. If, on the other hand, the police were to notify you at any time that they thought the applicant or holder of the license was an unsuitable person, would you take their report into consideration and be guided by it more or less?—No; I do not think the Act provides for any interference of that sort. So far as I can understand, if a man has committed no breach of the law he is entitled to get a license.

726. Whatever the police report might happen to be? I mean, a confidential police report would not influence your decision in any case?—I might refer it to the Commissioner in Wellington, and ask for his decision in the matter, but I have not experienced such a thing during the currency of the Beer Duty Act.

727. There would be nothing in the Act to prevent an Inspector of Police, if he saw fit, communicating with the Collector of Customs?—I would pay every attention to it if it was sent to me. I should consider it my duty to do so.

728. Do you know when you granted this license that it was for a district where all kinds of licenses were prohibited?—Lately I did know it, but it did not signify at all. It would be granted whether a prohibited district or not, so far as the Beer Duty Act is concerned. This is my letter notifying Mr. Perry that the license would not be renewed:—

Sir,—

Auckland, 6th December, 1897.

I am directed by the Honourable the Commissioner of Customs to state that, in consequence of the way in which you have carried on your business, and the fact of your having been convicted of a breach of the Licensing Act on several occasions, your license as a brewer under the Beer Duty Act will not be renewed after the end of this year. From that date you will cease to be a brewer, and must pay duty by stamping any balance of beer in your possession on the 31st December. You also sold beer in less quantity than two gallons, which is against the conditions of a brewer's license. The Police Department have been duly notified of this decision.

I have, &c.,

ALEXR. ROSE, Collector of Customs.

To Mr. E. Perry, Brewer, Te Kuiti.

ARTHUR MYERS, examined on oath.

729. *Rev. Mr. Isitt.*] What is your business?—Brewer and wine and spirit merchant, living at Auckland.

730. Do you know the circumstances which led to you and others of your trade making a special offer or agreement to the publicans if they would better observe the laws?—There was an interview with representatives from the Ministers' Association, who were desirous of having the trade's views, and who called upon me in my official capacity as Chairman of the Auckland Brewers' and Wine and Spirit Merchants' Association, their object being to obtain our views in regard to an endeavour to get a clause into the Licensing Act similar to that appearing in the English Act,

whereby the onus of proving the right of any person to be in an hotel during prohibited hours should be on the person so found there. At the same time, in a letter, they also desired to know whether we would help them all we could to see the Licensing Act carried out in its entirety. I informed them it would give much pleasure in submitting their views to the trade, and I accordingly did so. A large and representative meeting of the trade was held, at which nearly all the members of the wholesale trade were present, and at which nearly every member of the retail trade was accounted for, and they passed a resolution to the effect that they had sympathy with the object desired by the members of the Ministers' Association, and so far as carrying out the Licensing Act was concerned, it was their desire to do so so far as lay in their power. It had been stated that there were violations of the Licensing Act in regard to Sunday trading. The matter was fully discussed, and a most unanimous wish was expressed to carry out the law. When the question was put as to there being remarks that the Sunday-trading clause was not carried out in its entirety, there was an emphatic denial on the part of the majority of the hotelkeepers, and they complained, I think, of getting credit for doing Sunday trading when there was no reason for it. A large number of travellers and boarders would be seen entering their hotels, and also a large number of the public, and people seeing them entering and coming out again would naturally think they had gone in to obtain drink. The boarders and *bonâ fide* travellers, of course, would be entitled to it, and if an hotelkeeper was serving a boarder or *bonâ fide* traveller it was very hard for him to refuse the general public, who, while the bar was open, might desire to be served. The hotelkeepers complained of their position, and this desire on the part of these ministers who waited upon us was only in the direction of helping them to carry out their desire. Whatever their opinions might be in regard to supplying the legitimate wants of those who thought they were entitled to obtain drink on Sunday, they knew that the law was otherwise, and they had no desire to break it. Consequently, they unanimously passed a resolution in favour of a clause appearing in the present Act similar to what appears in the English Act. The letter from the Ministers' Association asked us if we would do all in our power to see that the Licensing Act was carried out in its entirety, and naturally that also was subject for discussion at the meeting; and to show the *bonâ fides* of the hotelkeepers who were present, and to show their sincerity in the matter, it was agreed that in future they should not even open their bars to any *bonâ fide* travellers or lodgers except at meal-times, so that the idea would not go forth that they were supplying people whom they had no right to supply. I may say that the result has been very satisfactory indeed, and, although I noticed by the papers that the Inspector of Police thinks that a large amount of Sunday trading is going on here, I fearlessly state that, with the exception perhaps of one or two—of course, there are black sheep in every flock—it is absolutely impossible to obtain drink on Sunday in Auckland in the majority, if not in all, the licensed houses in Auckland. I say that without fear of contradiction from a thorough knowledge of the trade, and from the active part I have taken in my official capacity, representing the wholesale trade in our efforts to do all we could to entirely suppress Sunday trading. With regard to there being private signal-bells, which I also noticed in the papers, it is certainly the first time it has come to my knowledge that any one had such bells in existence, and I must say I do not believe for a moment that there are any bells of that description in a single house in Auckland. At any rate, I should be surprised to hear it. There may be bells there, but they are there for a legitimate purpose. I also desire to state that every effort has been made, not only by the wholesale trade, but by the retailers themselves, to help the police in every possible way to carry out strictly the law in regard to Sunday trading.

731. I understand you to use the expression "suppress Sunday trading"?—Yes.

732. *The Chairman.*] What was the date of that meeting?—October, 1897.

733. Was it a meeting at which Mr. Upton was chairman?—Yes.

734. *Rev. Mr. Isitt.*] Do I understand that since that date you have succeeded in suppressing Sunday trading?—Undoubtedly, with the exception, perhaps, as I say, of a few instances, and owing, unfortunately, to the present Act not helping us in the matter. There may be a few instances, but otherwise it has been entirely suppressed in Auckland. I said that advisedly and fearlessly, as a result of the agreement.

735. Would it be fair to ask you whether any financial considerations were entered into in that agreement?—I will answer that question fully. You are well aware that it was compulsory on the part of hotelkeepers to supply lodgers and travellers until the amending Act of 1895 was passed. Since that date it has only been optional, and the consequence is that where, as formerly, probably a large number of people who thought they were entitled to drink obtained it, since that date, it not being compulsory, and also by a recent decision in the law-courts to the effect that only *bonâ fide* travellers, in either sense of the word, could obtain drink, a large amount of Sunday trading has been avoided. Some hotelkeepers, having thirty or forty boarders residing in their houses, and probably having a number of travellers calling at their places on Sunday, stated that perhaps if they refused to supply boarders and travellers it would make some difference. It was then stated by the wholesale traders that they were quite prepared that when an hotelkeeper could prove that it would prejudicially affect his business a commensurate allowance would be made, so that no hotelkeeper would be able to say that in consequence of his not supplying these *bonâ fide* travellers or lodgers his takings were in any way diminished.

736. *The Chairman.*] The concession was made in consequence of that alteration in the statute?—That is so.

737. *Rev. Mr. Isitt.*] Do you hold that the majority of hotels have succeeded in suppressing Sunday trading—both illegal and legal Sunday trading?—Almost entirely, with the exception at meal-times.

738. Is the agreement still in force?—Yes.

739. Nothing has led to its breaking down?—Well, I would like to state that even in our leases now we make it an absolute condition that no Sunday trading is to be carried on. There

is a clause referring particularly to Sunday trading, as there is an impression abroad amongst those who do not consider probably the liquor trade a legitimate one that the wholesale trade are in favour of it. That is my only reason for mentioning that fact. I wish to state that everything has been done not only by the wholesale trade, but by the hotelkeepers themselves.

740. *Mr. Poynton.*] Can you give any evidence as to the action of the police in enforcing the licensing-laws before that agreement was come to?—I think they did all in their power to enforce it.

741. With your knowledge of the trade, and your knowledge of the law as it stands, do you think that an amendment of our law in the direction of the incorporation of section 25 of the English statute would tend to suppress illicit trading and selling after hours?—I think it would help materially.

742. And do you think it would be welcome to the respectable hotelkeepers?—Without a doubt. I may say that at this meeting of hotelkeepers three-fifths were present, and they unanimously passed a resolution to that effect.

743. *Rev. Mr. Isitt.*] It has been stated by the Inspector that the difficulties in carrying out the licensing-laws are largely due to a hostile feeling on the part of the mass of the community. Speaking for those you represent, would you indorse that strong opposition to carrying out the licensing-laws, or is it your wish they should be carried out?—I presume the Inspector means there is a large proportion of the public who consider that at present the drastic licensing-laws go too far, and that their legitimate wants are not being considered in the way they consider they should. I presume that is the feeling the Inspector alludes to.

744. Do you say it is true that a section of the community?—A large section of the community.

745. *The Chairman.*] I would like to know whether, in your opinion, a large section means more than half the population?—I would now substitute the word "majority." It would convey my meaning.

746. What is your opinion as to opening the houses for a limited time on Sunday: what effect do you think that would have, either on the house or the public?—I think, for a limited number of hours during the day, it would have a good moral effect.

747. What hours do you think most convenient and suitable?—Well, I cannot say. I would not like to decide a question like that in a moment.

748. But you think it would be an advantage to have them open for a limited period—say, two hours during Sunday?—Yes.

749. In saying that, are you speaking as chairman of the Brewers' Association? Do you think you are expressing the view of the trade that if the houses were open for two hours the law would be observed during the others?—I feel confident it would be, and that I am expressing the views of the whole trade.

WEDNESDAY, 15TH JUNE, 1898.

JAMES HICKSON, further examined on oath.

1. *The Chairman.*] What is the statement in your evidence-in-chief on the 8th June that you wish to correct?—Through misunderstanding and not distinctly hearing the question put to me I made a statement which is not quite correct, and from the return which I propose to put in it shall be seen that I was not correct. It is on the score of prostitution. Mr. Poynton asked me if there was much prostitution in Auckland, and I replied, "Yes, a good deal"; and then he went on and asked me are there many young women in the streets, and I said that had been greatly exaggerated—there were not. And I also said I knew of no existing legal brothels, and, so far as my knowledge went, I could not point to an established brothel in Auckland.

2. In what way do you wish to correct that?—There have been a great many brothels in the city, and I propose to hand in this return, covering a period from June, 1893, up to the present time, which I had compiled to show the number of prosecutions that I have instituted against brothel-holders in the city. There have been seventy-five prosecutions and forty-two convictions, and thirty-three dismissals, withdrawals, or non-appearances. There were a good many brothels in the city when I came to Auckland, and the only law on the subject was the municipal by-law. The matter had to be dealt with under the municipal by-law, section 38 of By-law 37. I am now acting under the Criminal Code and amending Acts. I succeeded in many prosecutions instituted under that section until the point was raised by some counsel for the defendants that I could not compel persons found in a house to give evidence, as it would incriminate them. That point is raised against me still. The by-law I refer to reads as follows: "By-law 37, section 38.—Keeping any disreputable house, or house of ill-fame, or having the control, conduct, or management of the same, or being a reputed occupier, or an inmate of any such house." I drew the attention of the City Council to this, and I was promised an amendment. I wish the last words of the by-law—namely, "inmate of any such house"—struck out.

3. Notwithstanding these prosecutions and convictions, you say there are still brothels in the city?—Yes.

4. Known to the police?—Yes.

5. Why did you not proceed against them?—At the last prosecution I had under the Criminal Code Act this point was raised by the solicitor, and effectively raised, because this by-law had not been repealed. The existence of this by-law prevented the persons who frequented these houses from giving evidence.

6. *Mr. Poynton.*] You have been hampered by the existence of that by-law?—Yes.

7. And unless it is amended you will continue to be hampered?—Yes.

8. And that is why you do not prosecute in the present cases?—Yes. I have had informations laid, but they have had to abandon them owing to the reluctance of complainants to appear at the Court and give evidence. Owing to the difficulty the police have in obtaining evidence, I have adopted this course: On ascertaining a place is a brothel I cause notice to be served on the agent or owner of the house that the house let by him is reputed to be a brothel, and that after the date of the service of such notice I would hold him accountable for the conduct of such house and the inmates. To my knowledge, some solicitors for the defendants advise their clients not to allow the police to enter their houses, and, as the police have no power by law of entering these reputed brothels, I told the police not to commit themselves by forcing an entrance, no matter what noise and disorder there might be, unless it is of serious note.

9. *Mr. Tunbridge.*] Is there any case where it has come to your knowledge that a brothel exists that you have not taken action in the matter, either by bringing people before the Court or by giving the proprietors of the place notice with a view to shutting it up?—None. A great many have been reported to me by complainants, who afterwards say I did not like to go to Court, and I only wanted the people out of the locality, and I wished the police to effect such a removal.

10. *Mr. Poynton.*] I suppose you find difficulty in getting evidence from the people who frequent the places?—They will not give evidence unless forced, and then they take refuge behind the by-law. I wish to hand in the latter part of my report to the Commissioner of Police on the 11th October, 1897, referring to this evil: "I would call attention to the sixth paragraph in my report which was published with your Annual Report, dated 15th June, 1896, as follows: 'Much difficulty has been experienced by the police in enforcing the law against disorderly houses. No power is given the police to demand entrance to such houses. The keepers may lock their doors and refuse—as they have in some instances done—admission to the police, and when the police gain admission and find visitors there, there is no law to compel such visitors to give their names and addresses, consequently the police are in most cases unable to obtain evidence to warrant a prosecution.'" I have called the attention of the Town Clerk repeatedly, and have satisfied him and the City Solicitor that until that difficulty is removed I cannot get convictions.

CHARLES THOMAS DUNNE, examined on oath.

11. *The Chairman.*] What are you?—District constable, stationed at Katikati.

11A. You wish to put this statement in?—Yes, namely—

GENTLEMEN,—

Police-station, Katikati, 2nd March, 1898.

I do not know if the following comes within the scope of your inquiry, but, as the second paragraph relates to pay, emoluments, rewards, &c., I would respectfully bring the following under your notice:—

I was appointed district constable of this station ten years ago, at a salary of £18 per annum, by Commissioner Gudgeon, on the recommendation of Inspector Goodall. I was always to hold myself available for police duties in or out of the district, within limits, but, in addition to above salary, I was to receive 6s. per day while engaged on any police duty; also hotel expenses if away from home, and 7s. 6d. per day horse-hire, when required. When Inspector Emerson took charge of this district he told me he would recommend that I should receive at least £50 salary, as he considered the place required a man half his time on duty, especially as fuel and light was not then allowed. Without applying for it my salary was increased to £25, with same allowances as before. I do not know if the Inspector meant that I should apply for an increase of salary or that he would recommend it, but as I was then, and for some years after, acting as telegraph lineman here, and receiving 7s. per day for that, I did not require a larger salary, considering that the Telegraph Department made up for the deficiency in the Police Department.

In 1893 the Telegraph Department made other arrangements by which my services were dispensed with as permanent acting-lineman, and a contract was given me to remove faults, &c., for a salary of £20 per annum and £10 for my horse. I then applied to Police Department twice, at intervals, for an increase of salary, to neither of which applications have I received any reply. The allowance for horse-hire was reduced to 5s. per day. In 1897, I think, the allowance of 6s. per day when on duty was stopped, and the allowance of 6s. travelling-expenses, which all police receive in addition to their pay, substituted for district constables when away from their stations. Permission to collect the dog-tax, which usually brought me in from £12 to £5, was prohibited by circular to all members of the Force.

Having given up hope of any notice being taken of applications for increase of salary, and having no influence, after nine years as district constable I made informal application for enrolment in general Force, forwarding my discharge and character from Imperial army, but was informed from Colonel Hume that I was ineligible, being only 5 ft. 6 in. in height and forty-four years old. My character never was questioned, and my vigilance and efficiency can be attested, being rewarded several times both from Reward Fund, Customs, and Acclimatisation Society.

I would respectfully point out from the foregoing facts that your Commission will see that the longer I act as district constable the poorer I become, as in addition to what I have already stated I have to provide a man and horse for the Telegraph Department as a substitute if I am away for one day, as a fault may occur at any moment on the wires.

The population of this scattered district is over five hundred, and a great portion of my time is taken up by the numberless inquiries and complaints that a constable is expected to take notice of, and give advice about, in a country place, often matters that are not police concerns at all, but, in order to keep in touch with the people, must receive due deference and attention. The nearest constables to here are in Waihi and Tauranga, distant eighteen and twenty-eight miles respectively.

I do not know how other district constables are paid, but I do hope none of them get so little as I do.

Asking for your consideration of the above facts, and respectfully pointing out that it is because I cannot get even a reply to my applications that I submit such a matter to your Commission, as I do not desire to complain of any officer of the department, from whom, outside of above matters, I have received uniform consideration; but it must be evident that if things go on as they are I will shortly be called upon to contribute for the privilege of being a constable. Submitted with respect.

The Police Commissioners,

CHARLES T. DUNNE, District Constable.

Police Duties.—Copied from Diary.

STATEMENT showing number of days on police duty at Katikati Station and number of days' duty away from station, from 31st January, 1897, to 31st May, 1898. For consideration by Police Commission.

Month.	Number of Days at Station Duty.	Number of Days away from Station.	Place and Remarks.
February, 1897	4	8	Tauranga and Auckland: Escort duty.
March, "	2	11	Auckland: Supreme Court.
April, "	3	..	
May, "	14	2	Aongatete and district: Inquiries, stolen property; bush arrests, and escort duty.
June, "	3	11	Tauranga-Rotorua: Escort, and evidence.
July, "	5	1	North end of district: Lunatic.
August, "	5	5	Waihi Beach: Dead body. Auckland: Court.
September, "	6	5	Auckland: Supreme Court.
October, "	4	..	
November, "	8	..	
December, "	7	10	Collecting agricultural statistics, 2s. 6d. per day.
January, 1898	9	1	Hunting for lunatic (Turner) towards Waihi; half-way to Tauranga, fire; Bowentown, fire; Tauranga races.
February, "	13	13	Katikati races.
	83	67	For twelve months, 150 days.
March, 1898	5	6	Arrest of lunatic (Turner); escort duty to Tauranga and Auckland.
April, "	10	1	Aongatete and district: Inquiries.
May, "	9	5	Tauranga: Duty, relieving Sergeant Murray.

The above does not include patrol duty, as I did not keep a record of that till the last few months. Riding out during the shooting season to keep illegal shooting in check is also omitted. Also the service of civil summons within two miles, clerical work, and the numberless trivial items not worth recording, but which nevertheless take up a great deal of time, are also omitted from foregoing. Duties have greatly increased.

C. T. DUNNE,
District Constable.

11th June, 1898.

12. You receive from police-work £25?—Yes.

13. And 6s. per day allowance when away from your station?—Yes, when away from home. I am allowed 5s. per day for my horse when I use him on some police duty, which, of course, must be specified. The duties have been increasing year after year, and more has been expected of me in the way of police duties.

14. You do not know what other district constables are being paid?—I have made some inquiries since I wrote that letter, and I find some are getting up to £100 a year. I am personally acquainted with one who gets £50 a year at Albertland. He is under Inspector Hickson. As to Native constables, I know one getting £40 a year at Rotorua. I was sent on all sorts of duty.

15. *Colonel Hume.*] You say you made two applications to which you received no reply?—Yes.

16. Addressed to whom?—To the Commissioner, I think. They went through my official heads, Sergeant Kelly and Inspector Emerson.

17. When did you send them in?—It would be more than two years ago, because it is more than one year since I applied to get into the general Force.

18. The work you do for the Telegraph Department is paid for by the Telegraph Department?—I get £20 a year for removing faults when they occur.

19. You got a reply to your application to get into the general Force?—Yes, but I considered that a sort of excuse.

20. If the standard height is 5 ft. 9 in. and you are only 5 ft. 7½ in., you would still expect to be enrolled?—I know many men under the height.

21. Name one?—Constable Cavanagh, one of the smartest men in the Waikato.

22. When did he get in?—I think he stated before this Commission that he joined twenty years ago.

23. Was the standard then 5 ft. 9 in.?—I do not know. My idea was that having done the duties for a number of years I could be enrolled.

24. Have you any other employment besides district constable and telegraph lineman?—I keep a farm.

25. You are able to work on a farm?—Not often. I have to let it by contract or by day-labour at 7s. a day.

26. You were very glad to get this appointment as district constable?—It did not make much difference to me at the time.

27. You asked for it?—No.

28. The department asked you to take it?—I was acquainted with Inspector Goodall, and Inspector Goodall sent word to the constable stationed there, and asked if he thought I would take it. He did not consider there was sufficient work for a constable to do, but the extent of the work was totally different to what it is now.

29. *The Chairman.*] What is it you are asking?—I ask to be sufficiently remunerated for the work I do.

30. What do you think is fair?—I think half the time of a constable is taken up in a district constable's work, and I think half the pay of a third-class constable (£60) should be given me in all fairness. I may state that I am doing equal duty in every respect, and the only difference seems to be whether I am to be paid for it or not.

31. *Colonel Hume.*] I see you enumerate, "riding out and keeping down illegal shooting:" are you a ranger under the Acclimatisation Society?—No, I am not.

32. The Acclimatisation Society does not pay you anything?—No.

FREDERICK NEAVE, examined on oath.

33. *The Chairman.*] What are you?—A labourer, living just outside Coromandel.

34. Do you remember being present at a conversation in Mr. Dean's shop at Onehunga between him and Sergeant Greene?—Yes, I remember being there.

35. Do you remember who was present at the same time?—No, I cannot say. It is so long ago.

36. How long is it since?—Three or four years ago. I am not exactly sure.

37. Was there a conversation in reference to the closing of his shop under the Shop Act?—I heard them talking about that, and I went out to the door and did not hear exactly what the conversation was.

38. Did you hear any reference by Sergeant Greene to any one connected with Mr. Dean?—No, I cannot say that I did. I generally get away when any one starts a conversation.

39. Do you know William Haggan?—Yes.

40. Do you know if he was present at the same time in the shop?—I cannot swear that he was.

41. And you do not remember the conversation?—No.

42. *Mr. Dean.*] Do you remember anything that occurred there—anything that Sergeant Greene said to me in reference to my wife?—I do not remember anything. I got outside the door when you started the conversation.

43. You are prepared to state on your oath that you did not say anything while the conversation was going on?—I went outside the door.

44. *The Chairman.*] You swear you heard no reference to Mrs. Dean in that conversation?—Yes.

GEORGE MACMURRAY, examined on oath.

45. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Auckland.

46. *Rev. Mr. Isitt.*] Do you remember a meeting held in Newton on or about 13th October last year?—Yes; I remember a meeting in the Oddfellows' Hall.

47. It has been given in evidence that it was a meeting convened by clergymen and members of the wholesale liquor trade, with a view to concerted action?—There was an understanding between some clergymen of the Church of England and the leaders of the prohibition party and the leaders of the Licensed Victuallers' Association that steps should be taken to try and secure a better carrying-out of the law as regards the liquor trade, and in order to secure that end a public meeting was convened by myself, and also by one of the leaders of the prohibition party, which meeting was held in the Oddfellows' Hall.

48. You say "a better carrying-out of the law with regard to the liquor trade": specifically on Sunday, or generally?—The object of the meeting was general. That was distinctly the object—for the carrying into effect the law as regards publichouses and the trade in drink generally, though special reference was made to Sunday closing.

49. And in regard to the trading after hours on ordinary evenings?—That was included. The whole question was the observance of the law. The object I and those who acted with me had was this: We considered that laws in existence were not being carried into operation. We were not discussing the question as to what the laws ought or ought not to be. We were only anxious that the laws should be put into operation. We only asked for one amendment, and that amendment was a technical one, in order to facilitate the police in carrying out the law in a better way. Another point I mentioned at that meeting was that I clearly and explicitly stated that I did not wish to make any charge whatever against the police.

50. Had you any knowledge with regard to breaches of the law which led to your taking action in that matter?—I was aware of the fact that breaches of the law had taken place, and that the law was not being carried out in its entirety. I do not think I could say that I could mention specific cases and be prepared to prove those cases. I have seen persons drunk on Sundays, and I have seen persons coming out of hotels on Sundays under the influence of liquor. It would not be possible for me to prove that the person was not a *bonâ fide* traveller. I presumed, under such circumstances, that the law was broken.

51. And with regard to after-hour trading had you any knowledge?—No personal knowledge that I can swear to. I perhaps might have known of presumable breaches of the law, but I have no certain personal knowledge.

52. It has been stated that the difficulty of enforcing the law is because the mass of the community is opposed to a strict enforcement of the law. From your knowledge, would you indorse that statement?—I should say the mass of the community are opposed to prohibition, and I should say that a very large proportion of the community, and the best-minded part of the community, desire to see the law enforced whatever the law is. Whether the law is good or bad it should be enforced. The law should be altered if it is bad.

53. Clearly, it is not a question of prohibition, but a question of the enforcement of the licensing-laws. From your knowledge of the community you believe a majority are in favour of enforcement?—I believe the community is a law-abiding community, and desires to see that the law should be enforced, whatever it is.

54. *Mr. Poynton.*] Have you any knowledge of the neglect on the part of the police in enforcing the licensing-laws?—No; I must say that what I have seen of the police brings me to the con-

clusion that, considering the undermanned condition of the Force, they have done wonderfully well. The only occasion on which I found fault with the police was not a matter in connection with this trade, and I am not sure they were really at fault. I think the Police Force is distinctly too small for the community. That is the result of my observation.

55. *Rev. Mr. Isitt.*] Will you state briefly the other case you referred to?—This is the case I found fault with the police: I wrote a letter to the *Auckland Evening Star* with reference to the children of a person who was well known to be a prostitute, and I thought the police ought to have taken action by enforcing the Act referring to industrial schools, and had the children brought before the Magistrate and committed to an industrial school. I found the fault lay in this: The Act provides that the matter can only be dealt with by a complaint on oath of any constable. It is sometimes not possible to get a constable; perhaps there is want of knowledge on his part, and other causes, and there is no means left for a person like myself to take the initiative. There was a case in my district where there were two young children residing in a house that was a house of ill-fame. I drew the attention of the community to it in a letter to the *Evening Star*. I received a message from the Inspector through the local constable explaining why it was they had difficulty in taking action, and I think that in all probability the explanation was a satisfactory one in so far that there was not sufficient to justify the police in taking action; but that certainly did not satisfy me, because I think that if the law prevents such children being put into an industrial school it ought to be changed.

56. *The Chairman.*] In that case do you think there was any neglect of duty on the part of any officer of the police such as would call for investigation?—I do not think so, because, if I understood the explanation I received aright, the police were unable to get a conviction in that case, so the Inspector informed me, and I have no reason to doubt his word. I make no complaint. I refer to the state of the law, and especially the provision that the initiative has to be taken by a constable.

57. *Mr. Tunbridge.*] Is that the name of the woman you refer to [handed in]?—Yes.

58. Do you know that the Inspector had this woman up twice before the Court in connection with these children?—I am not aware of it. I heard once; that was all I ever heard of it.

59. Do you know the woman was able to prove to the Magistrate's satisfaction that she was being supported by a man who was living with her as her husband?—I believe a man was living with her, but I am not at all ready to believe that he was keeping her; I should more readily believe that she was keeping him. I suppose she must have satisfied the Magistrate, because the children were not committed.

60. Was that not the explanation the Inspector gave you when you wrote about it?—I would not like to swear positively on the subject, but I wish to confirm again that I make no complaint against the police.

WILLIAM BEATTY, examined on oath.

61. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Auckland.

62. *Rev. Mr. Isitt.*] You heard Mr. MacMurray's evidence?—Yes.

63. Do you remember the meeting referred to—on October 13?—Yes.

64. Did you take part therein?—Yes.

65. Was the object of that meeting correctly stated—to secure a better carrying-out of the law with regard to the liquor trade?—Yes.

66. Might not any person like myself, reading the report of that meeting, assume that those who called that meeting knew the law was not being carried out?—I cannot measure what is the length or breadth of your assumption.

67. Is it not the logical conclusion that, from taking part in a meeting to promote the better carrying-out of the law, you knew the law was not being carried out?—But the logical conclusion is not necessarily that the police are at fault for the non-carrying out of the law.

68. The logical conclusion is that you had knowledge that the laws were not being carried out?—General knowledge.

69. Will you kindly tell the Commission the substance of your general knowledge?—The substance was very much like that of the Rev. Mr. MacMurray's—that it was ordinarily stated in conversation that there was a good deal of drinking going on on Sundays and after hours, and that one sometimes did see people the worse for liquor on Sundays. I also was strongly impressed by this: that I believe some police authorities had admitted that the law was not enforced, and contended that, in the present state of the law, it was practically impossible for them to enforce it, and that in order to secure a better enforcement of the law they desired that the onus of proof of any person found on licensed premises during prohibited hours should be thrown on the person found therein.

70. Have you personally seen people the worse for liquor on Sundays?—I should think, probably, I have, but I cannot at the present moment recall any instance. I may say for the information of the Commission that, speaking from my experience of England and Ireland, I consider this a vastly more sober community than either the Irish or English. I have no experience of Scotland. I may say the number of drunken people in Auckland in a year is not as many as one could see in a place of the same size in England or Scotland in a month, or probably even a week.

71. Do you credit these Prohibitionists with that happy condition of things?—No.

72. Have you any recollection of seeing persons coming out of hotels on Sundays?—No. I am not about hotels on Sundays; I am about my business.

73. Do you ever pass them on Sundays?—Yes.

74. With your eyes shut or open?—My eyes were as open as they are now.

75. Do you speak from personal knowledge when you say the police authorities had admitted they could not enforce the law?—I speak of what I saw stated in the papers.

76. Would you say that one difficulty the police have in enforcing the law is the hostile attitude of the great mass of the community to the enforcement of the law?—I do not think the great mass of the people are hostile to the enforcement of the law, but I believe the great mass of the community feel that the licensing-laws in this country are in some particulars too stringent, and that the Prohibitionists and others, failing to secure prohibition, have treated the trade like a rat in a hole—that they cannot get rid of it, but they pour kerosene on it and try to smoke it out, and make it as uncomfortable as possible. Personally, I think the Licensing Act is imperfect as regards the facility of administration owing to the lack of this clause which has been referred to—clause 25 of the English Act. I think also that the traveller's limit should be extended to at least five miles. But, then, I think there are other parts of the Act which bear harshly and unjustly upon the brewers and upon the licensees; and also, I am not at all sure that it might not be advisable to have the hotels open on Sundays, and also extend the time on week evenings until 11 o'clock. I believe it is better to have a law which perhaps does not come up to our idea of perfection, but which has the sympathy of the community with it, than to attempt to make the people so pre-eminently virtuous, and so prejudice the community against you.

77. Are you aware there are strict prohibition laws against the sale of opium except under certain conditions?—No.

78. *The Chairman.*] This meeting was brought about because you recognised the difficulty of enforcing the law?—Precisely so.

79. And you thought an arrangement might be come to to open the way to a better enforcement of the law?—Yes. We thought the introduction of the clause which exists in the English Act would facilitate the enforcement of the law by the police; and we found that the leaders of the Prohibitionists and the representatives of the liquor trade, and some of us clergymen of the Church of England, who felt pretty certain that we represented the moderate and, shall I say, common-sense portion of the community, and who had no interest particularly with the Prohibitionists, and no particular interest with the liquor party, thought that, if a meeting were held and brought to bear upon the Government it would go with considerable force, and the result would be good.

80. Do you remember if at that meeting there was a desire to make persons found on licensed houses at unlicensed hours punishable?—That was one of the main reasons for convening the meeting.

81. Are we to understand that, so far as you were concerned, the meeting is not to be interpreted into censure on the police on the ground of inactivity or insufficiency in the performance of their duties?—Most certainly not. It is not so to be interpreted. It is to be interpreted as a joint expression of opinion from the leaders of the Prohibitionists, the heads of the liquor trade, and some of the Anglican clergy, that the law in its present condition is unworkable, and that it is highly desirable that this particular clause should be introduced to make it workable; and, having got a workable law, then you could fairly call upon the police or anybody else to enforce it, and blame them if there was any laxity.

82. *Rev. Mr. Isitt.*] Have you any distinct authority for stating that the leaders of the prohibition movement wished to imply no censure on the police?—I cannot tell you what they wish. I dare say they wish to censure the police and everybody else. I again say that in the negotiations which led up to that meeting, so far as my memory serves me, there was no intention that this meeting should express censure on the police, but simply that pressure should be brought to bear on the Government to make a change in the law making it more easy for the police to do their duty.

83. When you say the whole of those at that meeting were prepared to recognise the unworkableness of that Act, do you speak with authority in saying the prohibition leaders took that ground?—I believe so.

84. You are not sure?—I cannot tell you the ground they took. That is the ground they professed to take.

85. *Mr. Poynton.*] Although the mass of the community may not be in sympathy with law-breakers, it is natural to suppose that the great majority, and also all of those who frequent hotels on Sundays and after hours, are against the strict enforcement of the law?—I should think so.

86. And the police have to rely on these people for evidence in the present state of the law to support their case?—Yes.

87. And although the mass of the community may not be opposed to a strict administration of the law, those people on whom the police rely for evidence would?—Yes.

88. *Colonel Hume.*] You did not tell us where your cure was?—It is in Remuera.

89. Have you been here long?—In Auckland, over twelve years.

90. I should like you, as having been here twelve years, to say whether you have any fault to find with the manner in which the police carry out their duties generally?—I cannot say. I have not been in a position to see very much of the work of the police. I have never had personally brought before me any instance of any laxity or misconduct or failure of duty on the part of any policeman.

WILLIAM EUGENE GILLAM, examined on oath.

91. *The Chairman.*] What are you?—Clergyman of the Church of England, living at Ellerslie.

92. *Rev. Mr. Isitt.*] Did you hear the evidence given by the Rev. Mr. MacMurray and the Rev. Mr. Beatty?—Yes.

93. Do you indorse the statement made by Mr. MacMurray that the purpose of the meeting was to procure a better enforcement of the law?—Yes. I was not at the meeting. The primary arrangements were made at my house. I was one of the committee appointed to arrange for this meeting.

94. A very active member of the committee?—Yes.

95. You took a keen interest in the movement to secure co-operation of these three parties to secure a better carrying-out of the law?—Yes. Our object was to bring about an alteration in the law, to get the introduction of section 25 of the English Act. That was the one purport of our meeting.

96. Not, then, to bring any sort of pressure, kindly or otherwise, on the police to enforce the law as it stands?—It was mainly to get the introduction of this 25th section.

97. Mainly to secure the introduction of a clause that would aid the police; but was it not also to bring some measure of pressure on the police to enforce the law as it stands more vigorously?—No; I do not think that was the main purpose.

98. Then, did the meeting believe that the law was not enforced, and point out the difficulties in the way of the police enforcing it?—Yes.

99. In what respect—Sunday trading?—Yes, and after-hour trading.

100. Selling in illegal hours?—Yes.

101. Have you any personal or general knowledge of your own to substantiate that?—I have knowledge that I got from policemen and from publicans, and from newspaper reports, and from remarks made by Magistrates in dealing with cases. We have had in Inspector Hickson's evidence the other day the same kind of talk.

102. Was there anything that came under your own personal observation: had you seen people in a state of intoxication on Sunday?—Yes.

103. Was there anything to connect that with the hotels, or did you only assume they must have visited hotels?—That assumption only.

104. Have you seen anybody coming out of hotels on Sundays?—Yes.

105. Have you seen intoxication in the proximity of hotels on Sundays as to cause the assumption that they had come out of the hotels?—Yes, but not very frequently. I do not remember having seen any very frequently, but I have seen it in the course of past years. I think the majority I have seen have been boarders. I am speaking of hotels in the outskirts of the city. People have gone out of town to places like Ellerslie and Epsom.

106. Do you think you have seen any in the city in the same condition on Sundays?—I dare say I have. I do not remember.

107. What is your estimate of the statement that the mass of the community are opposed to a strict enforcement of the law?—I believe the mass of the community wish for a strict enforcement of the law. I may say I have no sympathy with my friend Mr. Beatty on the question of the hours on Sundays or week-days. I do not think the majority of the clergymen of the Church of England wish that. I think very few indeed wish it.

108. So far as you know the mind of the clergy of the Church of England, they do not wish for an extension of the hours of sale, nor for any opening on Sunday?—No, certainly not.

109. *The Chairman.*] With regard to this meeting, do I correctly understand that the object of it was to bring about a more willing compliance with the law on the part of the licensees?—Yes, that was the main object, undoubtedly.

110. Was it in any way intended or conceived as a vote or expression of censure on the police for the manner in which they had carried out their duties?—Certainly not; it was never intended for a single moment. My own impression is that the police do marvellously well, considering the inefficiency of the Act. I am surprised they attempt to bring cases before the Court at all, considering the difficulties they have.

111. With regard to the hour of closing, do you know as a matter of fact that Auckland is the only large city where the houses do close at 10 o'clock?—I know that. I think it works very well indeed for this community.

112. *Mr. Tunbridge.*] I suppose there was a resolution arrived at by the meeting?—Yes.

113. Do you know that a copy of the resolutions was never sent to the police?—No, it was sent to the Premier, I believe.

114. It was not sent to the police?—I am not aware of it.

115. I suppose I may take it, if this meeting had been convened with the intention of forcing the hand of the police to carry out the law more vigorously, that the police might reasonably have expected that a copy of the resolution carried would have been sent to them?—Yes. There was no attempt to censure the police.

116. *Colonel Hume.*] A good many of the inhabitants of Ellerslie are what you term "sporting people"?—Yes.

117. And hangers-on of racing stables, and not always the most exemplary characters?—No.

118. Have you any fault to find with the way the police carry out their duties in and about Ellerslie?—Not at all. I think there is always a disorderly element in a place like that. There are people coming from town, and racing touts, and it will always be very difficult to conduct their houses well. I think the two houses there are conducted very well. I should like to see the police more frequently there.

119. Then the people who come from Auckland to Ellerslie are *bonâ fide* travellers, because it is over three miles?—I am anxious to see an extension of that limit from three miles to five miles. I agree with my friend there.

120. *Rev. Mr. Isitt.*] You mention the word "disorderly." Are there disorderly scenes at Ellerslie?—Yes. A number of vehicles come out of Sundays, and a number of men who come out to gain information from the racing stables. If they are not disorderly, they are not the best class of people to have about.

121. Are there any scenes of real disorder?—Yes.

122. Where?—On the streets.

123. *The Chairman.*] Is there any constable stationed in the immediate vicinity?—About three miles from us. We have urged for a long time that a constable should be appointed.

124. Have you formed any opinion as to the numerical sufficiency of the Force to keep anything like order in the country inns of the neighbourhood?—I should say from my observation that it is quite insufficient. There is certainly need for more police.

GEORGE THOMAS WILKINSON, examined on oath.

125. *The Chairman.*] What are you?—Government Native Agent and Land Purchase Officer, residing at Otorohanga, within what is called the King-country. I am not a Commissioner.

126. *Rev. Mr. Isitt.*] We have had evidence given that sly-grog has been sold extensively for the last ten years in the King-country. Do you indorse that statement?—Not for ten years—for some years.

127. And of late years—within the last two or three years—it has been more largely sold than previously?—Very much so; the last two years more especially.

128. How far do you date back as to the time sly-grog has been sold to your knowledge?—From my knowledge, since it has been very noticeable is not more than two years ago—perhaps nearly three years.

129. Did you know it was being sold at all before that?—I was not aware of it. I had heard, but not to any great extent.

130. Have you any reason to attribute why it has become so extensive during the last three years?—Yes, I have my own opinion.

131. Based upon observation?—Yes.

132. What is your opinion?—My own opinion is that it is due to the influx of Natives attending the Native Land Court during the last two years and six months. They found that a European resident was selling liquor, and they commenced to sell it themselves. That is how the scandal commenced principally. The first European started to sell liquor without any accommodation at all for anybody, and he for a time was successful and was not caught, and after that the Natives considered that they could do the same, and then, speaking figuratively, almost every other Native sold liquor.

133. Was that European ever caught?—He was.

134. Do you know whether he continued selling long without being caught?—He did for some time. I do not know how long.

135. Was he caught by the local constable or by a special agent?—I am not quite clear. I am inclined to think it was the local constable.

136. Have you any circumstances connected with that period you wish to tell us?—No, only that the Natives were selling grog to one another. They walked about the streets with a bottle of grog and a glass, selling it—not parading the fact; but a Native who wanted grog could get it from another in the streets. It was easily obtainable. They built little houses and called them butchers' shops, and hung pigs up for sale, but at the same time they were sly-grog shops.

137. Would you say it was not only easily obtainable, but the fact easily discoverable?—The fact was easily discoverable from the number of tipsy Natives about the place.

138. Were the sales easily discoverable?—No, I do not think they were.

139. Are you a Justice of the Peace?—I am.

140. Did you join in writing that letter to the Minister of Justice that has already been referred to?—I did.

141. Did you remonstrate with the department for the law not being better enforced?—I think that was the effect of the letter. It was an official letter written by us as Justices of the Peace.

142. Was it practically a complaint against the department that the law was not being enforced?—Yes, it was a complaint. The thing had got to become quite a scandal, and we wrote to the Minister of Justice as head of the Police Department.

143. Was it immediately after that letter was sent that two men came up?—I cannot say.

144. Do you remember the visit of the two men?—I heard that two men went up. I saw them after they had been there some time. They called on me to swear some informations.

145. Do you know anything about their mode of procedure, as to whether it was satisfactory or otherwise?—I think it was unsatisfactory. They were known before they got there, I believe.

146. Was there a second letter then sent to the Minister of Justice?—I think a second letter was sent to the Minister of Justice.

147. That was after the attempt of these two men?—Yes. Of course, it was some time ago. I am not quite certain. I know one letter was sent to myself and brother Justices to the Inspector of Police at Auckland.

148. Do you think that the second letter had anything to do with Sergeant Cullen's visit? Do you know enough of the date to answer that question?—I think these two letters that were sent brought about all the visits.

149. Do you mean the whole of the visits that have ever been made, or of the recent visits?—The position was this: We found the local constable too well known. Efficient as he might be, and do the work as well as he possibly could, he was too much handicapped. He could not entrap the people, and we found the thing got such a scandal that it was necessary to write to the Government about it. As to the particulars, or details of the letters, and how they affected any of the visits of those who came up to catch the sly-grog sellers, I cannot say.

150. Have you ever seen liquor supplied in your own presence?—No, except in the hotel.

151. *Mr. Tunbridge.*] I suppose the better class of the Europeans up there are against sly-grog selling?—Yes; very much against it.

152. And, I suppose, would do all they could to put it down?—I believe they would.

153. And would like to see the people selling it prosecuted?—I believe they would.

154. I suppose Europeans who have been convicted of this sort of thing would be looked down upon as having committed a breach of the law, and would lose caste amongst the Europeans?—They might to a certain extent.

155. They would probably lose caste to such an extent that they would be considered to be ineligible for a School Committee, and so on—is that so?—Well, they should do.

156. Is not Mr. Mohr the European you refer to who was caught sly-grog selling?—Yes.

157. *The Chairman.*] Was he the original European offender you referred to?—Yes.

158. *Mr. Tunbridge.*] Since his conviction, is it not a fact that this gentleman has been elected Chairman of the School Committee?—He was elected Chairman of the School Committee. I do not know whether it was before or after.

159. If I say it was since his conviction you will not dispute it?—No.

160. And some of the gentlemen who elected Mr. Mohr as Chairman of the School Committee also wrote a letter to the Minister of Justice complaining of this sly-grog selling?—I do not know who elected him.

161. Mr. MacDonnell admitted here yesterday he was one of those who elected him, and he was one of those who wrote to the Minister of Justice, and you will not deny his evidence?—No.

162. So the matter remains that a gentleman who wrote to the Minister of Justice did not look upon it as any disgrace that a man should be convicted of having sold sly-grog?—I did not say that. You only assume that.

163. You will assume from their actions, if they came and elected him as Chairman of the School Committee afterwards?—You had him present, and had his evidence, I suppose.

164. *Colonel Hume.*] Have you any fault to find with the manner in which the constables stationed in the King-country now carry out their duties?—No; I believe they carry out their duties to the best of their ability. They do the best they can. The surroundings are against the local men doing anything.

165. I am referring not only to the liquor traffic, but to the suppression of crime generally?—I have nothing to complain of except I think that, when a Native is caught at liquor-selling, too long a time elapses before the case is tried. Now, it happens that Natives have been caught. A considerable time elapses before they are served with summonses, and after they are served with summonses a considerable time elapses before they are tried in Court. Sometimes as much as even six weeks or two months elapses before the actual trial comes on. In these six weeks or two months the Natives could sell enough liquor to pay the fines. Then, again, when the case is called on, he is charged with so many phases of the same crime. A person charged with selling grog is also charged with having it on his premises, and sundry other charges which I cannot enumerate here at present. Then, when the trial comes on he is most likely convicted on all charges, and a penalty is fixed for each one, but there is only one term of imprisonment, and we had a case in which a man's fine for selling grog amounted to £60. They simply take it out in imprisonment, and no money is paid. They had time to make this money between the time they were caught and the time they were convicted. If some alteration were made in that I am sure it would be beneficial.

166. In regard to hearing the cases, are you or are you not aware that the police are not to blame for that?—I know they are not to blame for that. I do not know whether they are to blame for delay in issuing the summonses.

167. As regards so many phases of the same crime, you also blame the statute there?—Yes. I do not blame the police for that.

168. You have had considerable experience: do you think that if a license or licenses were granted in the King-country it would suppress both drunkenness and sly-grog selling?—I believe, in places like Otorohanga and Te Kuiti, it would keep down drunkenness, and I believe it would do away with sly-grog selling. That is my impression. There would be some supervision over the hotels, and, so far as the Natives are concerned, they would accept the position that the Government and the law granted a license for people to sell liquor, and that that person was under the eye of the law, and I believe then they would not go in for sly-grog selling. That is, in places where there is European settlement, like Otorohanga and Te Kuiti.

169. And in this sly-grog selling is it not more the quality than the quantity that does the harm?—I cannot say. I have had no experience.

170. Anyway, under a license people would be able to get wholesome liquor?—They ought to.

171. *Mr. Poynton.*] Do you think that a penalty imposed by law on a person who purchased liquor from another who has no license would be better?—Yes; I think very strongly on that point. I do not see that a person who sells should be made the only culprit. The person who buys encourages another to break the law, and is doing as much wrong as the one who sells.

172. *Rev. Mr. Isitt.*] With regard to crime generally in the district, are you conversant with the amount of crime there is?—I believe there is very little crime indeed.

173. Would it come under your observation if there was crime?—It would come under my observation in one or two ways: it would come under my observation as Government officer, and possibly as a Justice of the Peace. Perhaps if it was a crime of a simple nature it might be tried by me.

174. How strongly would you express yourself as to the absence of crime?—I would express myself in this way: I test it by the number of cases dealt with by the Justices, or sent to the higher Courts.

175. And there is very little indeed?—I do not think there is much; I think, considering the size of the district, there is very little crime.

176. If there is very little other crime, and a good deal of sly-grog selling, the latter looms largest in the district?—Yes.

177. And is it your opinion that the local constable cannot compete with it?—That is my opinion.

178. Then, do you not think it to be the duty of the department to take other measures frequently?—That was one reason of our sending the letter to the Minister of Justice.

179. Have you had experience outside the King-country of licensed houses in Native districts?—Yes.

180. We have it distinctly in evidence that there is more drunkenness amongst Natives in districts where there are licenses than in districts where there are no licenses: would your experience contradict that?—It would. Generally in these Native districts, more especially Kihikihi, there are one or two Natives who cause all the disturbance. If these one or two Natives were removed from the district the bad name the place has for disturbances from drink amongst the Natives would cease. It is where one or two Natives get the worse for liquor, and then become quarrelsome and start fighting. If these Natives were removed I am sure one-half the censure passed on the place by Mr. Gittos and others would not be required.

181. Do you know whether the presence of the brewery referred to increased the difficulty to detect sly-grog selling?—Not the presence of the brewery, but the presence of the brewery increased drinking in the district.

CHARLES JAMES JOHNSON, examined on oath.

182. *The Chairman.*] What are you?—I am a Justice of the Peace, living in Otorohanga.

183. *Rev. Mr. Isitt.*] You heard the evidence of Mr. Wilkinson?—Yes, and of Mr. McDonnell and Mr. Ellis.

184. Is there anything in that evidence you wish to differ from specifically? Is there anything you wish to add to it?—There is one difference I would like to explain, and that is, the letter talked about so much as coming from the Justices of the Peace was, I believe, composed originally by Mr. Ellis. I also wish to state that the reason the letter was sent was owing to a meeting called in Mr. Ellis's office. Of course, we had not all the same idea as to the mode of sending this letter, or what should be done; but, for my part, I advocated that a letter should be sent asking the Government to take some steps towards granting a license. Of course, I was overruled. That is the only thing I wish to say.

185. You recognised the evil of sly-grog selling, and thought the granting of a license would be a cure for it?—What I recollect was that the Government should be requested to try it.

186. You thought the present condition of the thing was bad; that it was better to try the other?—I thought that, as the convictions had not had the effect of suppressing it, the other might.

187. Could you make it clear as to the way the second letter was sent?—I believe a second letter was sent, but it dealt chiefly with the necessity for having a lock-up built in Otorohanga. Up to that time if a prisoner was arrested there was no place to put him. There was also a reference in the letter to the letter previously sent.

188. You have nothing further you wish to add?—No.

189. *Mr. Tunbridge.*] You feel, then, that it would be practically impossible to stamp out sly-grog selling so long as there is no license?—That is my opinion.

190. Do you agree with what some of your fellow Justices of the Peace said, that if a more energetic constable was sent there he would be able to put it down?—I do not think any constable in New Zealand could suppress it.

191. Do you believe, from what you know of Constable Stanyer, that he is doing his best to suppress it?—I consider he is a trustworthy constable, and he is as good a man as we could have, particularly in suppressing any sort of rowdiness or disorder.

192. *Colonel Hume.*] Do you know if two letters or one were sent?—I know of two.

193. And you signed each of these letters as a Justice of the Peace?—I believe I did.

194. Did you know anything about these letters before you signed them?—They were read there at the time.

195. Was it not Mr. Ellis altogether? Did he not compose them and have them written, and sent them round to you for signature?—Yes. The letter was written after the meeting had broken up.

196. When you signed it you did not know of what was in the letter?—I suppose at the time I read the letter.

197. Was there a rough draft of that letter at the meeting?—At the meeting several drafts were written out.

198. *Rev. Mr. Isitt.*] The meeting determined that a letter should be written?—Yes.

199. And you read it there?—Yes.

200. You did not sign anything when reading it?—No.

201. *Mr. Poynton.*] Do you form the opinion of the other witnesses that a penalty imposed on the person who buys as well as on the person who sells would help to check the evil?—Yes.

202. *The Chairman.*] Can you call attention to any neglect, or what you consider neglect, on the part of the police in enforcing the law?—I consider the police have done their best.

203. *Rev. Mr. Isitt.*] Do you know anything about the importation of grog in wholesale quantities into the district?—Well, I have seen cases supposed generally by people seeing the train arrive to be liquor, but further than that I know no more.

204. Do you think the chief difficulty is with the wholesale importer?—It is hard to find out who the wholesale importer is.

205. Are there any facts within your knowledge indicating that the encouragement given to the traffic by wholesale importers is really the root of the whole matter?—No, I cannot make any definite statement of that kind. I have seen cases arrive at the station.

206. *The Chairman.*] I suppose you knew them to be liquor: what could you do?—I could do nothing. If it was a case for myself I should take it home.

207. Does the law prevent you from having a case of liquor for your own consumption?—No.

JOHN WILLIAM ELLIS, further examined on oath.

208. *Rev. Mr. Isitt.*] There is some confusion with regard to the two letters written, can you state explicitly what occurred in regard to these letters? There was one letter mentioned yesterday: did you write that letter?—No, I did not. I have heard Mr. Johnson's evidence.

209. *The Chairman.*] Was it written in your office?—No, it was not. I may state that is why I wish to be recalled. I think it is very unfair for Mr. Johnson to try and throw the onus of the letter on any one Justice, when it was the product of a long meeting held by all the Justices of the Peace.

210. Who did write it?—Mr. Wilkinson.

211. *Rev. Mr. Isitt.*] Did he write it to give expression to the joint opinion of the Justices of the Peace?—Yes. A draft was written out by myself and amended principally by Mr. Johnson, and as amended it was handed to Mr. Wilkinson, and he wrote it.

212. Are you clear the purport of it was against the police for the non-enforcement of the law?—Yes.

213. With regard to the second letter, are you clear as to the dates?—One was immediately preceding the visit of the two men, and the other was immediately preceding the visit of Inspector Cullen: I fancy in June, 1896, and June, 1897, respectively.

214. And in each case remonstrating with the Minister for the non-enforcement of the law?—Strongly in the first letter, and in the second letter we drew attention to the first letter.

215. Was there any suggestion for a license and lockup?—Yes, for a lockup, and that an additional constable should be stationed at Te Kuiti.

216. Any suggestion as to a license?—No.

217. *The Chairman.*] Do I understand on each occasion when you called the attention of the Minister to the necessity for special action that action was taken?—Yes; action followed each of our letters.

218. Did you personally find any neglect on the part of the constables?—No. I am very glad you asked me that question. In what I stated yesterday I did not wish to reflect on Constable Stanyer at all. I wished to reflect on the authorities. They put a man in a station who had had no experience. I think Constable Stanyer has done remarkably well. I think he was a very good officer, but he had no experience when he went there. I think a man of more experience would have done better. I think it was quite unfair to place him in that position.

219. *Colonel Hume.*] One of the letters was written in June, 1896, and the other in June, 1897?—I fancy that is about the time.

220. The June, 1896, letter brought up two men?—Yes.

221. And the June, 1897, letter brought Sergeant Cullen?—I believe the result was the visit of Sergeant Cullen.

222. And you believe no action was taken in the interim—that is to say, nobody was sent up—you always had to write?—We judged by the effects the thing had not been checked when we wrote the first letter. An attempt which was not successful was made, and we wrote the second letter.

223. Then, if I can show a detective was sent up in May, 1897, you will admit that was before your letter was written?—Yes, if I am correct in the dates.

224. Are you in favour of a license or not in the King-country?—No, I am not in favour of a license.

225. You think the remedy worse than the disease?—Yes.

226. *Rev. Mr. Isitt.*] Are you a Prohibitionist?—No.

227. Are you a total abstainer?—Yes.

228. You do not commit yourself as to these letters—you are not at all sure as to the dates?—No.

JOHN EDWARD TAYLOR, examined on oath.

229. *The Chairman.*] Where do you live?—At Mangere.

230. What is the evidence you wish to give?—What I wish to speak about is in regard to the character of people who are allowed to drive down the main streets of Onehunga. I object to persons in a drunken state who very often drive down the main streets, and over the bridge which connects Mangere with Onehunga. That bridge is nearly three-quarters of a mile in length with its approaches, and the woodwork is more than 800 ft. long, and the width of the woodwork only 16 ft. There is a by-law by which people are prevented from passing each other except at a walking-pace. I have frequently seen people driving down Onehunga and across that bridge in a state of undoubted intoxication.

231. *Rev. Mr. Isitt.*] Repeatedly?—Not repeatedly—at a trot.

232. It is driving in a state of intoxication you complain of?—Yes; and there have been several accidents resulting from it. An old gentleman friend of mine, eighty years of age, was knocked off his horse some years ago, and there was an action as the result of it. I have since seen a man's horse and cart going across the approach to the bridge without a driver with it.

233. I understand you are complaining of the neglect of the police in allowing drunken people to drive across this bridge?—Yes.

234. *Colonel Pitt.*] Were any proceedings taken?—In this instance proceedings were taken, and a conviction secured against a man. The case was against the man who knocked an old gentleman off his horse.

235. Is that the only case in which proceedings have been taken to your knowledge?—Yes. I know of no case to my knowledge. On that occasion I turned the man's horse and cart round.

236. *The Chairman.*] Were these facts brought to the knowledge of the police?—Not at the time. I wrote to the *Herald* on the 20th June, 1895, drawing the attention to these facts as follows: "Any one who does not wilfully close his or her eyes may see, any fine Sunday in our various suburbs, a number of hired traps and overdriven horses conveying a lot of rowdy, drunken men that are a menace to the peace and safety of the respectable public, and who are in this state because of the usual loophole which our legislators have contrived to leave in the Act, whereby the craving for drink can be satisfied, their darling trade supported, and the object of Sunday closing defeated, and made to appear ineffective, when really it is Sunday opening that does all the mischief. I could give numerous details of many accidents and dangers, within my own knowledge, caused by drunken drivers and riders, but I must refrain for want of space."

237. Do you think these things come under the notice of the police, or do you think they ought to?—I think it must come under the notice of the police. Sometimes there is a regular procession of people driving round by way of Otahuhu and Ellerslie. They drive about in a drunken state, and I have seen these people stopping at hotels.

238. That is a regular Sunday drive, but do you suggest that people who generally hire carriages for a drive round that road are drunken rowdies?—Not all of them.

239. Any proportion of them?—A large proportion of them.

240. A large proportion?—A large number of them. Sufficient to cause danger to the travelling public.

241. *Mr. Tunbridge.*] You state in that extract you can give numerous cases of accidents: quote a few?—Yes. I remember one Sunday driving myself, and I met some drunken men coming along in a buggy. One behind lashed the horse and it fell down, and caused the horse my boy was driving to shy, and he was thrown to the ground.

242. On a Sunday?—Yes.

243. Did you see it?—Yes.

244. Any others?—I have seen buggies drawn up by the side of the road, and the horses allowed to go away. On another occasion the same sort of thing happened. A man riding by on horseback lashed the horse my boy was riding, and he was thrown.

245. Were these men drunk?—Yes.

246. Riding horses when drunk?—Yes.

247. *Colonel Pitt.*] Have you seen this going on lately?—I was on the bridge last February, and I got out of my buggy and offered to lead a man's horse by. He had a horse and trap, but he would not allow me, and he ran straight in between my front wheel and hind wheel and locked me fast.

248. *Colonel Hume.*] Did you tell the police about this in February?—Not that particular case, but I have spoken of the man to him generally before. Since then I have seen a member of the Licensing Committee lead a horse of a man who was drunk past another trap, and start it down the road, and he had to cross the Mangere Bridge.

249. Did you report that to the police?—Yes, I reported it to Sergeant Greene.

250. You see men driving in a trap; can you tell whether they are drunk or sober?—I can form a good idea.

251. In regard to these people in the hired traps, and others driving horses, would you be prepared to go into another Court of justice and swear these people were drunk?—Yes, from their general appearance.

252. *The Chairman.*] I want to know whether in any case, when you have brought a matter under the notice of Sergeant Greene he has neglected to take proper steps to inquire into it?—Well, I think he did not on this last occasion. He took no steps.

253. You are prepared to swear that they were drunk?—Yes.

254. And you know the parties?—Yes.

255. Are you prepared to assist the police to the extent of giving the necessary information?—I am prepared to tell the police that I saw a man leading a horse past another trap, and to the best of my belief he was drunk.

256. *Mr. Poynton.*] Do you know if Sergeant Greene made inquiries into this case?—I no not know.

257. *The Chairman.*] Do you know, as a matter of fact, there is a man on duty in the streets of Onehunga during the time this traffic takes place?—Yes; two men on duty.

258. *Mr. Poynton.*] Do you know that a policeman cannot interfere with a man who is drunk and in the custody of others?—I do not know that.

259. Or that if there are several drunken men in a trap driven by a sober man a policeman cannot interfere?—I do not know that. I also think the question of larrikinism in Onehunga should receive some attention.

HERBERT WILLIAM BRABANT, examined on oath.

260. *The Chairman.*] You are Stipendiary Magistrate, stationed at Auckland?—Yes.

261. Will you just give us such evidence as you can in the matter referred to by Constable Gillespie?—He was in charge of the Foxton Station and also Clerk of the Court there during the time I visited Foxton as Magistrate. Well, he was certainly a very excellent clerk, almost as good as one as I have come across as a police clerk. I mean apart from the Civil Service clerks.

262. Can you speak of his character as a constable?—So far as I know, he was a good constable. Of course, I did not reside there. I only visited there once a month. I do not recollect ever hearing any complaint against him, except on one occasion. I recollect on one occasion it was proposed to remove him from there, and I recollect that Mr. Thynne, a Justice of the Peace, and

some other gentlemen called on me and said they were going to make representations to the Government with a view to having him kept there, because they thought him a good man. I believe they did make such representations. I did hear complaints of him before I went to Foxton. There was a prosecution for perjury against him, but he was acquitted, I believe. That is all I have ever heard against him. Probably the police authorities know all about that.

263. *Colonel Hume.*] You said he was a good clerk?—Yes.

264. And would you say he was well versed in the New Zealand statutes: is that what you mean by a good clerk?—No; I mean a man who performs his duties well—a good Clerk of Court.

265. You are not in a position to say whether he is fairly versed in the New Zealand law or not?—I have never noticed any particular want in that respect.

266. Do you think he is a sort of man to accidentally commit a grave legal error?—I cannot say that. I should not have thought so. Of course, I do not know what you are driving at. I am entirely ignorant as to what is the charge against Constable Gillespie.

267. Are you aware he is charged with playing cards in a publichouse?—No.

268. Are you aware when he had to make some inquiry there he took a very one-sided view between the two parties?—I do not recollect it now.

269. You mentioned Mr. Thynne's name?—Yes.

270. Do you happen to know if there was any confidential transactions between Gillespie and Thynne?—No.

HERBERT WILLIAM BRABANT, further examined on oath.

271. *Rev. Mr. Isitt.*] You have had much experience as a Magistrate?—Twenty-six years.

272. Only a brief time in Auckland?—About seventeen months in Auckland.

273. Have you been able to form an opinion as to the manner in which the police carry out their duties in respect to the enforcement of the law in the city?—I have come across instances where men have done their duty well, certainly, but I do not know that I am able to give an opinion as to the whole Force.

274. Speaking of the Force as a whole, do you think they are sufficiently vigorous and successful in grappling with crime?—With crime generally, I think so.

275. Is there any specific details in which you think they have failed in dealing with law-breaking?—Well, I think there might be more energetic carrying-out of the licensing-law, perhaps; but, of course, it is said that the fault is due more to the defective laws than to the inactivity of the police.

276. Then, do you say, unless the difficulties of the law offer sufficient excuse, you think there is not so much vigorous an enforcement as there should be?—That is my impression.

277. Do you base it, may I ask, on personal observation of what comes under your notice as a Magistrate?—Yes. I do not know I have any personal knowledge of how the publichouses are conducted, or anything of that sort.

278. Do crimes originate from the publichouses and come before you give you that impression? I suppose many offences which come before you are associated with the drink trade?—Undoubtedly.

279. With regard to betting and gambling, have you any experience in that direction? Has that come under your notice judicially?—No; I have scarcely had any gambling cases before me.

280. Not cases arising therefrom in which they came in accidentally?—No; I think there have been very few cases under these Acts.

281. With regard to prostitution and brothels, has anything of that kind come under your notice?—It has come under my notice that there is a considerable amount of prostitution in Auckland.

282. Anything sufficient to lead you to suppose there has not been a sufficiently vigorous attempt to grapple with it?—I cannot say that.

283. Your eighteen months in Auckland cover a period when there was a great deal of burglary, and housebreaking, and robbery with assault?—Yes; there were a good many charges of that description.

284. I suppose the absence of charges means an absence of knowledge on your part?—No; I think there were a good number of committals on those charges.

285. Are you satisfied sufficient has been done to cope with that great evil?—I am not prepared to throw any blame on the police on that account.

286. *Mr. Tunbridge.*] You say there might have been a more rigorous enforcement of the licensing-law in Auckland?—Yes.

287. Do you recognise the considerable difficulty in the way of the police getting evidence?—Undoubtedly.

288. Owing to the state of the law?—Not only owing to that, but owing to the fact that, wherever a case is brought under the licensing-law, the evidence is generally very unsatisfactory.

289. By that I take it you think there is some very hard swearing on the part of the people brought up to give evidence?—I am sure that is so.

290. As a matter of fact, do you not think there is more questionable evidence in connection with publichouse prosecutions than any other class of offence?—That is certainly my experience.

291. Then, again, do you not think that the police are very much handicapped owing to the law not allowing them to demand the names and addresses of people who they may find on licensed premises during prohibited hours?—I dare say the law may be improved in that respect; but that is a question I have nothing to do with.

292. Have you any knowledge of a case brought before the Court last week and dismissed?—Not before me. I think it was before Mr. Hutchison.

293. *Mr. Poynton.*] People who go into hotels on Sundays and after hours are generally reluctant to give evidence against the publican: do you find that?—Yes; they are very reluctant. It is very hard to get them to give evidence.

THURSDAY, 16TH JUNE, 1898.

WILLIAM ALFRED BAILEY, examined on oath.

1. *The Chairman.*] What is your rank?—I am a fourth-class detective, stationed in Auckland.
2. *Rev. Mr. Isitt.*] How long have you been in the Force?—Since the 15th October, 1891. I joined in Auckland, and I have been here ever since.
3. How long have you been a detective?—Since July last.
4. Were you in plain clothes before that?—Yes, since the 4th October, 1893.
5. Were you a first-class constable when you were made a detective?—No; third-class constable until July, 1897.
6. Do you know any "tote" shops in Auckland?—No, I do not. There are three alleged "tote" shops.
7. Do you know anything of any betting-rooms or offices?—No.
8. How do you distinguish between a betting-office and a "tote" shop?—We call them all betting-offices. The "tote" shop is where they lay the odds on the totalisator; if you go in to bet with them the bookmakers give you totalisator-odds.
9. Is that legal?—No, it is not.
10. Is it legal to bet?—Yes, at straight-out odds; it is carried out every day in the streets and on the racecourse.
11. Is straight-out betting legal in offices?—No.
12. Do you know if there are many bookmakers in Auckland?—Yes; there are several registered "Tattersall" bookmakers.
13. Do you know how many are registered?—About twenty.
14. Have any of them offices in Auckland?—There are two who have "commission" offices, and one is a tobacconist's shop.
15. Is straight-out betting legal with boys?—No.
16. Up to what age?—Twenty-one.
17. Not in the street, or elsewhere?—No.
18. Do you know of any straight-out betting with boys in the Auckland streets?—No, I cannot say that I do.
19. Do you know of any brothels in Auckland?—No, I do not know of any recognised brothels. There are brothels in Auckland, but the women are living with men.
20. Do you mean that there are places you call brothels, but they are not legal brothels?—Yes.
21. Is there very much prostitution?—Yes; there is a fair number of prostitutes in Auckland.
22. Would you say a large number?—Yes, there is a large number.
- 22A. Do you know anything of young girls on the streets of Auckland?—Yes; you see young girls in the streets at night.
23. Whom you take to be prostitutes?—No; I cannot say that I do.
24. Do you know anything of little girls whom you believe to be acting as prostitutes?—Well, there are little girls whom I believe to be prostitutes, but I could not swear that they are prostitutes; I see them about the streets at night.
25. What do you call little girls?—Girls from about fourteen to eighteen.
26. Are you about the streets at night?—Yes.
27. Have you seen girls in short frocks whom you believe to be prostitutes?—Yes, there are a few.
28. *The Chairman.*] Some girls wear frocks late in life?—Yes.
29. *Rev. Mr. Isitt.*] Do you know anything of such girls frequenting the ferry waiting-rooms?—No.
30. Do you know anything of such girls round about the freezing-works?—No.
31. Have no complaints been made to you?—Not to me.
32. Not to the department to your knowledge?—No.
33. Do you know that that kind of thing has been the subject of comment in the newspapers here?—Yes, I have seen it in the newspapers.
34. Do you doubt the statement made in the newspapers?—Yes; because I have never seen anything of it going on.
35. You do not think such a thing could have been to the extent depicted without you knowing it?—No.
36. Do you see much to indicate breaches of the Licensing Act?—No.
37. After-hours trading?—No.
38. Do you see anything that indicates Sunday-night trading without your being able to prove it?—No.
39. Do you see people coming out of hotels frequently?—I see them going in and out.
40. I do not mean boarders: do you see citizens you know going in and out?—No.
41. You say you entered the Force in 1891?—Yes.
42. That would be as third-class constable?—Yes.
43. Then you became fourth-class detective?—Yes.
44. Is it promotion to be made a detective?—Yes.
45. If a first-class constable were made fourth-class detective would that be promotion?—Yes.
46. Is it a thing that members of the Force desire: does it mean more pay?—Yes.
47. Did your record contain anything exceptional to earn this promotion?—Yes; I had a fair number of cases, and I was successful all through.
48. Was any influence used to secure it to you?—No.
49. Do you say positively that no influence was used for your advancement?—Yes.

50. You say absolutely that Mr. Regan did not use influence to secure your advancement?—I used no influence whatever.
51. Do you know whether he did so?—I cannot say.
52. You do not know that he did not?—I do not know whether he did or not.
53. *The Chairman.*] Is Regan a hotelkeeper?—Yes.
54. The licensee of what hotel?—The Rob Roy.
55. In Auckland.—Yes.
56. *Mr. Poynton.*] You say it is illegal to bet in an office: do you know that it is not illegal if the bets are arranged by correspondence or by telegrams or telephones?—I do not know that. We only have to deal with them if we see them going into offices.
57. *Mr. Tunbridge.*] Do you say there is more pay for a fourth-class detective than for a first-class constable?—Yes.
58. Is that quite right: you get 9s. a day?—9s. 6d.
- 58A. Do you find that a detective has to go to a good deal more expense than the uniform-man?—Yes.
59. He has to pay away money sometimes which he cannot get back from the department?—Yes.
60. While you were a plain-clothes constable without detective pay were you very much out of pocket?—Yes; it took all the month's pay to keep me going.
61. And that was going on for nearly four years?—Yes.
62. *Colonel Hume.*] Were you in Auckland when you were appointed to the Force?—No; I belonged to the South—to Lyttelton.
63. Who selected you for plain-clothes duty?—So far as I know, Inspector Hickson.
64. Is this Mr. Regan any relative of yours?—No; I have only known him to speak to for about three years.
65. Did you actually know him to speak to when you were made plain-clothes constable?—No.
66. Then, at the time you were made plain-clothes constable you actually did not even know this man?—No, I did not.

MARTIN GRACE, further examined on oath.

67. *The Chairman.*] You are chief detective in Auckland?—I am.
68. *Rev. Mr. Isitt.*] You heard the evidence of the last witness?—Yes.
69. Do you affirm his distinction between "tote" shops and straight-out betting?—Yes.
70. You suspect there are two or three "tote" shops in Auckland?—Yes.
71. Do you suspect the existence of straight-out betting-shops?—There are only three book-makers with shops or offices; they bet in the streets principally.
72. Do you suspect the existence of what is called a "hazard school"?—I might suspect that there is such a thing in existence, but I do not know it of my own knowledge; it is a game they play with dice.
73. Is there what is called a "marble-peter" school?—I do not know; it is a game played with a box and marbles. I saw it many years ago; but I have not seen it for a long time.
- 73A. Have you not seen it in Auckland?—Yes; twenty years ago on a racecourse.
74. Are there any "Calcutta" sweeps about?—I am not aware of any.
75. Then, as a matter of fact, you know nothing that you could put your hand on in this connection: has it escaped your attention?—If I knew such things existed I would deal with them at once.
76. Has betting with boys come under your notice in the streets?—No; I never saw a single transaction of any bookmaker betting with boys. If I had I would deal with it at once.
77. Do you hear of any that baffle you?—I have not even heard of anything of the kind.
78. If you are correctly reported you said in your evidence-in-chief that there were brothels in the district, and that information had been laid against one that day?—That was so.
79. Do you mean when you said there were brothels that they were brothels in the legal sense of the term?—No; there is a lot of women whom we look on as prostitutes living with men at the same time, and even keeping them. I look on those places as brothels, but I do not see that we can punish them.
80. Do these women "solicit" in the street?—A lot of them walk the streets; I never saw them "soliciting."
81. Do you know of any excessive familiarity between these women and the police?—I do not.
- 81A. Is there any understanding between them?—No understanding whatever, so far as my knowledge goes.
82. Do you know anything of one policeman checking another in the street for conversing with women of that kind?—No.
83. Would such conduct come under your notice if it had occurred?—I would have nothing to do with it.
84. Now, as regards child prostitution, did you hear the evidence of the last witness on that point?—Yes.
85. Would you generally express the same want of knowledge on that point?—I should certainly say that I know of young girls of tender years who, I believe, are prostitutes.
86. You heard my question with regard to the ferry waiting-rooms?—Yes.
87. And with regard to the freezing-works?—Yes.
88. And with regard to "soliciting" in the streets?—Yes.
89. Have you seen such girls in suspicious company with sailors?—I have; girls from eighteen to twenty years of age.
90. No younger girls?—No.

91. Then, if I should read to you evidence indicating the existence of these things would it be a surprise to you?—It would be a surprise—there may be a few; I do not say there are not.

92. If I proved the extensive existence of that sort of evil would you be surprised?—There is a great deal of prostitution in Auckland, but there are no girls of tender years. That is my answer.

93. Has not the existence come to your knowledge of prostitutes talking over police matters: I mean police departmental business among the officers and these prostitutes?—I know of no instance of it.

94. You know of no instance of general police matters being talked over by prostitutes?—I have never heard of it.

95. You have heard of no specific instance of that kind?—No.

96. Have you anything to say on the enforcement of the licensing-laws?—I have no doubt that breaches of the law are committed.

97. On an extensive scale?—I should not say that.

98. Have you been in this Court during the last few days?—Yes.

99. Suppose it were stated that in certain hotels business practically begins at 10 o'clock at night, would you believe it?—I know nothing about business beginning at 10 o'clock at night.

100. Will you go any further than that: have you seen anything to justify the belief that it is so?—I have seen people going in and out of hotels late at night.

101. Have you seen it so frequently as to justify the statement that practically business begins at 10 o'clock at night?—No, I would not say that; I do not think so. There might have been a brisk business done two or three years ago between 10 and 11 o'clock at night.

102. Do you see much to indicate that Sunday trading is prevalent?—No. At present there is very little, if any, Sunday trading.

103. How far does it date back when you say "at present"?—About twelve months, perhaps.

104. Do you think it dates from the time of the conference of brewers, clergymen, and Prohibitionists which was held here?—They made a start to improve before that, and they kept improving for a good while.

105. Was there a greater improvement after that?—Yes, I believe so.

106. *The Chairman.*] Have you been asked about this 10 o'clock trading? I am told the hour of closing is 10 o'clock here?—Yes.

107. At what hour do the opera and places of amusement usually close?—From 10.30 to 11.30 at times.

107A. When the people come out of these places are the hotels supposed to be closed?—Yes.

108. Do you think that hotelkeepers are subjected to any special appeal at that time from persons leaving the places of entertainment?—Yes, I know they are.

109. Do you know of any other large city in New Zealand where hotels close at 10 o'clock at night?—I do not.

110. Does it appear to you to be attended with inconvenience to people whose business takes them to these entertainments?—No doubt there is inconvenience.

110A. Would there be any increase of difficulty in preserving order in the city if the houses were open until 11 o'clock?—I cannot say.

111. Can you give any opinion on that subject?—I know that the streets are much more orderly during the 10 o'clock license than when it was at 11 o'clock. I believe people do not stop out so late.

112. Is there any reason to suppose that the "orderly" hour would not commence at 11 o'clock if the houses were open till then, as it does now at 10 o'clock?—I have no reason to doubt it.

113. *Rev. Mr. Isitt.*] Have you seen anything of policemen betting with bookmakers?—I do not know of my knowledge of any policemen betting with bookmakers; I have made bets with bookmakers in order to catch gambling.

114. You say, carefully, not of your own knowledge: do you mean to put any emphasis on that point "not of your own knowledge"?—I do not; I never saw it done.

115. *Mr. Tunbridge.*] With regard to the suspected "tote" shops, have the keepers of these places been prosecuted within a quite recent time by the police and convicted?—Yes.

116. The result of these prosecutions has been, I suppose, to make these people more careful?—Very careful.

117. So careful that you have not been able to get evidence?—That is so.

118. *The Chairman.*] Are you the Detective Grace that was stationed at Napier some time ago?—I am.

119. How long were you there?—Fourteen years.

120. If you had any evidence would you institute proceedings?—I would.

121. While you were there were you not regarded as one who kept a very sharp look-out on spielers?—I always did.

PETER THOMAS McMAHON, examined on oath.

122. *The Chairman.*] What is your rank in the Force?—Fourth-class detective, stationed at Auckland.

123. *Rev. Mr. Isitt.*] You have heard the evidence of the last witness?—Yes.

124. With regard to prostitution and brothels?—Yes.

125. Have you any statement to make bearing on what they have said?—I know of many prostitutes in Auckland, but I do not know of any recognised brothels except one which we are at present prosecuting—which we have instituted proceedings against.

126. Do you know anything of prostitutes soliciting in the streets?—I know of one case lately which was brought before the Court, and the woman was fined.

127. Only one case?—That is all; that was lately. There had been others brought before the Court previously.

128. You do not know anything of that kind that has not been proceeded against?—No, I do not.

129. Do you know of any complaint to the effect of the police taking no notice?—No, I cannot say that I do; I do not know of any complaint. If I saw any of these acts committed I would not wait for a complaint; I would interfere myself.

130. Do you take the word "complaint" to mean to "report officially"?—No; I take the word "complain" to mean "censure" constables for not interfering. I have not heard of anything of the kind.

131. Have you ever spoken of it?—No.

132. Do you know of any constable being on familiar terms with these women?—I do not; and if I knew of anything of that kind existing I would certainly report it, because it is constables like that who give the Force a bad name.

133. Do you know anything of women like that following a constable from another town?—No, I do not.

134. Do you know anything of a woman that came from Wanganui?—No, nothing whatever.

135. With regard to prostitution by young girls, do you know much concerning that?—Well, personally I do not; it is only what I have heard about five years ago. It was supposed to be rather rife then in this city, but latterly it has not been so rife. A few girls that were suspected, I took them to their homes just to find out the sort of homes they had. I found out in one or two cases that the homes were neglected, and in other cases these girls had respectable parents. Eventually they were sent to respectable positions, and these girls do not walk the streets now.

136. Do you know anything of that kind in connection with the ferry waiting-room?—I have seen girls loiter about the ferry tee, but with what intention I cannot say.

137. Do you know if any action was taken in that direction by those interested?—No.

138. Do you know anything of the neighbourhood of the freezing-works being a place of resort for such persons?—No.

139. With regard to hotels, have you seen anything to warrant the belief that there are any extensive breaches of the Licensing Act?—No; I do not frequent them often, therefore I cannot speak much about hotels.

140. But you visit them frequently on duty?—Yes.

140A. Do you observe anything to indicate that the law has been broken, for instance, after 10 o'clock?—No; I cannot say that I have noticed anything.

141. Does your duty not take you into hotels at night?—Yes, sometimes; very seldom.

142. Have you seen anything to arouse your suspicions?—No.

143. Do you give the same answer in regard to Sunday trading?—Yes; the same answer.

144. Did you see anything to lead you to believe they were breaking the law?—No.

145. *Mr. Poynton.*] You have prosecuted women, you say, for soliciting?—I have not personally.

146. You know that a woman can disclose her occupation to a man in a hundred different ways by advertising herself as one without the police being able to take action?—That is so.

147. *Colonel Hume.*] How long have you been in the Force?—Since the 28th October, 1892.

148. Were you in plain clothes before you were made a detective?—Close on four years.

149. Did you use any influence, either political or otherwise, in order to be made a fourth-class detective?—No; I have reason to believe that Chief Detective Grace and Inspector Hickson reported favourably of me and others.

150. Who selected you for plain-clothes duty?—Inspector Hickson. I was first sent out to Waikomiti, in connection with a murder case; that was the first of my plain-clothes duty.

WILLIAM MADDERN, examined on oath.

151. *The Chairman.*] What is your rank?—I am a third-class detective.

152. *Rev. Mr. Isitt.*] I suppose you have been absent from Auckland for some time?—Yes; about twenty weeks.

153. How long were you a resident of Auckland before you left for San Francisco?—Five months.

154. Then, you have had only a short experience in Auckland?—Yes.

155. Were you brought up here specially to cope with any difficulty?—I first heard of it when Inspector Hickson said so on Monday; I did not know before.

156. Probably, at the time you were kept very busy with regard to burglary cases?—Yes; very busy. We stamped it out in the first two months.

157. Did it take all your energies to succeed in doing so?—It did; we were working almost night and day. Of course, we still have burglaries reported as having been committed, but not so frequently.

158. In the following three months had you time for general work?—Yes, I did a lot of country work while here. We have the whole of the Auckland District to work.

159. With regard to betting-houses, have you heard the evidence of the last witness?—Yes.

160. Can you tell us anything additional with regard to betting-houses and "tote" shops?—It is rumoured that there are betting-houses and "tote" shops here, but it is terrible hard to get any evidence. I have had instances of men betting with boys, but while we were taking the cases to Court the witnesses were tampered with, and we could not get the cases into Court.

161. *The Chairman.*] Have you any knowledge of betting with boys since you have been here?—I have had two cases since I have been here. In one case there was a conviction, the other was dropped.

162. *Rev. Mr. Isitt.*] What month was that in?—November last.

163. Was that "tote" betting?—I did not charge them with "tote" betting—it was what they call straight-out betting with minors. I may add that we have very great difficulty with this betting question. Even at the races respectable people send their boys down to the bookmakers to make bets for them, and when we accost them they say the boys are not betting; but they give them the money to make the bets with.

164. Do you mean there is a great deal of betting with boys that is not technically gambling? That is so on the racecourses.

165. Does it exist in the streets, too?—Well, I have seen cases in the streets of boys speaking to bookmakers, but I never saw any boys making bets. Other detectives as well as myself have asked the boys we saw speaking to bookmakers, and they denied that they were speaking about horse-racing at all. To prove that the police wish to put down gambling, I might mention that when the sports were held in the Domain, on three occasions in November and December, Inspector Hickson sent for the Chief Detective and myself and Detective Bailey—he impressed on each of us that we should do our best to detect the betting that went on in the Domain. Of course, this is not an offence against the Gaming and Lotteries Act, but it is an offence under the city by-laws. The first day we had thirteen cases of betting, and I think the next day we had eight, and five or six the next. We reported the facts to the Inspector, and he forwarded them to the City Council, and when we were instructed to lay an information against these men it was found that the city authorities had neglected their duty in not posting up the by-laws in the Domain, so that the cases fell through. After that, upon another occasion Detective McMahon detected a man betting in the Domain. The man was convicted and fined the full penalty of £5, because in the meantime the by-laws had been posted up. As a matter of fact, the Inspector of Police sent one of our men the day before the last sports to see that the by-laws were properly posted up.

166. On the other hand, do you know anything of policemen betting with bookmakers?—Not of my own knowledge. When I have taken the bookmakers' names they have slung it at me that policemen have betted with them, but they would not give the names.

167. You would not attach much importance to that statement?—No; it may have been done to annoy the police.

168. Has the question of prostitution come under your notice while here?—I have seen a number of prostitutes in the streets at night.

169. A large number?—Yes.

170. Have you seen any solicitation?—I would not take a case of that kind myself, for it is a very hard thing to prove; it is very hard to prove because you could not stand alongside a woman and hear what the man says, and a man who was solicited would not go to the Court for a hundred pounds.

173. *Colonel Pitt.*] You say you would not take the case yourself into Court?—I would not, because it would be so hard to prove.

174. *Rev. Mr. Isitt.*] Do you confirm what has been said about there being no legal brothels?—I know very little about them; but I know several women here that I have known as prostitutes in other parts of the colony, and who are living with men; and I have reason to believe that other men go there, but you would hardly call that a brothel.

175. With regard to child-prostitution, has that come under your observation?—I know two girls wearing short frocks, and whom I should take to be about sixteen years of age; I have seen them lately in the street, and in fact they have been locked up by men out of our office for using obscene language. These two girls live with their parents, and I am very sorry to say that the parents are worse than the girls, if that is possible to be.

176. You have been many years in the Force?—I joined the police on the 5th of May, 1885. I have been in the detective office twelve years.

177. Have you had any experience of other methods of grappling with gambling in other places?—When in Christchurch complaints came from the Commissioner of Police. Detective Marsack and myself watched the gambling-shops; in one case we made a raid, and the whole twenty-one men were convicted.

178. Have the same means been adopted here to your knowledge?—Yes, I think so; I have had a good many complaints about that.

179. Have you anything to add concerning grappling with prostitution in other places?—I have known policemen to be sent out in Christchurch who picked some ten women off the streets, who were charged with vagrancy; and when they were brought before Mr. Beetham, S.M., they were given the option of Mount Magdala Asylum or St. Mary's, and if they would not go there they were sent to gaol.

180. What has been the effect of that in Christchurch?—It has had the effect of keeping women off the streets.

181. Is it the general effect of your evidence that, while the evil exists, the police are not to blame for it?—It appears that the police have repeatedly taken action, but these people have been let off when they came before the Court.

182. Have you anything to say with regard to the infringement of licensing-laws?—I do not know anything about licensed hotels. I have seen people going in and out of hotels on Sundays, but nearly all the people have been strangers to me, and they might have been lodgers so far as I know.

183. Do you know of any influences at work detracting from the efficiency of the police?—I know of none; I never used any influence in my life, and I cannot answer for any one else.

184. Has any case of political influence come under your knowledge?—No.

185. Are we to judge from your evidence that the evil of gambling cannot be suppressed by the police?—It can be suppressed if people will only act straight; they will not act straight when the

police come to them for information. Witnesses are tampered with. If you could offer a man a five-pound note or a ten-pound note to a man to give you information, some men would sell their life for such a sum of money, and most men would say a lot for that.

186. *The Chairman.*] On either side?—I have not the money to offer, and I do not wish to offer money, but we expect that decent people will speak the truth without money.

187. *Rev. Mr. Isitt.*] Do you give the same answer in regard to those associated with prostitution?—I have given evidence in four cases against prostitutes, and they have all been convicted.

188. Then, are the general public to accept the position that gambling and prostitution cannot be suppressed?—In every case that has come within my knowledge I have taken action. There has been no case brought under my knowledge in which I have not taken action. I would not care what might be the result, I would bring every case before the Court and let the Court decide.

189. Do you know if the licensing-law is set at defiance?—I know nothing about it here.

190. Is sly-grog selling well under control?—I know nothing about it here.

191. *The Chairman.*] Can thefts and assaults be suppressed?—We do our best to suppress them.

192. Can rabbits be suppressed?—No.

193. Are you aware that to allow rabbits in your ground is a criminal offence?—Yes.

193a. Can that law be enforced?—Men may try to enforce it, but they do not appear to succeed.

194. Is there not greater difficulty in dealing with offences under the Gaming Act and in offences arising out of prostitution than in thefts or assaults?—That is so.

195. That is because the persons on whom you have to rely for evidence in both cases are the persons who are mixed up with prostitutes, or persons mixed up with gambling?—That is so.

196. There is the greater difficulty in getting the evidence because the witnesses themselves are involved in the case?—Yes.

197. You say you brought prostitutes up and charged them with being vagrants. Are you aware that it has been decided by a criminal Court that prostitution is not an unlawful means of living?—I do not know that.

198. Do you think it should be made an unlawful occupation?—My own opinion is that the houses should be licensed and kept under proper control and in one part of the city, instead of being allowed to exist in every corner of the city, among all classes of the community.

199. *Mr. Tunbridge.*] Are you aware that a Magistrate in Auckland has laid it down that the police have no power to arrest for vagrancy unless an information has first been laid?—I believe that has been laid down, but we do not follow that in the South.

200. But you are aware that is so?—Yes.

201. Now, as regards street betting, is there any law to enable the police to deal with street betting if it is not by means of totalisator odds?—None whatever, either by Act of Parliament or under the city by-laws, only in the case of minors.

202. Therefore, if you pass along the street and saw betting going on you would not be able to take any action?—No. There is another thing: even when we go to take the tickets away that is not legal, and we run risks in doing that sort of thing.

203. *Mr. Poynton.*] Do you not think our laws are very inconsistent in relation to gambling—because it is illegal to stand in any one spot, and yet it is not illegal to move about and make bets among a group; it is illegal to bet totalisator odds, but it is not illegal to make a straight-out bet; and it is not legal to hold an office when betting is made by correspondence, or telegrams, or telephone, but it is illegal to bet with people resorting to that office: now, do not these conditions render it very difficult for the police to suppress gambling?—That is so.

204. Have you, as an expert, any recommendations to make?—No.

204a. *Colonel Pitt.*] Do you think that all the burglaries reported in Auckland were *bona fide* cases of burglary?—I am satisfied in my own mind that many of them are not.

205. Why?—Simply because, in many cases, the people are in debt, and report their place as having been broken into so as to get more time to pay their debts. I have known the same happening in regard to sheep-stealing where there was a lien on sheep. When shearing-time comes the number of sheep on which there is a lien is not there, and they report them stolen.

206. So there is a patent burglary alarm advertised in the papers?—Yes, and we very often hear it ringing without touching it. I remember one case where one man reported his place as having been broken into, but he did so to advertise his business.

WILLIAM MURRAY, examined on oath.

207. *The Chairman.*] What is your rank?—Third-class sergeant, stationed at Tauranga.

208. *Rev. Mr. Isitt.*] How long have you been at Tauranga?—Since the 7th of January this year.

209. Where were you prior to that?—At Rotorua.

210. How long?—Five years and a half.

211. Before that, where?—At Hamilton for twenty years.

212. Did your duty take you into the King-country when you were at Hamilton?—Yes, many times. I was acting-detective for three or four years for the whole of the Waikato.

213. Is there a large number of Natives at Rotorua?—Yes, about a thousand.

214. Is there a large number in that pa just before the hotel?—Yes; but there are not so many now as when I went there.

215. But there has been a large number since you went there?—Yes.

216. And on special occasions large gatherings of them?—Yes.

217. Did you find that you could enforce the licensing-laws in regard to these Natives?—I found the recent law in regard to the supply of liquor to Maori women the hardest law of the whole of the statutes to enforce; it is almost impossible to do so.

218. How is it evaded?—The men carry the liquor out in gallons and half-gallons, and take it down to their own quarters, and perhaps an hour or two later you will see two or three Maori women rolling about the streets.

219. Supplied by relatives?—By husbands and brothers.

220. Apart from the question of these Maori women, during the five and a half years you were there has there been a very large amount of illegal traffic—selling to the Natives when drunk, and after hours?—No, I do not think so; besides, a stranger going to Rotorua and not acquainted with the Natives would very often think them drunk when they were nothing of the kind. They make a terrible noise, and they all speak at once when there is a crowd of them.

221. If I went to Rotorua would you suspect me of not knowing the difference between a drunken man and a sober man?—I do not know.

222. Would you say generally that licensing houses where Natives are would enable you to protect them better?—I would; that would be my recommendation, certainly: to have licensed houses both at Otorohanga and at Te Kuiti under proper supervision. There would then be no sly-grog selling, in my opinion.

223. It might enable you to suppress sly-grog selling, but would it enable you to suppress drunkenness?—If police were stationed there and did their duty drunkenness would not be permitted.

224. As a matter of fact, has there not been a great deal of drunkenness among the Natives there since you have been there?—No; I believe before I went there it was a very drunken place.

225. Was the Rev. Mr. Spenser living there when you were there?—He left there a year and a half after I went.

226. Did he complain much about the drunkenness?—He did not complain to me, but he was always writing letters to the department.

227. Did he do that after you were there?—Yes.

228. Did you see much drunkenness in the King-country when you went there from Hamilton?—No, very little drunkenness while I was there. On one occasion at Te Kuiti there were some people drunk; I was never able to get any drink except hop-beer.

229. Then, six years back you used to go to the King-country, and you saw no drunkenness to speak of?—No.

230. Before you went to Rotorua you knew of a good deal of drunkenness there?—It was reported to be a very drunken place.

231. *The Chairman.*] You are not speaking of your own knowledge?—Before I went there—it must be understood that the Natives have disposed of all their lands; they have no more left to buy drink with.

232. *Rev. Mr. Isitt.*] Did you get these reports as to a great deal of drunkenness there before you went there from your police books?—No. It was stated by visitors and tourists that it was so.

233. Granting that the Natives had money and got drunk under the license in Rotorua at that period, and the Natives in the King-country had money and did not get drunk, why do you say that it would improve things for the Natives to have a license there?—It would do away with sly-grog selling.

234. Would it do away with drunkenness?—I think so; it is against the Licensing Act to permit drunkenness in a publichouse. There was no drunkenness at Rotorua when I was there.

235. *Colonel Hume.*] From what you know of the Natives at Rotorua and the Natives of the King-country, are they a totally different class of Natives?—Yes; quite different.

236. The Rotorua Natives live entirely on tourists?—Yes; there is scarcely a Native in Rotorua but can speak fair English. You will not find that to be the case in the King-country.

237. There was a large sale of the Township of Ohinemutu?—Yes.

238. The Natives were paid by cheque?—A very large amount of money.

239. And now they have no money but what the tourists give them?—No. Their land is all disposed of, or nearly so.

GABRIEL ELLIOTT, examined on oath.

240. *The Chairman.*] What is your occupation?—Wesleyan Home Missionary, at Kaihu.

241. *Rev. Mr. Isitt.*] Is Kaihu a licensed district? Are there publichouses there?—There is no licensed publichouse.

242. Have you any complaint to make to the Commission as to the neglect of the police to enforce the law in Kaihu?—I am not certain whether the evidence went on to the Commissioners or not, but we had an exhaustive inquiry at Kaihu with regard to the licensing-law there and its being openly violated from day to day. I have already stated my case to the Inspector. I have made frequent complaints to Inspector Hickson.

243. *The Chairman.*] When was this inquiry held?—In April last.

244. *Mr. Poynton.*] Have you any reason to complain that Inspector Hickson did not pay attention to your request?—I may say, for myself and for others interested in the inquiry held recently, that we have been watching the business presented at this Commission closely, and we feel that something should have come out of it in respect of Mr. Hickson's evidence the other day as to this matter. Several of my friends have remarked that, when Mr. Hickson said he had no complaint about any police officer except one by a man named Mitchell, we were surprised that the complaint we had made was not mentioned.

245. Apart from that, have you any reason to complain that you had made complaints and did not get a reply?—No, not at all, so far as Inspector Hickson is concerned, for he inquired into

the matter at once, and I was satisfied with the inquiry. Of course, I have heard nothing further since.

246. *The Chairman.*] Do you deem the matter complained of a specific charge against an individual constable?—Certainly.

247. *Rev. Mr. Isitt.*] No charge against the constable except that of neglect?—That is all.

248. I simply ask you to state what has come under your own knowledge as to sly-grog selling in that district?—When I was stationed at Kaihu in September, 1897, I noticed a considerable amount of drunkenness about Kaihu in connection with both Europeans and Natives, but principally Natives. I reported the matter to the police-constable, Davy, and he also came to me and spoke to me about sly-grog selling. I might state that before I reported the matter I spoke to him. He came to Kaihu shortly after I had been appointed, and said that sly-grog selling existed there.

249. *Colonel Pitt.*] Is there any licensed house there?—There is one three miles distant at a place called Manganui Bluff. I might say that, as proof of the fact, the railway manifest was produced by Constable Davy.

250. What do you know about it?—I know that a case of whiskey comes there every week by railway, and came there before I went there and after I went there.

251. You heard that?—I have seen the railway manifest showing a case of whiskey, and I think there was also a case of ale on one occasion, which also came by railway.

252. *The Chairman.*] Is there any harm in that?—No; I am only bringing the facts out. I have seen people drinking in the boardinghouse next door to the place where I live.

253. When was this?—On the 25th February in particular, and many evenings previous.

254. Within what period prior to February?—Between September and Christmas-time. On one occasion I saw them standing round with a billy on the table and drinking from it, and the contents of the billy seemed to be making them drunk.

255. *Mr. Poynton.*] Did you see any money passing?—No, I did not see any money paid. I watched the proceedings later, about 11 o'clock, from the outside. I was walking up and down in front of the house. I could see all that was going on through the window and door, which were open. I might state that since the inquiry one or two persons, whom I suspected to be policemen by their appearance, have been there. Of course, all the residents knew who they were. I do not know whether they were detectives or policemen in plain clothes.

256. *Rev. Mr. Isitt.*] Have you seen drinking in the store?—Yes; the store and the boardinghouse are one.

257. Was the drinking taking place in the room or some part of the boardinghouse?—In the room opening out from the store into the boardinghouse.

258. Did you complain to the policeman about this?—Yes.

258A. Did your complaint receive proper attention?—No.

259. *Mr. Poynton.*] What did you complain of?—I stated the facts.

260. What did you expect the constable to do?—To come out to Kaihu.

261. From where?—From Dargaville, seventeen miles distant.

262. *Rev. Mr. Isitt.*] Did you go to Dargaville purposely to visit the constable?—No; he and I had arranged previously that I was to wire if I saw anything at all. He was to come to a certain place by "jigger." I sent a telegram to him. At last I wrote out a message to send by wire, but a passenger going down by train took it for me.

263. Did he come?—No.

264. Do you know why he did not come?—I did not hear from him for nearly three weeks. He said he could not come on that day on account of his having to attend the regatta on that day; he said he could not come up after on account of being in Auckland attending the Supreme Court sittings.

265. *Colonel Pitt.*] Suppose the constable had been there that night and had seen what you saw, do you think that would have been sufficient to get a conviction?—Yes.

266. Could you prove that any money was taken for any liquor consumed that night?—No.

267. You say you could prove that money was taken for hop-beer?—Yes.

268. Why did you not get a witness who could say so? Why did you not lay an information?—Because I stood alone; I had no one to back me up. If I had a police officer I think I could have got a conviction.

269. Did you see money passing?—Yes, for hop-beer. I contend that the hop-beer was not hop-beer, but alcohol.

270. *Rev. Mr. Isitt.*] You have seen this so-called hop-beer sold regularly?—Yes.

271. Do you know that drunkenness results from drinking that hop-beer?—Yes.

271A. You saw on one occasion a number of men drinking in a room of a boardinghouse that is attached to the store?—Yes.

272. You were convinced you had a *prima facie* case against this man for selling?—Yes.

273. You wanted the constable to help you to try and prove that case?—Yes.

274. You appealed to the constable and he did not come to you—that is your complaint?—Yes.

275. *The Chairman.*] Do you know that the sale of hop-beer as hop-beer is not unlawful, unless it contains a certain amount of alcohol?—That is so.

276. Why did you not buy a bottle of this hop-beer and then have it analysed?—He would not sell it to me.

277. It is openly sold?—Yes.

278. Why would he not sell it to you?—Because he had an idea that I would have it analysed.

279. *Rev. Mr. Isitt.*] You are a Wesleyan home missionary. Has your church an objection to its clergymen and missionaries doing detective work?—Yes.

280. Do they pay you to do that work?—No, not at all.

281. You feel that the police ought to do that work?—Yes.
282. *Colonel Pitt.*] Did you voluntarily undertake that work?—Yes.
283. Why?—I considered it my duty, because it interfered with my work.
284. Is it a fact that hop-beer can be sold without a license?—I understand that is so.
285. *Mr. Tunbridge.*] This drinking from a beer-can was going on quite openly?—Yes, in a public room. I could see it.
286. Do sly-grog sellers usually conduct their business in that way?—Well, they do in Opunake.
287. Of course you, being a gentleman training for the ministry, have a strict regard for truth?—Yes.
288. You say that since the inquiry there have been two policemen or two persons up there whom everybody up there knew to be police?—Whom everybody suspected.
- 288A. But there had been none before?—I had never seen one before.
289. Would it surprise you to know that there have not been any detectives sent up there since this inquiry?—No, it would not surprise me.
290. That the men you saw, and the others saw, and whom you suspected to be detectives were not detectives: if you were told that would you be surprised?—No, I would not be surprised.
291. Would it surprise you to be told that two officers were sent up there on the 24th January and remained there until the 8th February?—No, I am not surprised to know it; but I am rather surprised there has been no effect.
292. Does not your evidence tend to show that after you complained the police took steps, and that before you complained no steps were taken?—No.
293. What other rendering do you put upon it?—I was told by Inspector Hickson that men had been sent up there.
294. The inquiry satisfied you for the time?—Yes.
295. You wrote a letter of thanks to Inspector Hickson for the impartial way in which he held the inquiry, and the facilities he gave you to bring forward your evidence?—Yes.
296. Notwithstanding that, you are now dissatisfied with it? Do you come here to make complaint?—I was asked to appear here.
297. *Rev. Mr. Isitt.*] As a matter of fact, have you written to Mr. Taylor or to me?—No.
298. With regard to the men you supposed to be detectives, that was simply a matter of opinion?—That is all.
299. No other cause: you do not know whether they were there or not?—That is so.
300. *The Chairman.*] So far as your knowledge goes, and in face of the fact that two detectives were in that district between January and February, do you think there has been any negligence on the part of the Police Department in endeavouring to check sly-grog selling in the district?—Not on the part of the department if that is so, but there certainly has been negligence.
301. *Rev. Mr. Isitt.*] All you knew was as to the action or the inaction of the local constable?—Yes.
302. *Colonel Hume.*] You say you think that if a constable had been there that night with you, when you were walking up and down in front of the boardinghouse, and had seen what you saw, you would have had a case?—Yes.
303. What would you have charged the man with?—In the first place, it was not within my power to demand a bottle of beer. I think it would have been in the power of the constable to have bought one. I think he would have sold to the constable, because the constable has admitted that he had had hop-beer there to drink on many occasions.
304. Do you think that all hop-beer is alike?—No.
305. What do you think is given to the constable?—It is a matter of opinion. He would have given it to the constable from under the counter; that is the strong hop-beer.
306. Do you think the constable could have gone in and searched the place?—No.
307. But you think he might have sold to the constable?—Yes.
308. Do you really think that sly-grog sellers would sell to a constable?—They would to certain constables.

JAMES ALEXANDER MATHEW, examined on oath.

309. *The Chairman.*] What is your rank?—Third-class constable, stationed at Auckland.
310. *Rev. Mr. Isitt.*] Generally with regard to the infringement of the licensing-laws, I would like to know what knowledge you have on that point?—I consider it is a good deal better than it was when I came here.
311. When did you come here?—I joined the Force on the 29th December, 1897.
312. Do you think there has been a great improvement since you came?—Yes.
313. Do you know or do you observe much indication of breaches of the licensing-law?—There are some indications, but not so many as when I came here.

MICHAEL GAFFNEY, examined on oath.

314. *Mr. Tunbridge.*] You are a third-class constable, stationed at Auckland?—Yes.
315. When did you join the Force?—On the 11th December, 1897.
316. Were you sent in company with Constable Duddy to Kaihu in January last?—Yes.
317. Do you remember the date?—We left Auckland on the 24th January, and returned on the 9th February.
318. What was the object of your going to Kaihu?—The object was to catch some person supposed to be a sly-grog seller.
319. Was that the keeper of the store near the railway-station?—Yes; next door to the railway-station.
320. What character did you assume?—We were supposed to go as bushman and swagger.

321. Were you in Kaihu five days?—We were from the 25th January to the 8th February.
322. Were you in Adams's house during that time?—Yes, I lodged there.
323. Did Constable Davy, who is stationed in the district, know anything of your being there?—No, he did not know.
324. You were there entirely without his knowledge?—Yes.
325. Did you endeavour to purchase excisable liquors?—Yes, we tried all means.
326. And you were unable to get any evidence of sale?—No evidence of sale whatever.
327. Do you think people suspected that you were police officers?—No, I do not.
328. How long had you been in the Force?—Only six weeks at the time we left.
329. Then, when you were sent up there you were comparatively new to the Force?—Yes, quite new in the district.
330. Did you see unexcisable drink sold?—Yes; hop-beer was very largely sold.
331. Did you drink any of that yourself?—Yes.
332. Did the hop-beer make you drunk, or have any tendency to make you intoxicated?—No; I did not feel any effect from it.
333. No more than from a drink of ginger-ale?—There may possibly have been a little alcohol in it, but I felt no effect from it.
334. Did you see any drunkenness in the place while you were there?—No.
335. *The Chairman.*] Are you accustomed to drink alcohol?—I know what it is.
336. Would weak alcohol affect you in any way?—Yes.
337. *Mr. Tunbridge.*] Do you habitually drink beer?—Yes.
338. Do you think this hop-beer, or so-called hop-beer, was really an excisable beer under another name?—I am sure it was not excisable beer; it was nothing else but hop-beer.
339. *Rev. Mr. Isitt.*] Did you notice whether he took it from below the counter or from under the counter?—He took it from a shelf at the back of the counter.
340. He did take it from under the counter?—There may have been some under the counter; I cannot say whether he took it from there; the bottles were also arranged on the floor.
341. You could see this?—In looking from the sitting-room on one side you could see the bottles; but if you were in front of the counter you could not see the bottles.
342. Did you have any analysed?—No, I did not.
343. How were you sent to Kaihu?—By train to Kaihu.
344. Did you take your own ticket?—Yes.
345. *Colonel Pitt.*] Was there any secrecy about these bottles in the store?—No.
346. Suppose you were not before the counter, could you see any bottles in the store?—Not when in front of the counter; but if in the room with a slide you could see the back of the counter.
347. Were these bottles secreted, or were they open to be seen by any one who went into the store?—No, I do not think so. I was all through the store and the house and the bakehouse, and there did not appear to be anything secreted.
348. *Mr. Tunbridge.*] Did you see bottles arranged in two different places, as though a selection had been made according to the customers who came, or were all the customers served from the one lot of bottles?—I think all were served from the one lot of bottles. I did not see two different piles of bottles.
349. *The Chairman.*] Do you know where this beer was brewed?—No.
350. *Rev. Mr. Isitt.*] Did you notice whether the bottle you drank from was fastened with wire or string?—It was fastened with wire.
351. *Mr. Tunbridge.*] You say you were all over the premises; did Mr. Adams have any brewery in the place?—Not that I could detect.
352. Or any means of making aerated water?—No.
353. Do you happen to know the name of the merchant who supplied this hop-beer?—No; I could not say.

ABRAHAM BOWDEN, examined on oath.

354. *The Chairman.*] What are you?—I am a cab-proprietor, living in Wakefield Street, Auckland.
355. *Rev. Mr. Isitt.*] Does your business take you much into the streets?—Yes; from 8.30 in the morning until 2 o'clock the next morning for the seven days of the week—sometimes until a quarter to 3 a.m. I make it a rule not to go home if I can avoid it till then.
356. Not a day but you are in the streets?—Yes.
357. Chiefly in the main streets?—Chiefly in Queen Street.
358. Have you observed much in regard to prostitution in Queen Street?—Lots.
359. Women who are prostitutes?—Lots.
360. And children?—Lots.
361. When I said children I meant young girls?—Girls in short frocks, ten or eleven years of age I would imagine they were.
362. As young as that?—Yes.
363. Do you mean to say children as young as that, whom you believe to have been there for immoral purposes?—I am positive of what I say.
364. That they were there for immoral purposes?—I know it.
365. How do you know it?—I have hunted them away from the streets when they had been talking to men. I have seen them go round to the back of the Market. I refer to those children.
366. *The Chairman.*] I need not warn you about being mistaken about the age of these girls, and the tendency of girls to assume the dress of children and appear in short clothes?—I have asked some of these girls their ages and the ages of their companions, and they have told me that some of them were under twelve years old.
367. The market place you refer to: is that at the back of Queen Street?—Yes.

368. *Rev. Mr. Isitt.*] Have you seen them in company with sailors?—I have seen them in company with all classes.

369. Will you be more particular, and say whether you have seen them in company with sailors?—Yes, I have.

370. Foreign men-of-war's-men?—Yes, and men from other ships.

371. Have you seen them adjourn to any other place besides the market?—I have known where they went to. I have seen them go round by Cousins and Atkyn's, in Elliott Street, where there is a big green and always a lot of carts, and in Durham Street, behind McArthur's big warehouse.

372. Have you seen any of them adjourn to any shops?—Yes; I have known them to go there.

373. What sort of shops or ostensible shops?—All kinds, and outhouses.

374. Now, from your observation, would you say there were a score of girls of this description on the streets?—Yes, I should.

375. Would you put it at more than that?—Before this inquiry took place I should say there were more than that.

376. Many more?—Yes; a good number.

377. Would you go so far as to say scores?—No, I should not say "scores," but "a good number."

378. Have you seen any solicitation on their part in the streets?—Lots.

379. Would you say that has gone on under the eyes of the police?—I do not think they do it in front of the police; they would watch where the policemen were, and then, if they saw a policeman coming, they would go away.

380. Do you think the policemen could see it if they liked?—I do not know that.

381. Are you surprised to know that this sort of thing exists and that the police do not know it?—They have a lot to do other than looking after girls.

382. If this thing is so obvious, how does it escape the observation of men trained to observe?—I do not know that they do not see it; I simply say this: that I do not know why the detectives do not see it.

383. Some people are trained to observe and some are not. If the thing is so prevalent, does it surprise you that any man whose business it is to be looking about him did not see it?—They could see it if they wished to see it I dare say.

384. Are there Chinamen's places near your stables?—Lots.

385. Shops, or houses or "quarters;" are there enough Chinamen there to call it a Chinese quarter?—They are all Chinamen on that side of Wakefield Street.

386. Have you seen children go in there?—I think I fetched one young girl away in a cab for Mr. Goldie, the Sanitary Inspector, by orders of the doctor. There were two of them there, I think.

387. Do you mean by that that you knew two of these children who were living immoral lives with Chinamen?—I think Mr. Goldie found them in bed with Chinamen, and he ordered a cab from my place to take them away.

388. You are aware, of course, that you are making a dreadful statement concerning children in this city. You do not make that statement without a sense of responsibility?—I do not.

389. Are you a family man?—Yes.

390. You have children of your own?—Yes.

391. You would not say such a thing lightly concerning other people's children?—I would not.

392. Have you told us all you know about these things?—If you stood at my stand some nights your hair would drop off.

393. Do you mean that their language is very dreadful?—Wretched.

394. Where is your stand?—Near Milne and Choyce's.

395. *Mr. Tunbridge.*] You are saying this thing deliberately, with knowledge of the responsibility that attaches to your statement if you are speaking deliberately?—Yes.

396. You do not exaggerate it in any way?—I do not.

397. Everything you have said is perfect fact?—Yes.

398. You have said that a person's hair would drop off at hearing the language of these children: did you ever see any person's hair drop off his head?—No; I did not.

399. Do you think it would if a person went there to-night?—I do not know whether it would or not.

400. Is that to be taken as a criterion of the reliance to be placed upon what you say to-day?—Just so.

401. *The Chairman.*] Do you understand what is meant: do you use these words literally or figuratively?—I may have made a mistake in saying that people's hair would drop off. I mean that if you heard the language used you would be shocked.

402. *Mr. Tunbridge.*] Of course, you understand you are on your oath?—Yes.

403. And you have some respect for that?—Yes.

404. Have you always had a respect for that?—Yes, I have.

405. Did the Judge and jury believe you had a respect for that about two years ago?—Well, I was persecuted, and they packed the jury.

406. May I take it that two years ago you were convicted of perjury?—Yes; but I was an innocent man. I was just as you are standing there.

407. *Rev. Mr. Isitt.*] When you were convicted of perjury, was it on a question of fact as to whether you struck or did not?—That is it.

408. You swore you did not strike that man?—Yes.

409. *Mr. Poynton.*] Were the police prosecuting in that case?—Yes.

WILLIAM JOSEPH NAPIER, examined on oath.

410. *The Chairman.*] What are you?—I am a barrister and solicitor practising in Auckland. I am also a member of various local bodies, and ex-Chairman of the Harbour Board.

411. *Rev. Mr. Isitt.*] You are ex-Chairman of the Harbour Board?—I was Chairman until two or three months ago.

412. Have you any idea why you were subpoenaed here?—None whatever.

413. During your term of office did you find it necessary to improve the waiting accommodation in connection with the ferry-service?—Yes.

414. Did you afterwards find it necessary to report any circumstances to the police concerning the waiting-rooms?—I several times asked the police to endeavour to clear out juvenile prostitutes from the Auckland waiting-room of the Devonport Ferry Company.

415. Do you use that waiting-room on your way home to your residence?—Yes.

416. Do you go to it in regard to matters in which you take an interest, or from various causes are you not there frequently?—Yes.

417. Did you see those children there?—Yes; I have turned them out.

418. Would you call them children?—Yes; I should say from twelve to fourteen years of age.

419. Any of them apparently younger than that?—I could not say.

420. Were you satisfied they were there for an immoral purpose?—I do not know that they were there for immoral purposes, but from their appearance and language and other indications they appeared to be prostitutes, and they were there with young men—with oyster-boys, and fishermen, and deck-hands: ladies would not go into the waiting-room because of these circumstances.

421. Did the presence of the girls there militate against the respectability of your waiting-room?—Yes; in fact, I had a board painted with the notice, "This waiting-room is for the use of passengers by the ferry only," so as to strengthen the hands of the police.

422. Without that you could not get quit of these people?—When I reported the matter it was attended to very promptly by the police. I think that after the reports to the local water-policemen there was no further cause of complaint. The constable came over with me one night. A lot of them had gone. They used to assemble after one boat left and before the next boat came in, when there was an interval of forty minutes at night between these boats. Of course, the room was well lit up, and on winter nights, rather than go about the streets they went there, probably for shelter. I never suggested that they went there for immoral purposes.

423. *The Chairman.*] Did you know anything about their character except by their language?—Their behaviour was boisterous, rough, and obscene. They wrote ribald and offensive remarks on the windows. I could not detect which of them it was did so. But I got the windows altered; we had fluted glass put in instead of the ordinary frosted glass.

424. Are you much in the streets of an evening?—No; very seldom, except going to and from meetings. I live at the North Shore.

425. Have you seen the same class of girls in the streets?—Occasionally I have seen a few about the Waverley Hotel.

426. Roughly, can you say how many of these girls do you suppose attended the waiting-room?—I turned out seven one night.

427. *The Chairman.*] How long since?—About last July or August; it was in the winter months.

428. *Rev. Mr. Isitt.*] Would it surprise you to hear that the detectives, in their evidence, have spoken of two or three at most to be found in the streets of this city?—I do not know at all; but I have not the slightest doubt those girls I speak of were prostitutes. The constable that came over with me told me that they were prostitutes.

429. You say that you have turned out as many as seven?—Yes.

430. Do you suppose that seven included the whole number of those girls who frequented the room, or do you think there were any others?—I do not want to speak of things I do not know. When I come over by the 7.20 boat I generally have a meeting at 8 o'clock. I do not go in there then. It was only when I was Chairman of the Harbour Board that I took a special interest in everything that related to the convenience and accommodation of the travelling public. I found it necessary to increase the comfort of the people, and this thing was a cause of discomfort to people travelling by the ferry-boats to and from the North Shore.

431. Would it be an exaggerated statement to say there were a dozen?—The night I turned out seven of these girls they were particularly riotous. On other occasions when I went in there the girls had been particularly quiet. I could not identify them.

432. Would you kindly state your opinion as to the general efficiency of the Police Force of Auckland?—I think it is highly efficient and well disciplined.

433. *Mr. Poynton.*] You have had some years' practice in the Courts?—Yes, sixteen or seventeen years. I have been a qualified barrister since 1883. I have had one of the largest Police Court practices until lately, when, owing to increasing professional chamber-work, I have not been so often in the Police Court as in former years.

434. Have you an intimate knowledge of the practices of the police?—Yes.

435. You are also a public man, and take an interest in public affairs, and are often brought into contact with public men?—Yes; I know almost all the public men.

436. Can you give the Commission any idea as to outside influence being used to promote the advancement of police-constables or to transfer police officers: are you aware of any pressure brought to bear on public men; or have you ever been requested to use your influence in this direction; or do you know of your own knowledge of any such interference?—Yes; but I think I only know of two instances. I would not like to go into details; but I only know of two instances of reputed pressure brought to bear during all the time that I have been here.

437. Is it only by repute?—Yes; of course, I was not present when the pressure was used.
438. Pressure to do what?—To remove constables because of their active zeal.
439. You have heard of it?—Yes; I am pretty well satisfied as to these two cases.
440. Do you know whether the pressure was successful?—Yes; of course, it may not have been *propter hoc*, but it was *post hoc*—the event followed the activity.
441. Are you giving this as a matter within your own knowledge?—It was only substantial rumour, that was all.
442. Was that influence outside the Police Department?—I think so.
443. *Rev. Mr. Isitt.*] Was that supposed to be political or trade influence?—Well, I really cannot say what the nature of the influence was; but the influence was certainly improper, because these two police officers were very zealous—good constables, and very active in the discharge of their duty, and I understand it was not the action of the police authorities or their superior officers that caused them to be removed.
444. Acting in any special direction?—No; general.
445. Was not this brought under notice as done for any special class of offence?—Not under my notice.
446. *Mr. Poynton.*] How long ago was that?—One would perhaps be eighteen months ago, the other would be five years ago.
447. You had nothing to do with that?—No; I sympathized with the constables. I may have written a letter objecting to their removal, but I am not certain.
448. Do you know whether these two constables, on removal, were promoted or degraded?—I do not know.
449. Do you know whether they were promoted for their activity?—I do not know if their position was changed.
450. *Colonel Hume.*] Can you tell us if they were in charge of stations?—Each was in charge of a station. I think one was a second man—that is, second at the station.
451. You say one man was in charge of a station: do you happen to know whether he was moved to the charge of another station?—Each was removed to the charge of a station, one being a second man at the station.
452. Then, if this other man were second man it would benefit him to get full charge of a station?—Yes.
453. Can you give us the names of the constables?—One was Constable Donovan, at Coromandel, who was shifted to the East Coast, and the other was Constable Haslett, at Eden Terrace.
454. Now, did either of these constables ask you to write in their behalf?—No; I was asked to write on behalf of the Coromandel constable by another person, a friend of mine, but I do not think I did so. I wrote one letter, but whether it was about Haslett's case or Donovan's I do not remember.
455. Then, you do not know whether the removal was owing to political or other pressure?—No; but I have a suspicion that the Coromandel man's was.
456. Perhaps you would tell us why you have that suspicion?—Just from the remarks I heard in hotels down there. I was staying in the place, and I heard while there that Constable Donovan was obnoxious to some hotelkeepers, and they were trying to get him removed.
457. I understood you to say that you did not know that they were specially active in any one direction?—I do not know. I knew that the man at Coromandel had a good many duties to perform, and a good many other matters to attend to; and from my knowledge of him he performed them in a manner that you could scarcely get another man for the salary to do. I might say that I was surprised at a man like that staying in the Police Force when in civil life, as I think, he could have done so very much better.
458. *Colonel Pitt.*] Have you any knowledge concerning the removal of Constable Haslett from Eden Terrace?—No, I have not.
459. *Mr. Tunbridge.*] You have already been kind enough to say that the Force is efficient and well disciplined?—Yes.
460. You have no complaint to make against the police, even in respect of these disorderly girls at the ferry waiting-room?—None whatever. There was no law by which the constable could have taken these girls up. All they could do was to turn them out of the place.
461. As soon as the police were informed of the complaint they were active in removing the cause of it?—Yes.
462. You, like everybody else, are aware that prostitutes do not exercise their calling in well-lighted places?—I suppose not.
463. Would you think it hardly consistent with the system in which they carry on their calling or business that these girls should frequent such a public and well-lighted room?—I did not suggest that they went there for that purpose, but that they were prostitutes I have not the smallest doubt.
464. Do you mean prostitutes, or do you mean simply immoral girls?—They were girls on the streets.
465. Did you ever see any of these girls going away with a single lad?—Each seemed to have an oyster-boy or a sailor with her; they were just romping about the place.
466. You did not see them go away with one boy, then come back and go away with another?—No.
467. Then, beyond what you judged by their language and conduct you did not know anything about them?—That is all.
468. *Rev. Mr. Isitt.*] Concerning the Coromandel constable, do you know whether he reported a certain publican for selling after hours?—No, I do not.
469. Do you know that a publican became a parliamentary candidate?—Yes; I saw it in the papers. I thought it a joke. It was not a serious candidature; he did not go to the poll.

470. Did he not retire from the poll?—Yes.

471. There may have been some conditions to cause his retirement?—I do not think the man had the slightest chance of being elected. I looked on the matter as a joke.

472. *The Chairman.*] Was it his name you heard associated with the removal of Constable Donovan?—Well, it was the name of some of his family, not of the man himself exactly.

473. *Rev. Mr. Isitt.*] Did you hear that this publican retired from the contest upon condition that this constable was removed?—I never heard of that. I do not think it is true. I looked on the candidature as a “lark.”

GEORGE GOLDIE, examined on oath.

474. *The Chairman.*] What are you?—I am appointed by the City Council Sanitary Inspector, and have duties too numerous to mention.

475. *Rev. Mr. Isitt.*] Did you hear Mr. Bowden's evidence?—Yes; I was surprised when I heard it. I came here inadvertently. I am caught here now. I heard him say that I had hired a cab from him and taken one girl away out of a Chinaman's house.

476. Was that true?—Well, I may as well tell you the whole history of that case. Dr. King, the Health Officer, who works in unison with me, had signified to me that he wanted to see a certain Chinamen's premises in Wakefield Street which he considered unhealthy; so on a certain morning Dr. King, a reporter of the *Herald* office, my assistant, and myself went to those places which Dr. King had signified to us, and the interiors which he wanted to see. He considered the place not fit for human habitation, and I, during my investigation of the place, came to a room with two girls in it. One of the girls got to the door. I went after her and tried to get hold of her, but she eluded me and got away. I secured the other one and asked her why she was there. She said she was sorry to be there, but that she had no other way of getting a living. I understood what that meant. I said it was time for her to get out of this. I said to her, “Suppose I got you a home, would you go there with me?” She said, “Where will you take me to?” I said I would take her to Sister Francis, who keeps the home in Cook Street. I then hired the cab from Bowden and took her there.

477. *The Chairman.*] What was the age of this girl?—About sixteen. Sister Francis had her for some time. I went to see the girl and took my wife with me, but I heard she had cleared out.

478. *Rev. Mr. Isitt.*] What age do you suppose the other girl was?—I think about the same age. I could not say unless I had my notes. It is more than twelve months ago since this happened. I can say this: In one room there was a European, a young fellow, lying on his back and apparently unconscious, but whether from opium I could not say: it was not from drink any way.

479. Does your experience run any further than that; have you seen those children that Bowden spoke of in the streets?—No; I do not go to town at night; I live at the North Shore. I go home by the 4.50 or the 5.10 boat. I cannot speak as regards the police, or anything that may happen after I leave the city.

480. *Mr. Poynton.*] Have you any fault to find with the police otherwise?—No; I have great pleasure in saying the police give me every assistance in the duty I have to perform. I get every assistance I ask for from the police. I have never been denied assistance.

481. *The Chairman.*] With respect to this particular case, have you any reason to suppose that the police had any knowledge of the existence of this state of things prior to your visit to the house?—I cannot say.

482. *Mr. Tunbridge.*] How long ago was this?—About fifteen months ago. I believe the other girl, who eluded me, belonged to a respectable family; and I have no doubt this girl that I spoke of more particularly did too.

SAMUEL DAWSON HANNA, examined on oath.

483. *The Chairman.*] What are you?—Manager of the Auckland Freezing Company.

484. *Rev. Mr. Isitt.*] Are you much about the streets at night?—Not a great deal.

485. Have you seen any young girls in the streets whom you regarded as prostitutes?—Well, that is rather a hard question to answer. I might put them down as prostitutes, and they might be nothing of the kind.

486. *The Chairman.*] Have you seen any whom you have known to be prostitutes?—No.

487. *Rev. Mr. Isitt.*] Have you been annoyed by the precincts of your premises being resorted to?—On the reclamation I have.

488. For what?—Immoral purposes.

489. *The Chairman.*] Is that a matter within your own knowledge?—Yes.

490. *Rev. Mr. Isitt.*] Is there any growth or bush of any kind around?—Yes, what we call fennel. It grows to about 5 ft. or 6 ft. high. There were some 5 or 6 acres, but now it is occupied by a tenant. It went on up to a year ago.

491. *The Chairman.*] Do you say at the present time the whole of the reclamation is occupied and let?—Yes.

492. *Rev. Mr. Isitt.*] Within the last two years have there been any girls frequenting the precincts of your works?—No, not to my knowledge. Not what I would call young girls. They are over twenty, and some of them are thirty and some forty.

493. Did you take any steps to get rid of them?—It is a difficult matter to get rid of them. The place was unfenced, and they were frequently there without my knowledge. We put up a notice, but where there was a growth of 6 ft. high it was impossible to get rid of them.

494. Had you to cut that growth down?—Yes.

495. Did you complain to the police?—Yes; and invariably when the police came they had gone. Whenever we rang up the police by telephone and the police came down there was no one there.

496. *Mr. Poynton.*] This was private land?—Yes.

497. And fennel high enough to shroud them from view?—Yes. It seems to me they got to know when the police were sent for, and they immediately cleared out. They had plenty of time to clear out.

498. Do you suggest that the police communicated with them?—No; on the contrary.

499. Have you any fault to find with the police on the matter?—None whatever.

500. *Colonel Hume.*] You are an old resident of Auckland?—Thirty-two years.

501. I should like you to give us your opinion as to how the police carry out their duties so far as you know?—So far as I know, efficiently.

ALEXANDER ALISON, examined on oath.

502. *The Chairman.*] What are you?—Manager of the Devonport Ferry Company, living at Auckland.

503. *Rev. Mr. Isitt.*] Had you any trouble with young girls in connection with the ferry?—They were rather troublesome in the waiting-rooms at night. Something as Mr. Napier has described.

504. Did Mr. Napier correctly describe what occurred?—Yes.

505. *The Chairman.*] Had you any doubt as to what the character and purposes of these girls were? Have you ever called upon the police to clear the rooms and they neglected to do so?—No; they have done all they could, and all that was in their power they have done. The trouble is the moment the police had cleared the rooms and gone away the girls came back again and claimed to be passengers.

506. *Rev. Mr. Isitt.*] Were there many of these girls?—Two or three, and sometimes as many as Mr. Napier said—seven. I might say that latterly, since some nine months ago, we have had very little trouble.

JOHN MCEFFER SHERA, examined on oath.

507. *The Chairman.*] What are you?—Sharebroker, living at Auckland.

508. *Rev. Mr. Isitt.*] Have you had an opportunity of judging as to the effective discharge by policemen of their duties?—Well, I have had the ordinary opportunity of any citizen. I have not particularly observed matters in connection with the police. I think, considering the strength of the Force and the various duties placed upon them, that they discharge their duties as well as could be expected under the circumstances.

509. Have you observed any instance in which there has been anything to the contrary, and you have complained of?—There was one case some time ago when I noticed a constable ill-treating a man in the street, and there is a point I would like to mention in connection with that. It seemed to me a very extraordinary thing when, in the discharge of my duty as a citizen, I wrote to the Inspector making a complaint against this constable and asking for an inquiry, to my astonishment, instead of there being an inquiry into the conduct or misconduct of the constable, I was forced into the position of being public prosecutor, which, of course, I felt called upon to discharge when I was placed in that position.

510. You would have been quite willing to be a witness in a departmental inquiry or prosecution?—Yes.

511. But you did not wish to be a prosecutor?—Certainly not.

512. You think you have a just cause of complaint in that?—Those are the facts.

513. *The Chairman.*] Will you explain how you were forced into this position of prosecutor?—When the arrested man was on his trial I was placed in the witness-box, and the Magistrate then, I think, very properly said I could not give evidence in the matter without formally laying a complaint against the constable, and charging him with the offence.

514. You were forced into that action by the suggestions of the Magistrate and not by the action of the Police Department?—I thought it was the inaction of the police.

515. That was caused by the remark of the Magistrate?—Yes.

516. *Mr. Poynton.*] Do you know anything about the Force?—I think it would contribute very much to the efficiency of the Force if a pension scheme were introduced. Mr. William Hutchison introduced a Bill on that subject, and I think if some scheme on those principles became law it would lead very much to the advantage of the Force and to the efficiency of the Force. I also think it would be very desirable that there should be a Board of Appeal established, where complaints could be examined into—that a constable should have a Court of Appeal from the decision of the department.

517. *The Chairman.*] You suggest that right of appeal should be given: to what body?—To a properly constituted Court of Appeal. It might be in the service.

518. Anything else?—I have seen young girls on the streets who perhaps would be better at home, but not more than I have seen in other towns.

519. *Mr. Tunbridge.*] In the case you refer to the constable had a prisoner in charge?—Yes.

520. And he ill-used the prisoner?—Yes.

521. You were called to the Court as a witness in the case against the prisoner?—No; I was there.

522. Do you know that the Magistrate declined to hear the case against the constable unless an information was sworn?—Yes.

523. It was owing to that ruling of the Magistrate you were called upon to swear an information?—Yes.

524. You think the department might have inquired into your complaint instead of the case going before the Magistrate?—Yes; I do not think it is probable that citizens, if they thought they would be put to the great annoyance and inconvenience of becoming prosecutors, would lodge any complaints.

525. You would have been willing to go to the police-station to prove assault by the constable on this man?—Yes; and I went to the Court also and prosecuted.

526. I understand you complain of having to go to the Court?—I complained, as the department did not institute an inquiry.

527. Do you think that, considering a prisoner was alleged to have been assaulted by a constable, and the matter had become public knowledge, that a departmental inquiry, where the evidence is not taken on oath, would be as satisfactory to the public as an inquiry before a Police Magistrate, where the evidence is taken on oath?—No, I do not. I am of opinion that discipline would be better maintained in having a departmental inquiry than in having an inquiry in open Court; and, certainly, citizens are not likely to complain of anything in connection with the police if forced to prosecute.

528. Did not Inspector Hickson lay a charge against the constable?—No.

529. Who conducted the case in Court against the constable?—The Inspector, I think.

530. *Colonel Hume.*] Anyway, I understand you to say you would not have thought this important enough to bring before the Commission if you had not been subpoenaed?—Oh, under no circumstances would I have brought it up before the Commission. I have been subpoenaed, and it has been brought up, and I just express the opinion: it may be right or wrong.

531. *Colonel Pitt.*] You have spoken of a Board of Appeal: if an appeal goes beyond a Commission to a separate Board, do you think that would have the effect of weakening the authority of the Commissioner?—It would, unquestionably. I would rather be in favour of a Board within the service—that is, a Board of Appeal in the service.

532. Do you not think that the authority of the Commissioner should be final and absolute?—I think there should always be the right of appeal.

533. And you do not think that would be likely to weaken the authority of the Commissioner?—I believe in nearly every case the decision of the Commissioner would be accepted as final.

534. But if there is the right of appeal beyond the Commissioner do you think that would or would not weaken the authority of the Commissioner?—To some extent it would; still, I think it would be well to have a Board of Appeal.

535. *The Chairman.*] In the one case he would be absolute, and in the other he would not?—That is so; he would be weakened to that extent.

536. *Colonel Pitt.*] My question is, Do you think it is desirable that he should be weakened even to that extent?—I think it is. It is undesirable to place an arbitrary power in the hands of any man. I may say, however, frequently police matters came under my notice as a member of the House of Representatives, but there was never any approach to undue influence or pressure for transfers or promotions.

LAURA FRANCIS, examined on oath.

537. *The Chairman.*] You are called "Sister," of what order?—I am deaconess of an unsectarian order.

538. *Rev. Mr. Isitt.*] You are connected, I think, with an institution known as the Door of Hope?—Yes, the Door of Hope Rescue.

539. Specially for the reclamation of fallen women?—Yes.

540. In connection with that work do you come much in contact with the prostitutes of the city?—Yes.

541. Have you any evidence to give us indicating the amount of preventable—I mean by the police—prostitution existing in the city? Are you familiar with the legal aspect of the question of what constitutes a brothel which the police can stop?—Yes. I do a great deal of rescue-work on the streets at night, and come in contact with most of the girls, I think.

542. Do you know of such institutions in Auckland?—Yes, I know a number of such places—rooms and houses—set apart and used for the purposes of prostitution. I visit them almost daily.

543. Can you give us a rough estimate of how many there are within your knowledge?—I should say between twenty and thirty. There may be more. I am quite sure there are twenty.

544. *Colonel Pitt.*] Are any of these places disorderly?—Well, at times they are.

545. *Rev. Mr. Isitt.*] What do you understand by "disorderly": do you mean noisy to the annoyance of the neighbours, and a nuisance from their noise to the neighbours?—Yes; there have been a number of them, but I have not reported them. I always feel it is better to win the girls without complaining.

546. *The Chairman.*] Do you think there has been neglect on the part of the police in respect to them?—No, I do not think so. When the police have known of a case they have always had them moved.

547. *Rev. Mr. Isitt.*] Have you been in a house where there have been rows?—Yes.

548. And you state that to your knowledge there are fully twenty such places?—Yes.

549. Have you known any case in which the police have taken the initiative to find out whether this was so?—Yes, more than once.

550. Do you think these brothels of which you speak are so obviously brothels that the police could find them out if they liked?—Yes, certainly. I made a mistake just now. I have reported one or two to the police, and the police have had them removed. There was one in Chapel Street, and the police had it removed.

551. Has the matter of child prostitution been brought much under your notice?—Yes, a good deal.

552. Do you estimate the extent of it as very considerable?—Yes; there are about a dozen in the town—that is, juvenile prostitutes. I should say there were between a dozen and twenty.

553. What ages?—From ten to sixteen.

554. *The Chairman.*] Do you mean that these young girls from ten to sixteen are at the disposal of any men who desire them?—Yes, they are out at night soliciting. Some of these children are sent out by their parents.

555. Have you knowledge of any of these children who are living in brothels?—Yes, kept by their parents.

556. Are there other immoral women there?—Yes.

557. Would you say that the parents in these cases are of such a character that if the police took action to remove the children from their care they would be able to do so?—Yes. I have had some out of one house in the Home. There were six girls in one house, and the mother had three children, and had her girl of nine years of age out in the streets. I know she has thrashed that girl for not bringing home sufficient money. I know that for a fact. She has one about eight years of age.

558. Is that within the knowledge of the police?—Yes, the police have known it. One girl has just come out of prison, having done three months' imprisonment. She has just turned sixteen years of age.

559. Is that girl of nine still living with her parents?—Yes, they are all there. She is older than that now. That was two years ago, but she is still seen on the streets.

560. *Mr. Poynton.*] Is the mother a reputed prostitute?—Yes.

561. *Rev. Mr. Isitt.*] And that is known to the police?—Yes, the police do know of it.

562. *Mr. Poynton.*] Has it been up in the Court?—That is not the case. I know six different girls lived with this woman, and are all prostitutes. I have had two of them in the Door of Hope Home.

563. And these children are still there?—Yes; and more in the other case. There are two little children in the home of the girl who was in prison, and there are two other girls in the house, and the parents would not allow them to go to any refuge or home because of what they could make out of them. I am sure of that.

564. *The Chairman.*] You say that is known to the police?—I spoke to Inspector Hickson about the case of the girl then in our Home, and she was leaving it. He said the case had been known to the police, but they could not prove the house was a brothel. I visited it every week, I think, without exception, and knew there were prostitutes there. At one time a man was living in the house.

565. *Rev. Mr. Isitt.*] How long have you been engaged in this work?—A little over two years.

566. Would you have been willing to give evidence in that case if asked by the police?—Yes; it was at that time this young child was sent out.

567. *The Chairman.*] Do you say this child is still with her mother and is carrying on the same life?—Yes, and another child. Every night she and her mother are out in the streets here. She was out the night she came out of prison. She was in prison in connection with a case of drunkenness. That is, the girl of sixteen—the eldest girl.

568. *Rev. Mr. Isitt.*] Have you found any of these children in the houses of Chinamen?—Not under sixteen.

569. Others?—Yes; girls from sixteen to twenty and over.

570. Do you find there is any disposition on the part of the girls to exaggerate their ages so as to escape their legal liabilities?—No, I have not found much of that.

571. Has anything come under your knowledge of undue familiarity of any policeman in these homes?—Well, I cannot speak from my own observation.

572. Is there anything else on this subject you wish to communicate to the Commission?—No, I do not think so. So far as the police are concerned, I have always found them most willing to help in any way they could.

573. *The Chairman.*] Do you think beyond that they are reasonably observant of these houses?—So far as the houses are concerned, and I do not think they have power to interfere with the girls. I think, so far as in their power, they have done their duty.

574. Are there any recognised brothels in the town which are resorted to by men, but which you would call respectable brothels?—There are some under the cloak of boardinghouses.

575. Do they come under your observation?—Yes; and I know one or two others.

576. Do you know whether they are conducted in such a manner as to bring them under the notice or cognisance of the police?—I cannot say. Of course, when drink is in they are disorderly enough then.

577. Do they create any noisy disturbance in the street?—Not the better class; you will not find them on the street. It is the lower classes.

578. Are all these young girls you refer to of a like class of life?—Yes; but perhaps to see them you would only say they are well-dressed girls, but I know their homes.

579. Is this sort of thing generally associated with poverty?—No; a great many girl prostitutes are really working in factories during the day.

580. Would you call them girls of easy virtue instead of prostitutes?—Well, they are nothing else.

581. *Colonel Pitt.*] Do you know if any steps have been taken by anybody to have these very young girls taken from their homes and placed in industrial schools?—I do not think so.

582. Has the order you represent taken no steps in that way?—No. Inspector Hickson said he could not prove it was a legal brothel.

583. Could it not be proved that the parents were of highly immoral character?—I think so; I could prove it myself.

584. *The Chairman.*] I presume you are not acting individually; you represent a society?—Yes; I have a committee.

585. Have all the facts been communicated to the body you are associated with?—No.

586. *Rev. Mr. Isitt.*] In the pursuit of your work do you enter hotels much?—I have not just

recently. We had midnight rescue-meetings for a little time, and then we worked at from 9 until 12 and 1 o'clock; and then we found a great many girls in the back parlours of hotels at night, but not in many hotels.

587. You found them there late at night?—Not after 10 o'clock. I have not been in hotels after 10 o'clock; it has been between 8 and 10 o'clock in the hotels.

588. In order to bring them to the rescue-meetings, have you gone to the hotels and searched for them?—Yes, and got them.

589. In one or two hotels you found a large number of them: what doing?—Drinking.

590. Alone?—Just a number of them together; women and young men of the larrikin type.

591. Lingering there for any length of time, or just going in and out?—Both lingering and going out.

592. Have you found young girls there?—No; I cannot say under sixteen years of age. I have seen girls as young as ten drunk at night on the street.

593. Have you seen things in the hotels you think the Commission ought to know?—Nothing apart from the girls.

594. Have you seen any of these girls drunk within the hotels?—Yes.

595. *Mr. Tunbridge.*] Is that the name of the mother of the young girl of nine years of age?—Yes.

596. Are you aware that Inspector Hickson has been the means of bringing that woman before the Court on three different occasions with the object of getting the children taken from her possession?—No, I am not.

597. Are you rather surprised to hear that is so?—I know the girl was once before the Court, and the mother also, when she once attempted to take her life. The woman professed to be kept by a man.

598. Is a man cohabiting with her?—Yes.

599. Are you not aware that the Magistrate has held that, owing to her cohabiting with the man who purported to support her, it would be impossible to prove she was a prostitute?—No; she is a prostitute, and she has prostitutes in her house. It is a brothel in every sense of the word.

600. *Mr. Poynton.*] You were not called?—No.

601. *Mr. Tunbridge.*] I suppose you are not anxious to go to the Court and testify?—I am not anxious, but I am willing to go.

602. Do you think it would facilitate your work? Generally you are able to get access to these houses?—Yes.

603. Do you think if you appeared in the character of an informant of the police you would get access to these houses as you do now?—I do not know. I have never had any difficulty in getting into any house.

604. Because you have never given any evidence against them?—I have given evidence once or twice. I look at it in this way: if it would lessen the evil I would do what I could.

605. You say you have seen girls drunk in hotels?—Yes.

606. Have you ever acquainted the police of that fact?—No.

607. Have you seen much of that lately?—No; not in the last few months.

608. Is that because you are not going to the hotels?—Yes.

609. Is there any particular part of the town where this goes on?—It is in Queen Street; in only two hotels, I might say.

610. *Colonel Pitt.*] Do you watch the reports of the police cases in connection with such cases?—Yes.

611. Do you remember any of these three cases that *Mr. Tunbridge* has asked you about, as to the mother of this young child having been brought before the Court?—No; I did not know she had been brought before the Court. I watched the police news daily. I do not think it could have been.

612. Can you tell me whether the Magistrate was aware that the mother had sent this child out as you have stated?—No; I mentioned it to the Magistrate some time ago. He was talking about juvenile depravity, and then that case was brought in with others. The eldest girl told me and three different girls living in the house told me, and it was not told at the one time. It was told at different times.

613. *Mr. Poynton.*] Would these girls go into Court and tell that?—Yes; I think the girl who has just come out of gaol would, if she was not afraid of her mother.

614. *Inspector Hickson.*] You no doubt remember when you called upon me and made a complaint about this woman?—Yes.

615. Did I not walk over to the shelf and take down the statutes and show you section 16 of the Industrial Schools Act?—I do not remember you showing me, but you told me.

616. Did I not then tell you I had had her up three times with a view to having the children admitted to the industrial schools?—Yes; that was two years ago.

617. Do you think after I had been frustrated three times I was likely to try the fourth time when the decision each time had been given against me—when the man who was living with her came into Court and proved he was supporting her?—Yes; but what about the girls living with her?

618. I could not prove she was a common prostitute or drunkard within the meaning of the Act?—I did not remember you saying so.

619. Or that the children were found in a brothel, or with a person reputed to be a prostitute or a habitual drunkard: do you remember me telling you these things?—Yes.

620. Did I not say on one occasion that the wife of a bishop undertook to look after the child, and the child would be discharged to them?—Yes; she was in *Mrs. Cowie's* home for nine months.

621. Do you remember me telling you the Magistrate held it was not a brothel within the meaning of the Act?—I do not remember all you said. I had seen the woman drunk.

622. *The Chairman.*] I suppose you know that seeing a woman drunk would not prove she is a habitual drunkard?—If you go into her house you will see her drunk more than once.

623. Do you remember a girl being brought to you by Mr. Goldie?—Yes; it was a girl who had gone from our Home. We were looking for a girl who had left the Door of Hope Home. I was searching one night, and heard she was in one of these Chinese houses in Wakefield Street, and I went there twice and could not gain admittance. I went to the door, and was told there were no girls there. I went there at night and found they were there, and I reported the matter to Mr. Goldie; and when he and Dr. King went there they brought one girl to our Home, and the other came afterwards.

624. What was the age of the girls?—One was seventeen and one nineteen. One was the daughter of a prostitute, and the mother of the other was a hardworking widow, earning an honest living.

CHARLOTTE SPARKS, examined on oath.

625. *The Chairman.*] Are you married or single?—I am a widow.

626. Do you hold rank in any religious body?—I am in charge of the Rescue Home in Grey Street, Auckland, belonging to the Salvation Army, and have been for three years.

627. You have heard the evidence given by Sister Francis?—Yes.

628. Have you had a similar experience to that which she related?—Yes.

629. Are you in the habit of visiting brothels?—Yes.

630. Did you hear the definition given of a "legal" brothel?—Yes, I quite understand it.

631. What would be your estimate of the number of prostitutes you know of in the city?—Twenty or thirty, I should say.

632. Sister Francis said not less than twenty?—I should say not less than twenty.

633. Would you have been prepared to give evidence if you were asked to say whether these were brothels?—Yes.

634. Have the police ever asked you to give evidence?—No.

635. How long have you been in the city?—Three years.

636. Upon what do you base your statement of fact that there are prostitutes there, or persons supposed to be prostitutes?—I know them to be prostitutes; they keep houses of ill-fame, and for no other purpose.

637. Living in common—two or three together?—Yes; sometimes three, sometimes four together. At times I have seen five or six in the same house.

638. *Rev. Mr. Isitt.*] Have you found young girls in these houses?—Yes; but not under ten years of age.

639. What was the age of the youngest you have seen?—About twelve or thirteen.

640. Have you known children as young as that to go out soliciting?—Yes, I have; I think that children of that age are generally sent out by their parents.

641. *Colonel Pitt.*] Do you know this of your own knowledge, or have you been told so?—What I know of my own knowledge, and their sisters have told me. I know their parents keep houses of ill-fame and send their girls out.

642. How do you know they send them out?—I have met the girls in the street late at night, and they told me they dared not go home to their mother without money.

643. *Rev. Mr. Isitt.*] Have you ever reported these things to the police?—I have spoken to the police about it in a general way; I have never reported it to the Inspector. I have always understood that the police had no authority to do very much with them.

644. Do you know the state of the law with regard to a "legal" brothel?—Yes, I do; but the police told me it was a difficult matter to prove in any particular case that the place was a brothel; and I have seen so many cases in Court where it has been so difficult for the police to prove the fact. There was the case the Inspector spoke of. I know that since to be a brothel; and yet the police could not prove it in Court. I know that the mother is a prostitute, and her daughter too; I have met them repeatedly in the town at night.

645. Have you also visited publichouses in search of those you wanted to rescue or for other purposes?—Yes.

646. Have you found prostitutes in any of them?—Yes; girls, not children.

647. Always sober?—Not sober, but not drunk; they were in drinking there.

648. Did you stay long there?—No. I would like to say that I have always found the police willing to help me in any way. I have never reported a case in which they have not been very careful to do all they could.

649. *Mr. Poynton.*] You recognise the difficulty the police have in proving that these places are brothels?—Yes.

650. You know that the people who could give evidence as to the actual use of them are very reluctant to come forward?—Yes.

651. You know that?—Yes. I have also spoken to one or two constables about a certain saloon in the town which we know to be badly conducted. The police say any person can go in there. Any girl can go in there and ask for men, and the police cannot do anything. I know they go there—numbers of them together.

652. *The Chairman.*] Has any case come under your observation in which you would consider the police have failed in their duty in enforcing any existing law?—No, I do not think so.

653. Has anything come under your observation that you think should be communicated to us as to the character and conduct of the members of the Police Force in reference to this matter in which you take a special interest?—I do not think so.

654. *Mr. Tunbridge.*] You have said there are some twenty or thirty brothels in the city?—Yes.

655. You attend the Courts?—Yes; every morning.

656. Have you been present in Court when the police brought keepers of brothels before the Court?—Yes, I have.

657. In many cases you have seen the charges dismissed when you knew of your own knowledge that the places referred to were brothels?—Yes; I was quite satisfied in my own mind that they were brothels.

658. But the police could not prove it?—No; or the Magistrate did not think so.

659. You do not think the police neglect their duty in this matter?—No, I do not think so, so far as the law is concerned. The police do the best they can.

660. You were also present in connection with the case of the mother and her young children?—I was there once or twice when it came on.

661. You know that the object of the police was to get the children taken from the mother's care?—Yes.

662. In that case you also knew that the Magistrate could not see his way clear to make the necessary order for the removal of these children to an industrial school?—Yes.

663. Do you suggest in that case that the police did not do all in their power to get the children taken away?—I do not know what else they could have done. I do not see anything else they could have done.

WILLIAM JAMES WILLIAMS, examined on oath.

664. *The Chairman.*] What are you?—I am a Wesleyan minister, stationed at Auckland.

665. *Rev. Mr. Isitt.*] Are you president of the Prohibition League?—Yes.

666. Do you remember a deputation waiting on Inspector Hickson?—Yes.

667. Can you give us the date, or the approximate date?—I think it was the 22nd April, 1896.

668. What was the object of that deputation?—To call the Inspector's attention to some of the obvious breaches of the Licensing Act, and also the state of things in the King-country.

669. Had the King-country matters been under your notice for some time prior to that?—Yes.

670. Is it within your knowledge that resolutions had been addressed to the Government by myself and colleagues upon that question?—Yes; and to the Minister of Justice.

671. Would your deputation to Inspector Hickson be largely in the direction of urging upon him what was at the same time being urged generally throughout the colony?—That is it.

672. Do you remember a meeting held in the Foresters' Hall, Newton?—Yes.

673. That was the conference we have heard so much of?—Yes.

674. What was the object of the meeting: was it to call attention to the non-enforcement of the licensing-laws?—Yes; the words of the resolution adopted were as follow—that is, the resolution moved by the Rev. George McMurray, and seconded by myself: "That this meeting calls on the Government to enforce the provisions of the Licensing Act in their entirety." There was another resolution asking that the clause in the English Act, to which reference has been made repeatedly, should be inserted in the New Zealand Act—making it an offence for a person to be on licensed premises during prohibited hours.

675. Did you understand that to imply a protest?—It certainly was a protest against the non-enforcement of the law.

676. You have lived here—how long?—In Auckland City two years and a half, and in the neighbourhood of Auckland five years.

677. Have you taken a keen interest in all moral movements?—Yes.

678. Is there any statement you wish to make concerning the enforcement of the laws generally or specifically, so far as your observation goes?—I may say that I recognise the difficulties under which the police labour in administering the laws; but I am not sure that they have always done their best.

679. *The Chairman.*] Can you give us any facts to lead us to the same opinion?—Well, it has struck me that they, somehow, have not shown the same activity in enforcing the law with regard to publichouses as they have shown in regard to other breaches of the law.

680. *Mr. Poynton.*] Do you not understand there is a special difficulty in that case?—I do.

681. Do you understand that people who frequent hotels on Sundays after hours are more unwilling to give evidence than they would be if they saw a pocket picked or a person being assaulted, because, perhaps, they feel that though morally guilty they do not regard themselves as legally guilty, so that the police have more difficulty in proving an offence of that kind than they would have in the matter of other offences?—Yes, I quite perceive that. I have great sympathy with the police on account of the position in which they are placed: unless they catch a man drinking, the evidence on which they have to rely is wholly unreliable; often for that reason they do not get a conviction.

682. *The Chairman.*] I gather that the object of that meeting you spoke of was more moral than political?—The object was more to induce by certain internal considerations of the trade, and a more willing observance of the law, than to impeach either the Government or the police for neglect of duty. That was the view we took of the object of that meeting. I might say that, so far as the trade itself was concerned, it was a pleasure to those of us who had been opposing the trade to find a willingness on the part of the representatives of the trade to meet us and discuss matters with regard to the observance of the law. Before that public meeting was held I might say that an agreement was arrived at on the part of the representatives of the trade to do what they could to secure the enforcement of the law. But the public meeting itself was certainly held for the purpose of calling attention of the Government to breaches of the law, and also to secure a modification of the law in the direction of including that clause of the English Act.

683. *Mr. Poynton.*] You are still of the opinion that that clause should be inserted?—Oh, most certainly.

684. *Colonel Hume.*] When you waited on Inspector Hickson in April, 1896, about the obvious

breaches of the law in Auckland did you or any of your deputation point out any specific instances of a breach of the law?—I may say, in reply to that, Inspector Hickson admitted everything we said.

685. That is not an answer to my question?—It was patent to all the people in Auckland. We did not specify the name of any hotels or the dates. He concurred, and told us there was scarcely a publichouse in which the law was observed. They kept sentries —

686. Could you have pointed out one specific hotel or one breach of the Act?—No.

687. Can you now?—No.

688. Then, you have been nearly five years in and about Auckland and you cannot tell us one specific case that has come under your notice?—You can judge a tree by its fruits. When I see people rolling drunk through the streets on Sunday I know that the law must have been broken.

689. Could not a person order a case of whiskey into his house, get drunk on the Sunday, and after that go rolling about the streets on the Sunday?—He could, but it is not likely.

690. When were you last in the King-country?—I have never been there.

691. But you told the Inspector that the law was being broken there?—We had information on that point.

692. Had any of the deputation been there?—I do not know if they had.

693. Suppose I came here and gave you some startling piece of evidence, would you believe it?—If I believed you to be a man of probity I would. We had the word of people we had known for years, and had seen it with their own eyes.

694. Did anybody at this other meeting in Newton find fault with the police?—They did to a certain extent. There was a difference of opinion, I dare say, among those who took part in the meeting on this matter; but, certainly, in the minds of those who took part there was a conviction that the police might have done more.

695. In what way?—Both in regard to Sunday trading and after hours.

696. *Mr. Tunbridge.*] You are more concerned in the evil results of drink than in regard to bringing about the punishment of the sellers of drink?—Most certainly.

697. And in the King-country your desire is not so much to punish the sellers of grog as to save the victim from the evil consequences of it?—Certainly.

698. You have heard the line of examination adopted by the Rev. Mr. Isitt?—Yes.

699. Now, has not Mr. Isitt's line of examination gone to prove that the police have not been active enough in the King-country?—Certainly.

700. That where the police have taken action they have done it in a dilatory manner, not careful to conceal who they were in such cases?—Yes.

701. In other words, that means that the police have not been deceitful enough?—I answer that by saying that I have nothing to do with the methods the police adopt.

702. You have no concern for the souls of the police; your only concern is for the Natives who drink grog: is that the position we are to take?—I have as much concern for the souls of the police as anybody else.

703. Do you not consider that a policeman should be prepared to go and tell any lie, or act a lie, so long as he can secure a conviction against sly-grog sellers: is that your contention?—No; I am not prepared to support that at all.

704. Then, how do you contend the police are to get a conviction against men who will not sell to the police?—It is not my business to point out.

705. Do you recognise that it cannot be done otherwise than by deception—by telling a lie or acting a lie?—I do not know.

706. Has not that been the complaint of Mr. Isitt—that the police have not been sufficient liars?—I do not think so.

707. We will instance the case of Sergeant Cullen, who went up there and was successful: did not Sergeant Cullen go up there in the guise of an insurance agent?—So I understand.

708. Did he not tell people that he was an insurance agent?—I believe so.

709. Was he not by these lies able to secure all those convictions?—I presume so.

710. And yet Mr. Isitt and yourself, ministers of religion, come here and are only too anxious to urge on policemen to become more proficient in lying?—No; certainly not.

711. Then, what is your object of coming here complaining that the police do not take action?—We have a perfect right to come here and say that the police ought to take more action.

712. Do you say the police can get convictions without acting or telling lies?—I do not know; I am not in the Police Department.

713. On the other hand, would you discourage such action on the part of the police?—Yes; I certainly would not encourage any one to tell lies in order to accomplish any purpose.

714. Not even to detect a sly-grog seller?—No.

715. Then, how do you think it possible to detect sly-grog sellers?—I do not know; I know one thing that would help if it were carried out: if the clause which prohibits selling liquor into prohibited areas were made to apply to the King-country it would to a large extent stop the business of the sly-grog seller.

716. *Mr. Poynton.*] Are the police to blame in that matter?—No. I might say that, in our interview with Inspector Hickson, that was a point we drew attention to, and the Inspector pointed out that, owing to the peculiar conditions under which prohibition obtained in the King-country, that clause could not apply. But I think if that were done there would be no need to tell lies to catch people who sold grog.

717. *Rev. Mr. Isitt.*] How long have you been associated with the prohibition movement?—I am a life abstainer, and I have been connected with the movement for many years; ever since I have been in the colony, from the inception of the movement.

718. Have you ever known any instances in which the leaders of the prohibition movement advocated falsehood?—Never.

719. Does it occur to you that the line of Mr. Tunbridge's examination raises the question how all crime is to be detected?—Yes.

FRIDAY, 17TH JUNE, 1898.

LIZZIE PORTER, examined on oath.

1. *Inspector Hickson.*] What is your occupation?—I am secretary for the Society for the Protection of Women and Children, living at Auckland.

2. Am I a member of that society?—You are.

3. In your capacity as secretary in this society you are constantly brought in contact with the police in connection with cases of children in bad surroundings. Will you kindly tell the Commission how I have dealt with such matters brought under my notice, and how I have dealt with your requests?—I have always received every help from the police. I might mention one case which was reported to me where the children were very neglected. I visited the house, and from the characters I found there I concluded that the house was a brothel. I reported the matter to the Inspector, and within a week action was taken. The father and mother were sent to gaol for keeping a house of ill-repute, and the children were committed to the Industrial School.

4. *The Chairman.*] How long is this since?—About two years ago. There are several other cases of a similar nature in which I have been helped by the police, and I have often reported breaches of the Infant Life Protection Act, and the police have taken prompt action; and also where I considered children boarded out were neglected they have always made the fullest inquiry into the matter. The police have also greatly assisted the society in tracing the fathers of illegitimate children. I might say this morning we are prosecuting a man for taking a girl fourteen years of age in a scow, and the police have given us every assistance in tracing the man.

5. You have special opportunities of knowing what action the police have taken in all such cases?—Yes. In regard to the case mentioned yesterday of the woman who was had up three times, I know the Inspector has tried in every way to get the children committed to an industrial school. I reported the case myself. I might say I have special means of knowing the difficulty of getting evidence in these cases. In that case I went to a great deal of trouble to get evidence, but I could not get people to come and give evidence.

JAMES HICKSON, further examined on oath.

6. *Rev. Mr. Isitt.*] Will you tell me first at what hours you are at your office?—I arrive from 8.30 up till but not later than 9 o'clock.

7. And leave?—I leave between 5 and 6 o'clock.

8. Who is in charge after you leave?—Sergeant Clark, who is at present ill, is in charge of the station at all times except while having his meals.

9. Who is in charge during the night?—The watchhouse-keeper and the constable in reserve are there prepared to answer any urgent call that may be made, subject to the control of the sectional sergeant.

10. During the night is the watchhouse-keeper in command?—He must be; there is no one else there.

11. He would be referred to in case of any difficulty?—Yes; but he is visited very often by the sectional sergeant, who is on night duty from a quarter to 9 at night until a quarter to 5 in the morning.

12. *The Chairman.*] At what time does the senior sergeant leave?—Not before 9 o'clock at night. He sees the men off on duty.

13. *Rev. Mr. Isitt.*] What is the position of the watchhouse-keeper with regard to the Force?—He is selected as a smart and intelligent man. At present he is only a third-class constable; a man of short service, being a smart and intelligent man, and writing a nice hand.

14. What length of service?—Three years' service. He joined in March, 1895.

15. Are you ever down at night?—Yes, often. I go down after tea, especially on Saturday nights.

16. Are you ever down late at night?—Sometimes as late as 11 o'clock.

17. What time do the men come off duty in the morning?—Five o'clock.

18. Do you ever see them come off?—No.

19. How long have you been in Auckland?—A little over five years.

20. Have you ever seen them come off duty?—No. It could not be expected. I could not do duty in the day-time if up till such an hour in the morning.

21. What is the length of the night-duty service?—From 9 p.m. to 5 a.m.

22. Has Constable Lanigan been in charge of the night-duty section?—Yes, he has. I have been short of sergeants, especially since Sergeant Clark met with a very serious accident at a fire.

23. Is he a third-class constable?—Yes, he is senior of what I call the junior third-class constables for duty, and therefore he has been put in charge of them.

24. What is his length of service?—He joined on the 24th April, 1896. In explanation, I may say I have had a large augmentation of ten or twelve men to the head station within the last twelve months, and a short time previous I had another augmentation because I had fallen very low in numbers. Secondly, the greater number of the constables in Auckland have only very short service. Most of these constables were appointed here, excepting Lanigan, who came from another district.

25. Will you briefly sketch the duties of the man in charge of the night-duty section?—He has to visit all the places as often as he possibly can, on an average not less than twice in the night, and three and four times in the night to visit each man and see he is attentive to his duties. The whole city is under his supervision. He is supposed to watch the hotels to see if any breach of the law is being committed, and to make a patrol throughout the whole city of what I call the headquarters district, and he has to take notice of any irregularity that may come under his notice. He has also to visit the watchhouse, I think, at least twice in a night and see the prisoners confined therein. When men are in for drunkenness he is supposed to visit them very frequently, as directed by the Police Offences Act.

26. In case of any difficulty would he be the man appealed to at night by the man on the beat?—Oh, certainly.

27. If a difficulty arose in the watchhouse, and he were accessible, would he be appealed to?—Sometimes the sergeant and I are appealed to by telephone.

28. If neither you nor the sergeant were available, would he be appealed to if available?—Yes; and if it was a difficult case he would appeal to the sergeant in charge or me by telephone. I have often been called at night. That is one of the chief reasons I have had telephone communication established between my house and the station.

29. Would it sometimes occur that there was no sergeant in the watchhouse at night?—Yes, very often.

30. And at that time Constable Lanigan would be in charge of the night-duty section?—Yes.

31. Would any of the men on night duty be Constable Lanigan's seniors?—No.

32. *The Chairman.*] Would they all be under two years' service?—Yes. It so happens just now because they are all young men.

33. *Mr. Poynton.*] Is it the custom that the senior man takes charge?—Yes, it is the rule.

34. *Rev. Mr. Isitt.*] Then, it might occur that the watchhouse-keeper, who entered the service on the 4th March, 1895, might have to appeal to Constable Lanigan, who entered the service in April, 1896?—Yes.

35. That is an appeal of the senior to the junior?—No.

36. *Mr. Poynton.*] If a conflict arose between the watchhouse-keeper and Constable Lanigan, what would happen?—He would telephone to the sergeant in charge.

37. How long has he been in charge on night duty?—Since Sergeant Clark's accident. He has only been in charge when it came to his turn.

38. *Rev. Mr. Isitt.*] Before he entered the Force at all had he any duties of any kind that would train him for police-work?—I do not know.

39. You said Auckland was the chief police district in the colony?—Yes, in area and the numerical strength of the police in the district.

40. With regard to the City of Auckland, how does that compare with other police areas?—I think larger than any other city I know of—that is, Christchurch or Dunedin, where I have served; I will not say positively.

41. You have told us that this young constable in his turn has enormous responsibility thrown on his shoulders?—He has.

42. And Auckland is the largest police city area you have in the colony?—I think so.

43. Now, however able this young constable may be, do you think it is to the efficiency of the service that the whole of this area should be in charge of a man of this service?—I think if it could be avoided it should not be so, but I telegraphed to the Commissioner for a sergeant, and he said he could not send me one.

44. Do you think the citizens of Auckland would be satisfied to know what the system of control is?—I think if it is to continue long they would not, but I hope to have Sergeant Clark back again soon.

45. Any grave emergency might arise in a single night, might it not?—It might.

46. Then, have you not in this evidence shown that, whatever the causes may be, the police control of the city is not efficient at times?—Since the unavoidable absence of the sergeant in charge the whole of the city has not been under efficient officers.

47. Do you regard night duty as of less importance than day duty?—No, I regard it of more importance.

48. When the young constable has to take charge at night does he replace the sergeants who have been on day duty?—Yes, they cannot be kept on any one section too long; they change every fortnight.

49. *The Chairman.*] How long does Constable Lanigan take charge of the night duty?—Every fortnight.

50. And after him comes one of the sergeants?—Yes.

51. *Rev. Mr. Isitt.*] Then, it practically amounts to this: that, however unavoidable the cause, for a whole fortnight at a time the city at night is under an inefficient control in the sense I have used?—It is only once it has happened, I think.

52. Can you refer to your books to see whether he has had more than one fortnight's spell?—Yes, I find he has been two fortnights on duty.

53. With regard to the night-beat men, there is no opportunity given them for refreshment?—No.

54. Do you regard it as impossible by which there could be an arrangement by which the men could come in for refreshment?—I am afraid there would be greater cause for complaint if that indulgence was given. Of course, they are at liberty to take a cup of coffee from a stall if they do not leave their beat.

55. Is not eight hours a long stretch for the man at night?—It is, but I do not know that it could be avoided.

56. Do you know if it is avoided in Australia?—I do not know. When I was in Victoria it was the same.

57. You do not know if in any Australian Colony at the present time there is an arrangement by which the men can come in for refreshment, and are relieved from street duty?—I do not.

58. Have you had a third-class constable of two years' experience doing duty as acting-sergeant?—I do not know. It is possible, but it must have been for a very short period.

59. Constable Bezar?—Yes; I remember he was in charge of the night duty for a few occasions.

60. You mean simply discharging the duties spoken of in connection with Lanigan?—Yes.

61. Had he any position of acting-sergeant for the day?—He may have when he came to his

turn to take up the place of one of the sergeants on day duty. Unless there are one or two extra sergeants stationed in Auckland to meet such circumstances, it cannot be avoided [putting a constable in charge occasionally.

62. *The Chairman.*] When it is necessary to put some constable to perform the duties of sergeant do you select that man of seniority?—Yes, the senior constable of the party who are for duty on the occasion.

63. *Rev. Mr. Isitt.*] Can you tell us when he entered the Force, and when he left?—He was appointed on the 11th January, 1896, and he left about six weeks ago.

64. Were there not circumstances connected with his resignation?—Yes.

65. Disgraceful circumstances?—Yes; he sent in his resignation, and it was accepted. My opinion is, if he had not sent in his resignation the day I held the inquiry he would have been dismissed.

66. Was there any trouble between this man and some girl in Wellington?—No, I know of none; nor previous to the day I held the inquiry did I know of any improper conduct on his part.

67. Then, there was something of that kind in Auckland?—I do not know beyond the one I inquired into.

68. Then, there was one into which you inquired?—There was that one. He was not put in charge of a section after that.

69. Can you tell the Commission from your knowledge anything concerning the inquiry made as to the character of this man before he came into the Force?—I know nothing about him.

70. Then, there has been a young constable in the position of acting-sergeant concerning whom you cannot say anything as to the inquiries made before he was admitted to the Force?—I know nothing about him.

71. Do you think it is a safe thing that men of short service should be put in positions of responsibility unless everything is known about their antecedents?—I have to go by the regulations. The men are sent to me for duty, and I have to put them on duty.

72. *The Chairman.*] Do the regulations provide that the senior man of a party is to be put in charge?—Certainly, the senior man is always supposed to have charge of the party.

73. But, in the absence of the sergeant in charge of the night duty, does it follow, as a matter of course, that the senior of the men going out for night duty has to take charge of that party?—Yes.

74. Then, what becomes of his beat?—He is sent in the position of sergeant and no beat is allotted to him. The remedy would be to have more non-commissioned officers.

75. *Rev. Mr. Isitt.*] Do the regulations leave you no latitude as to the choice of constables who shall take a position of that kind?—I am supposed to follow the regulations and send the senior man.

76. Suppose you had a man of nine years' service and one of eight and a half years' service, and, in your opinion, the man of eight and a half years' service was more competent, could you put him in charge?—No. One such case did happen here in Auckland, and the man of longer service appealed against my putting the junior man, who I thought was the more competent man, in charge.

77. *The Chairman.*] Do you consider that, in the absence of the sergeant, there should be a senior constable available, who should be placed in charge of the night-duty men, rather than the senior constable of the party going out?—I dare say it would be better, but it would disturb the arrangements of duty very much to take a man who may have been on day duty half the day and put him in charge of the night duty for eight hours. No doubt that would be considered a hardship by the man sent on night duty.

78. *Mr. Poynton.*] It would also mean that the man who had done duty for a fortnight at night would be called upon to do another fortnight?—Yes, and that has happened.

79. And that would cause discontent?—Yes, the men would murmur.

80. *Rev. Mr. Isitt.*] Do you not think that there should be more latitude given to the Inspectors in this matter—that they should have more discretionary power to choose a man according to his competence for any special services, apart from the number of months he has been in the service?—In that way I do, and that is what I did on one occasion, when the senior man appealed against my judgment.

81. We have had a statement from another Inspector that no inquiries were made by Inspectors as to the character of applicants?—That has been my experience.

82. If you have a long-service man under you, and you want to be satisfied as to his character, it is a very easy process?—Yes.

83. Then, does it not seem to you somewhat dangerous to be in the position that you must put a man of only two years' service into a responsible position without an opportunity for inquiry?—Perhaps it is so. I should not like to put a man of short experience and service in charge of the night duty if I could avoid it, but it is owing to the great number of men who have entered the service recently in Auckland.

84. *The Chairman.*] If you had a reserve force, say, of ten men and a reserve sergeant, would that enable you to act differently in such cases?—Yes, it would, certainly.

85. *Rev. Mr. Isitt.*] Have you had any reason to suppose that any policemen resorted to hotels for suppers?—None. There was one gentleman who made such a statement, but he declined to give me any particulars, or to name his informants, or to name the hotel, or to name the constables; he would give me no detailed information. He is a Justice of the Peace, and he said it was reported to him by a gentleman travelling through Auckland, who had come from the south, and who said he saw two constables go into a hotel one night about 10 o'clock and have supper there. I asked him for the informant's name, and the name of the constable, and the name of the hotel, but he declined to give me any information about it.

86. Do you know if any medical man resident in Auckland ever said anything to you concerning the habit of having such suppers?—I have no recollection of such. If you give me an indication I may possibly recollect it

87. When was Sergeant Kelly removed to Wellington?—It is some three or four years ago; he was removed from Devonport to Wellington.

88. Was he removed to Wanganui, or Wellington?—I think to Wellington.

89. Do you know under what circumstances?—I do not; I merely got an order to send him down a transfer to Wellington, and I sent him.

90. How soon was he back again?—I cannot speak from memory, but he was not very long away; he was transferred back to Auckland.

91. Was he weeks away?—I think so.

92. Are you sure it was not simply a question of days?—I know this: he did not think it worth while to remove his furniture; it was stored here all the time he was away.

93. *Colonel Pitt.*] Do you say he was transferred temporarily?—So far as I know, he was transferred to Wellington.

94. *Rev. Mr. Isitt.*] Have you any papers to show he was not in Wellington more than a day or two?—I could ascertain, by referring to the records in my office.

95. Do you know anything about any influence that brought him back?—None whatever.

96. You have nothing in your own knowledge to lead you to disbelieve he was in Wellington more than forty-eight hours?—I do not know.

97. You heard Dr. Sharman's evidence in respect to Constable O'Brien, and you heard the documents read?—Yes.

98. Did that bring out this fact: That your report as to his suffering from general debility from the 7th to the 17th December was not borne out by these other documents?—I will explain them. When I was informed by Mr. Isitt that that would be one of the points on which he would question me, I sent a memorandum to the district clerk asking him to let me have all records of the time O'Brien was ill. I did not know, when I spoke about the Hagey Institute, at what time the Hagey Institute was established here. A gentleman present informed me it was not in existence at the time I referred to. I gave no wrong return; the district clerk here at present had not been long in this district, and he was not much acquainted with the circumstances of the case; therefore he went back too far. I afterwards learned I read out of a wrong return. During the lunch-hour I went to the office myself, and made myself acquainted from the record of the exact time he was sick. In May, 1895, he was reported for neglect of duty. I sent Sergeant Black, then stationed here, to Helensville to inquire, and to report as to his conduct. Sergeant Black reported unfavourably, that the man had neglected his duty, and I therefore told him to remain in charge until he would be removed; and as soon as arrangements could be made for sending a man capable of performing the duties of Clerk of Court, he was removed. Constable Kelly was sent up in charge of the station there, and Constable O'Brien was ordered down to Auckland so that he might be under the supervision of a sergeant. He was also fined on that occasion. He came to Auckland on the 24th June, 1895, on transfer. In 1897 he applied to me for the usual annual leave of twelve days which is granted to men when they can be spared, and I granted it. I extended it, in compliance with a circular, for two days more. On the 14th July, 1897, he reported himself sick. That was the day after his leave expired, and a medical certificate in support of such was sent in by Dr. Sharman, as follows: "This is to certify that P. C. O'Brien is under my care and unable to follow his employment.—EDWARD W. SHARMAN, Symonds Street.—14/7/97." When that was handed in I remarked that the cause of illness was not stated in it. I gave instructions that the cause of illness should be stated, and on the 20th July another certificate from the same gentleman was received by me as follows: "This is to certify that P. C. O'Brien is still under my care and unable to attend to his duties, and progressing most satisfactorily.—EDWARD W. SHARMAN, Symonds Street.—20/7/97." I may say the first certificate handed in I referred to Sergeant Clark, and his reply is as follows: "I beg to state that I was informed at the Hagey Institute, at 2 p.m. on the 20th July, 1897, that Constable M. O'Brien is getting on all right, and it is thought he could not now be made to drink.—A. CLARK, First-class sergeant.—27/7/1897."

99. *Mr. Poynton.*] It is this certificate you were thinking of when you referred to the Hagey Institute?—It was.

100. You ascertained then he was in the Hagey Institute?—I understood so, but I never saw him there. I knew it before Sergeant Clark's report; in fact, when the constable mentioned to me that during his leave of absence he intended to go to the Hagey Institute, I approved of his intention and recommended him to go there. On the 26th July, Sergeant Clark reported: "I beg to state that Constable M. O'Brien, who was on the sick list, resumed duty at 8.45 a.m. on the 26th July, 1897, and he is now quite well and looks well."

101. *Rev. Mr. Isitt.*] We have it in evidence that Dr. Sharman certified that his man was suffering from severe debility on the 7th December, and that then another doctor—Dr. Lindsay—was with him?—Yes.

102. He was then removed to the hospital suffering from *delirium tremens*?—I heard it the other day.

103. Did you certify in your sick report for the month of December that he was suffering from severe debility from the 1st December, 1896, to the 23rd December, 1896?—Yes.

104. Can you explain how you came not to know more of this man than that?—I was guided by the medical certificate sent in, and I concluded that he was all the time in his own residence. I asked for another certificate after a week or ten days, and I got another one, and I did not inquire where the man was. I took it for granted he was at his own home.

105. Suppose a certificate be received on the 2nd June, stating that a constable is suffering from severe debility, and you assume he is in his own house, how long would you allow that to go on before you made any inquiry?—I would require another certificate in about a week.

106. But in this case it was a period from the 2nd December to the 23rd December, exactly three weeks. Where was the second certificate?—I think it has been handed in.

107. No, I do not think so?—Well, I would have reports from the sergeant from time to time that he was still sick.

108. Would the sergeant visit him in his own house?—He may or may not.

109. Would he be expected to do so?—He ought to do so.

110. I suppose such a thing is known as a constable malingering?—I have never known such a case.

111. Have you ever heard of such a case?—I have heard of others elsewhere, but I have no distinct recollection of any.

112. As commanding officer of a Force of this kind, do you not think it your duty to guard against malingering of this kind?—I would.

113. Then, if a certificate of the 2nd December is allowed to do duty until the 23rd December, when the whole character of the illness is changed, can you say what precaution was taken to prevent malingering?—I cannot, it appears; not in this case.

114. Have you made any searching inquiry to guard against malingering on the part of other officers?—I have not, because I never expect anything of the kind.

115. *The Chairman.*] Had you any reason for dealing with this man exceptionally?—No.

116. *Rev. Mr. Isitt.*] Will you tell us generally what steps you have taken to guard against insufficient certificates in other cases?—I invariably require a medical certificate every week during a constable's illness, and I am supposed to furnish a return every month to the Commissioner similar to the one I handed in, and the return is made out by my clerk, and he is guided by medical certificates as to what he puts in them. My duties are so very numerous that perhaps I do not scrutinize these returns as closely as is expected. It is impossible to do so. I have to depend on my two clerks as to the truth of the returns laid before me for my signature.

117. Do you remember taking exception to the fact that your sergeant did not give you another certificate at the expiration of a week, or fortnight, or three weeks?—I cannot.

118. Was his removal to Napier promotion?—No, I do not think so.

119. What rank was he when in Auckland?—First-class constable. He was made a first-class constable on the 1st February, 1897. He was transferred to Napier on the 5th August, 1897.

120. What is his position now in Napier?—First-class constable, I believe. I never saw him under the influence of drink. I reported him some time before his transfer to Napier, having seen him come out of the publichouse one morning, just a few minutes before I expected him to appear on parade for attendance at the Supreme Court.

121. Have you every reason to believe he is cured of this craving for drink?—I have. I may explain, with the exception I have stated, I had it from the sergeants, who have known him for years, that he was a very good and reliable man. His habit of taking drink was contracted at Helensville, where most of his duties were those of Clerk of the Court.

122. Apart from this weakness, did you consider him a good constable?—I did.

123. When that *fracas* occurred in the watch-house in connection with the South episode, where were you?—I have reason to believe I was in my office, but I cannot say so exactly because I was not present, and knew nothing about the affair until the next morning.

124. Does your office open on to the same corridor?—Yes.

125. Were you near enough to easily hear what was going on?—I am so accustomed to noise below that I am not in the habit of going out and inquiring, because I have done so when drunken persons and violent lunatics have been very noisy.

126. Then, you heard nothing to cause you to interfere?—No.

127. Had you heard the disturbance would you have interfered?—Yes.

128. There was some prosecution in Court in connection with the episode?—Yes; South was prosecuted.

129. Who conducted the prosecution?—When I came to my office the next morning, I came with the intention of going to the Court to conduct the prosecution, but Sergeant Gamble said: "I know more about this than you do, and I request you to allow me to attend the Court and conduct the prosecution." Personally, I knew nothing about it except the meagre facts in the reports submitted to me.

130. With your present knowledge, were there any reasons why Sergeant Gamble should not have conducted that prosecution?—Yes.

131. Then, ought you not to have informed yourself as to the circumstances of the case sufficiently to prevent you allowing Sergeant Gamble to prosecute?—No, I considered I had sufficient from Sergeant Gamble of the facts concerning the case, and I did not suppose for a moment he was telling me an untruth. I had full confidence in Sergeant Gamble.

132. But, as a matter of fact, your confidence in Sergeant Gamble allowed you to permit him to conduct a prosecution that you now think that he should not have been allowed to conduct?—Yes, I had all confidence in his capability to conduct any prosecution.

133. Were you in Auckland, or at the North Shore, when the case was being conducted?—I do not know.

134. Do you know how many business-men have private watchmen?—I know several have, but I do not know.

135. Do they report that to you?—No.

136. Then, you have only a general knowledge that several have watchmen?—There are two in Newton and one or two in Customs Street. I have no information about any others.

137. Do you think it is necessary for private persons to have watchmen?—I suppose not, if we have sufficient police.

138. Have you ever had a complaint made to you by Mr. Johnston, licensee of the Royal Hotel, Thames?—I do not recollect any.

139. Do you remember him being prosecuted for selling after hours?—I have heard of the case and prosecution, but I have had no complaint from him.

140. Have you heard that he was in the habit of supplying the police with cold supper?—No, I never heard of it.

141. Did not a complaint come to you that when he ceased to supply that private supper he was prosecuted?—I never heard of it before. I may say it was not at the instance of the police at all he was prosecuted; it was from information supplied by a barmaid.

142. Do you know who obtained that information?—Sergeant Gillies.

143. Are there many irregularities in your out-stations?—No, not many. When I said the other day there was only one complaint, there was one complaint I had inquired into and reported to the Commissioner on, and it was referred to yesterday, where I spent a week at Kaihu. There is another complaint which I have not inquired into yet.

144. Have you had any complaint from Coromandel, or any report of a constable being ejected from a hotel by a hotelkeeper?—I inquired into a case down there, and both constables were dismissed.

145. That was for drunkenness in the street?—Yes.

146. Have you had any report of the constable being ejected from a hotel by the publican?—No.

147. How many men have you at Coromandel?—Two now. There was only one until these two men were sent down there specially as an augmentation for a short period. The local constable (Donovan) was then transferred some time afterwards to the East Coast.

148. What are their ranks, then, at Coromandel?—One is a first-class constable, and one is a third-class constable.

149. And you have no knowledge of any constable having been ejected from a bedroom?—There was a constable who had to resign owing to some complaint against him, but I do not recollect the charge against him. It was alleged he was in a bedroom of some hotel.

150. Have you a man in charge of a district at the present moment who has been frequently a defendant in small debt cases?—I do not know one in this district.

151. Do you watch such cases appearing in the Police Court?—I do not watch; I have not time to read the papers thoroughly. If I had suspicion of any such case, I would.

152. Should such cases be reported to you, if they existed?—If he was the only one in charge of a station he would be very glad not to report it.

153. Have you any other person from whom you could get this information except the constable?—No.

154. Do you regard it as detrimental to the efficiency of the Force that men should be so placed?—That is why I am at a disadvantage, in not having time to make as many visits to the district as I ought to do.

155. Do you know of the case of a constable in charge of a provincial station against whom there have been three affiliation orders?—No, I have made diligent inquiries through my district since that was alleged in certain papers, and all of the reports are that there is no such thing.

156. *Colonel Pitt.*] If it existed it would not be difficult to find out?—It would not.

157. And you say you have made inquiries and find it is not a fact?—I have.

158. *The Chairman.*] Did you apply to the Clerks of Court?—I did not; I applied to the men in charge of the stations, and they looked up the records, and they said there was no such thing.

159. *Rev. Mr. Isitt.*] Can you give me the date of Constable Rowles's removal from Devonport to Te Aroha?—The end of December, or early in January of this year.

160. Is there any correspondence in the office with regard to his removal?—The man who had been at Te Aroha was senior constable in the district, and he was promoted, and it was not considered necessary that he should be left in charge himself, and he was removed to Devonport as a more important station, and Constable Rowles was sent up in his place.

161. Did Constable Rowles secure a conviction against a publican recently?—I believe he did, immediately before his removal on the complaint, and I think the information had been laid before he knew anything of the intention to remove him.

162. Had the arrangement to remove him been made before he laid the information?—No.

163. Was the arrangement to remove him made after he secured you the conviction?—If it were not it was within a few days. I think I may say positively he had made the complaint before anything was said about his removal.

164. *Colonel Pitt.*] Was it in consequence of having proceeded against that publican that he was removed to Te Aroha?—It had nothing whatever to do with it.

165. *Rev. Mr. Isitt.*] Did you hear Mr. Napier refer yesterday to what he called a substantial rumour, resulting in the removal of a constable from Coromandel?—Yes.

166. Had he reported a publican for selling after hours?—He had.

167. Was any information laid?—It was a complaint laid before the Licensing Committee at the Thames, in which the licensing district of Coromandel is situated. As it happened, the point was raised because the complaint had not been sent through the sergeant of the licensing district (Sergeant Gillies), and so that the whole facts did not come out.

168. Do you know, as a matter of fact, that the publican stood as a parliamentary candidate?—No.

169. Nor that he retired from the contest?—No, I do not.

170. You never heard any condition that he would retire if this constable were removed?—Never.

171. Are you surprised to hear other people heard such a thing?—They may have.

172. Suppose a constable to report verbally to the sergeant a breach of the law, and not to submit an official report to you for three days, would you censure him?—I would not. He is supposed in all such cases to put his report in writing. If he made a verbal report to the sergeant, I would call upon the sergeant to explain why he did not report to me.

173. Did you receive a letter three years ago from Mrs. Fitzgerald, of Panmure?—I have received several from a Mrs. Fitzpatrick.

174. Was there a complaint made that drinking and gambling were carried on at all hours of the night by men from Howick?—As to the details of the complaint, I sent a constable at Otahuhu, in whose district it is, to inquire into the matter.

175. Did you send her a letter out?—I think so ; I am not certain.
176. Is a letter of that kind to be treated departmentally or confidentially?—If they bear a signature I treat them as confidential.
177. Do you know that woman has been prosecuted on account of writing that letter to you?—I do not.
178. Do you think you have taken sufficient steps to guard against her being prosecuted?—I did not know she had been prosecuted. I know she made some complaint about the committal of a relative to the asylum.
179. How many tobacco robberies occurred within three and a half years here?—I cannot tell ; they were very frequent.
180. Were there two hundred and fifty?—I do not think so.
181. Would your report show?—They would be described as thefts, and I have a return showing the number of thefts. At that time I had only one detective here, and a few young plain-clothes constables assisting him.
182. Have you in your memory how many convictions ensued?—No, I have no recollection.
183. Do you know whether you secured more than three convictions out of the whole batch?—There were very few convictions.
184. Would three be a correct estimate?—It may be. The difficulty was that in no case was the tobacco identifiable.
185. Could you submit the reports presented to the Licensing Committee in 1897 and 1898?—I could.
186. Could you submit a record of the arrests for drunkenness from the 1st June, 1896, to 1897, and from 1897 to 1898?—I could, but it would take some time to make out. There is a return for the year ending 30th April, 1898.
187. Do you remember whether you reported to the Licensing Committee and gave good reports of all the hotels in the city?—Yes.
188. That they were frequented by good characters?—Possibly there may be some exceptions, and without some reference to the reports I cannot say.
189. Was any report made by you concerning the Club Hotel, in Ponsonby, especially as to gambling?—I remember no complaint of gambling. I had reason to complain of sale after hours, and a prosecution followed.
190. Were you not asked to make a raid on the Ponsonby Club Hotel somewhat more recently than the last twelve months?—There was a complaint made within the last twelve months of alleged gambling.
191. Was an offer made to you to communicate signals by which people could get in if you had a raid?—No.
192. Are you sure?—I am almost certain no such offer was made to me.
193. If I have it that a specific order was made to you of the signals by which you could gain entrance to this hotel, and that you were asked to make a raid, would you dispute it?—If you have it in writing I suppose I must believe it. I have no recollection of such an offer.
194. Was any raid made on the hotel?—There was not. There was a complaint, and inquiries were made, but there was no raid that I can call to mind.
195. Have you any cause to doubt the question as to whether that brewery license in the King-country was legal or illegal?—It was quite legal.
196. You noticed Constable Stanyers's evidence to the effect that the existence of that license rendered the detection of sly-grog selling more difficult?—I dare say it did.
197. Then you heard the evidence of the Collector of Customs, that when he had noticed that charges of sly-grog selling had been sustained against this man, he took steps to suppress this license?—Yes.
198. Did he appeal to you for information?—I think I had two or three communications on the subject. I furnished him with a return more than once.
199. Do you not think that, you, knowing the convictions that had been obtained against this man, should have asked the Collector of Customs not to issue the license?—I do not know that I did not. He said he took action on what he saw in a newspaper report ; but it does not follow that I did not inform him previously.
200. If you knew of a case of smuggling, or any action in which your duty could be facilitated by communicating with the Customs, would you do it?—Certainly. But I did not consider it within my province to interfere when he held a properly-issued license.
201. You heard the evidence of Mr. Ellis, J.P.?—I did.
202. He spoke of the two big efforts to suppress sly-grog selling?—Yes.
203. Did you notice he said the effort of the two swagsmen was regarded as a joke?—Yes.
204. You know these two men were three weeks in the King-country?—I believe so.
205. You heard the evidence that their coming was expected?—No.
206. You heard it in evidence that the Justice of the Peace on the spot knew, in common with other people, that they were there?—I believe something to that effect was said.
207. Ought not your local constable to have known it was public property they were there?—A Justice of the Peace is very often in a better position to know that, especially if he is in business.
208. To know what is the subject of common talk?—Yes.
209. Would common talk on the railway-platform not be common talk in the district?—It might after a lapse of time.
210. Would it not immediately?—If the constable was there he would have heard it.
211. If the men spent three weeks there, and their coming was known in three hours, was it not a waste of public money to keep them there?—No ; one of them succeeded in getting a conviction, and I was not going to withdraw them until that case was gone into. They could not come away until the Court was held.

212. After hearing the evidence given by the Justice of the Peace, do you think sufficient caution was taken by you to prevent information of these men going to the King-country leaking out?—I took sufficient precaution.

213. Did you hear the detectives' evidence yesterday?—Yes.

214. Were you struck at the little knowledge they knew?—I was not.

215. In your first evidence, so far as your knowledge went, you could not point to an established brothel in Auckland?—I was going to follow that up with more information, but questions were put to me which prevented my giving the explanation I have since given.

216. Was it within your knowledge that there are twenty to twenty-five houses, as stated by previous witnesses, that could be so called?—Yes; and I do not believe it now, that they are brothels within the meaning of the Act. I have no doubt they may consider them brothels, but I do not.

217. You noticed the witnesses had, from the Court, a very distinct definition of what a brothel is?—Yes, and that is what I rely on.

218. You heard Detective Bailey say he knew of no recognised brothel?—I did.

219. You know of some now?—We have a prosecution on for one now.

220. Do you know of any others?—There are houses of immorality, but they do not come within the legal definition of brothels, and that is what I meant when I gave my first answer.

221. Whose duty is it to attend the Police Court?—The police.

222. Is it a detective's duty to report to you?—Yes, to me, and I direct the sergeant to take charge of the case.

223. Do you have a return at intervals as to how many of such houses there are in the city?—Yes.

224. Has any complaint been made to you about immorality in the Western Park?—I have had complaints. I tried to detect the offenders by employing men in plain clothes all night, but I was not successful.

225. Was an information ever laid against a book-maker named Clear?—I do not know. I know one case was withdrawn because a number of witnesses had left the district before summonses could be served.

226. Was that the case against a man named Clear?—I cannot call to mind the name.

227. Was there any unnecessary delay in serving the summonses?—None on my part.

228. With regard to the statements brought before us of child prostitution, were they a revelation to you?—Some of them were.

229. Do you believe them to be true?—I have no reason to doubt them.

230. Ought such facts to have been within your knowledge?—I do not see how it is possible that every fault or sin that occurs in the city should be within my knowledge.

231. But through your subordinates?—Even through my subordinates.

232. Did you hear me asking the detectives specifically about such an evil?—Yes.

233. Did you hear them say they only knew of the existence of two or three of these girls?—Yes.

234. Did you hear the evidence of Mr. Napier and Mr. Alison, and others, largely confirming the evidence of the first witnesses?—No, I did not; they had their suspicions, that was all.

235. Is it not the duty, and are not the detectives paid to keep their eyes open and see what is going on?—Yes.

236. Then, if gentlemen going about their ordinary business can see that which points to the existence of juvenile immorality on a large scale, is it creditable to the detectives not to know it?—I do not think it is at all discreditable.

237. You are a family man, Inspector?—Yes.

238. Daughters of your own?—Yes.

239. Can you over-estimate, if it be true, the awful nature of the evidence given yesterday by those ladies?—I can quite understand it.

240. Can you over-estimate the awful nature of it?—I cannot, so far as it goes.

241. They said the police had done everything in their power to help them, and Mrs. Porter said she recognised the difficulties that you had in regard to insufficient evidence, and that you did everything you could; that was, when complaints were laid by citizens?—And on any other occasion. The police have taken the initiative in many cases.

242. When the police have taken the initiative, have they done their utmost to get evidence?—They have.

243. Did you hear Sister Frances say she was willing to give evidence?—Yes; but she never offered to give me evidence.

244. Would it not suggest itself naturally to any smart man who wanted to secure evidence of this kind that those who were frequenting these places on "fallen" work were the very people to give evidence? If their evidence would not be sufficient to prove these houses to be brothels, could they fail to give evidence enough to justify the removal of these children from there?—In some cases it might not be.

245. If two reputable ladies, knowing clearly what they say, took oath that there were half a dozen prostitutes in a house where a child lived who was sent out for immoral purposes?—They learned so from the child itself, and that would not be admissible in Court.

246. We have evidence of a child who was nine years of age, two years ago, being in one of those houses?—Yes.

247. She is now eleven years of age, and there still, and there is sufficient evidence to render it at least probable she is sent out for immoral purposes, and then, over and above that evidence, we have the sworn statement of two ladies as to the presence of six prostitutes in the house where that child was. Now, if the police take steps to remove that child from these foul surroundings,

is it not a most reasonable thing to go straight to the people and visit the houses on philanthropic purposes for evidence?—I did not know at the time who were going there.

248. *Mr. Tunbridge.*] In regard to the question of a constable acting here as acting-sergeant, you reported to me you were short of sergeants?—Yes.

249. Do you remember my reply?—I do.

250. What was it?—I think, that you had not one to spare, and you could not send me one.

251. Did I not direct you to call in Sergeant Walker from Newton?—Yes; and, if necessary the sergeant from Devonport.

252. Did you do so?—I have done so.

253. If you did that, why was it necessary to put a third-class constable in charge of the night duty?—Because I could not keep them away from their stations without giving cause for grumbling, but I did call them in when the greater necessity arose.

254. *The Chairman.*] If you had instructions from your chief, what did it matter about grumbling?—I considered I had a certain amount of discretionary power given to me. The Supreme Court was sitting, and I had to call one in.

255. *Mr. Tunbridge.*] If you called the sergeants in to perform night duty there was no necessity to put the young constable in charge of the night-duty section?—There would not be any necessity.

256. Your explanation has been that there would have been grumbling on the part of those people in the suburban districts?—Yes, and there has been grumbling.

257. Could not Newton or Devonport better do without a sergeant than the whole City of Auckland?—Yes.

258. You were two sergeants short, and if you brought in the sergeants from Newton and Devonport you would have had your full strength?—Yes.

259. At any rate, if you had adopted my suggestions, which practically amounted to an order, you would have had a sergeant for night duty?—I would, but I would have had no sergeant to attend to the races at Devonport and other sports there.

260. That would be one or two days only?—Yes.

261. So far as you know, I had no knowledge of a young third-class constable being placed in charge here?—No; I did what I thought was the best.

262. Now, with respect to your own duties, you were asked if you ever saw the night duty off parade in the morning, and you said "No"?—That is so.

263. Now, as a matter of fact, is not the duty you are called upon to perform more than you can properly perform?—It is more than double I should be called upon to perform.

264. If there was a Sub-Inspector appointed to look after the town duties, he would be able to see these men parade off duty?—Yes.

265. As regards Constable Bezar's case, the complaint against that man, I believe, was that of a father who alleged that Constable Bezar was the father of his daughter's illegitimate child unborn?—Yes.

266. It was a complaint only, unsupported by any testimony?—Only the testimony of the father and the daughter. I received a letter, and I sent for the constable immediately.

267. Did the constable deny that he was the father of this child?—He did.

268. Did he then tender his resignation?—He did, at once.

269. Did I refuse to accept that resignation until the father had been given an opportunity of taking proceedings before the Court?—You did.

270. So that the father might know where to find the constable?—That is true.

271. Was the father so informed that the constable would be retained in the Force until a certain date to give him that opportunity?—Yes. That was what caused the delay in accepting the resignation of the constable.

272. Did the father take any action against the constable?—None to my knowledge in any Court here.

273. Is he no longer a constable?—No.

274. As regards Constable O'Brien's matter, are you aware that I have already recommended the appointment of police-surgeons?—I am aware of it.

275. Do you think it possible to keep a proper check on men going sick unless police-surgeons paid for by the department are appointed?—I do not think it possible in a large city like this.

276. As regards nightwatchmen in the city, are not these watchmen appointed as much for the detection of fire as for the detection of burglaries?—They are, but not so much in Newton as in other parts. They are for a double purpose.

277. With reference to the case of Johnstone, the licensee at the Thames, in that case, did not the barmaid go to the police-station and make the complaint against Mr. Johnstone?—She did.

278. It was found she was willing to give evidence which would prove illegal trade on the part of her late employer?—Yes.

279. Did the sergeant avail himself of the opportunity?—He did, without any hesitation.

280. And laid an information against this man?—Yes.

281. And called the barmaid as a witness?—Yes.

282. He was convicted?—He was.

283. Has he subsequently left the house?—He has.

284. Are you surprised to hear that a man who has been treated in that way should bring forward charges against the police?—I am not surprised.

285. Now, as regards the constable against whom there is alleged to have been three affiliation orders, did I submit to you a cutting from a local paper here, in which the charge was made, with directions that every inquiry should be made to endeavour to discover the person referred to?—Yes.

286. Have you made inquiry?—I have.

287. Have you failed to discover the man?—Yes.
288. Has the editor of the paper in which this appeared been seen and asked to give the name?
—Yes.
289. And he has declined?—He has. I have seen the report to that effect.
290. Now, with respect to Constable Rowles, do you remember that in last November I called upon you to submit a report as to the formation of sub-districts in your district?—Yes.
291. And also to recommend certain constables for promotion to the rank of sergeant?—Yes.
292. Now, in your recommendation, dated, I think, the 4th December, did you recommend that Devonport should be made a sergeant's station?—I did.
293. Did you recommend that Constable Wild at Te Aroha should be promoted to sergeant?
—Yes.
294. Were your recommendations adopted by me?—They were.
295. Was Constable Wild promoted to be a sergeant?—He was.
296. Was he transferred to the Devonport station?—He was.
297. That being so, was it necessary to transfer Constable Rowles away from that station?
Certainly.
298. And was it in consequence of that arrangement that Constable Rowles was transferred away?—It was.
299. And for no other reason?—Not to my knowledge.
300. Will you tell me the date Constable Rowles was actually ordered for transfer to Te Aroha?
—The 20th December, 1897.
301. What was the date of the complaint against the publichouse at Devonport?—The 26th December.
302. That is, six days after the constable was ordered for transfer?—Yes.
303. What was the date it came to your knowledge?—It was the 27th, the following day.
304. Then, it was seven days after the constable was ordered for transfer to Te Aroha that you first received any information whatever of the prosecution against this publichouse?—That is so.
305. Therefore the constable's transfer from Devonport was no way in consequence of his action against the publichouse?—Not in the least.
306. Now, as regards the constable alleged to have been found in a bedroom in Coromandel, was that constable's name Osmer's?—Yes.
307. Was he dismissed from the Force?—He was, immediately my report got down to Wellington, in consequence of that complaint.
308. Now, with regard to these tobacco robberies, have you any doubt whatever that the persons who committed practically all these robberies were arrested and convicted?—Not all.
309. You were not able to bring the charges against them; but are you not morally certain, although you are not able to prove it, that the same men committed the whole of the robberies?
—I have some such information.
310. After the conviction of these men for the tobacco robberies, did that class of robbery cease?—It did.
311. Now, as regards the men going into the King-country, the Justices had sent in an appeal that some one should be sent up to detect crime?—Yes.
312. They were expecting people to go up?—I presume so.
313. And was it not a fact that their communication to the Justice Department was well known about the district?—It was, and I replied that men would be sent up in a few days.
314. Then, as a natural consequence, it was not at all unreasonable that these gentlemen should be on the lookout for people going up?—Not at all.
315. And if it was public knowledge there, who do you think was likely to give the information away?—I have strong suspicion it leaked out from these people, although not intentionally, but probably carelessly.
316. Now, to whom was the issue of tickets to these men known?—Only to the District Railway Manager. I made the arrangement with the Manager.
317. Would the ticket-clerk know anything about it?—It is possible that he might.
318. Now, is it reasonable to expect that persons holding a good position in a Government department are likely to go and disclose matters to check or frustrate the action of the police?
—I do not think so. I have no reason to suspect it.
319. You would be inclined to trust these people?—I would.
320. When you made this arrangement, had you every confidence in the gentlemen with whom you made this arrangement?—I had.
321. As to whether or not you were wise in what you did is another question: you probably would not do the same thing again?—I would not.
322. Having got that ticket, was there anything on the face of it to distinguish it from a ticket of the ordinary traveller?—Nothing.
323. The guard of the train would not know that ticket?—No; that is why I made the arrangement.
324. With reference to the gambling here in Auckland, you were asked, Were you surprised to find that only one detective had any information to give about betting with minors?—Yes.
325. He was a strange officer in the town, unknown to the betting people?—He was.
326. Would he not have much greater facility for getting information under these circumstances than a man who was well known to these people?—Undoubtedly.
327. With reference to the child-prostitution Mr. Isitt referred to, and dwelt upon the evidence given by Mr. Alison, did you hear Mr. Alison say one word in evidence to prove there was any child-prostitution in this city?—No.
328. Did he not say here that the people he complained about were twenty, and some thirty, and some forty years of age?—Yes.

329. Did you also hear Mrs. Sparks say she believed the police had done all they possibly could in their power to check this?—Yes.

330. Did you also hear her say she was present in the Court when you brought this particular woman before the Magistrate?—Yes.

331. And was perfectly certain you had done all in your power to get these children taken away from that woman?—Yes.

332. As regards immoral houses, you do not wish it to go forth here as your evidence that you are not aware there are immoral houses in this town?—No.

333. You, unfortunately, know there are too many?—Yes.

334. You also know that you are absolutely unable to deal with them owing to a difficulty in the law?—Yes.

335. It is not from want of knowledge that these houses exist, but it is from want of power to deal with them?—That is so.

336. Will you put in a return showing the number of children who have been rescued or taken away from houses of this kind through the action of the police?—I have a return from the 1st January, 1893, to the 16th June, 1898, which gives the total number as eighty-three.

337. Have the police, on their own initiative, been the means of removing sixty-five of these children?—That is so.

338. And the Benevolent Board and other agencies have succeeded in getting the balance of eighteen removed?—Yes.

339. Has not a public body here in Auckland complained of your activity in removing these children?—Yes, the Charitable Aid Board.

340. The complaint was that you were too active?—Yes.

341. You, therefore, find it somewhat difficult to please everybody?—Yes.

342. That has been your experience throughout the whole of your police experience?—Yes.

343. *Mr. Poynton.*] In regard to this particular case, how long is it since you had the mother up?—It must be two and a half years.

344. Did you have her before the Court more than once?—Yes, I have had her three times.

345. Why have you not brought her up since then?—I have caused inquiry to be made on several occasions, and I could not obtain evidence. When I have had her up she brought forward evidence to prove a man was keeping her.

346. You have heard the evidence that there were half a dozen prostitutes in the house?—I have had no knowledge of that.

347. Has not Sister Frances communicated that fact to you?—No.

348. *Colonel Pitt.*] How did you send information to the Justices of the Peace in the King-country when these two men were going up—by letter or by wire?—I wrote a letter. I think it was part of my instructions to inform them that men would be sent up immediately.

349. *Rev. Mr. Isitt.*] With regard to Bezar, was the question one of patronage or immorality?—This man accused the constable of having seduced his daughter.

350. When you inquired into Bezar's case, did it leave a doubt on your mind as to his paternity?—None; I believed the allegations made by her father.

351. *Mr. Poynton.*] Did you communicate that fact to your Commissioner?—I sent forward the evidence.

352. *Rev. Mr. Isitt.*] Does not that case show this: that if you put a young constable of two years' service in a responsible position like that of acting-sergeant you run a great risk unless you know something of his character?—Yes.

353. At the suggestion of the Commissioner, have you not made some imputation on the Justices of the King-country?—I cannot help that. I think they made it themselves when being examined.

354. If I am able to submit the evidence of a constable that the night before the men left Auckland an Auckland publican knew that they were going, would you then believe that the Justices of the Peace gave that information?—Perhaps. The publican ought not to know, because I gave the constables instructions not to give information even to their comrades.

355. When you say that nobody but the Traffic Manager knew of this, would not his staff know, or might not anybody in the Traffic Manager's office know?—I do not know about the internal arrangements there.

356. Now, with regard to the children rescued on the initiative of the police, supposing even eighty-three to be rescued, and three, or six, or ten, to remain unrescued, is it not still the duty of the police to do their utmost to get them?—Certainly.

357. You would not expect ladies like Sister Frances and Adjutant Sparks to help you to suppress a brothel?—I would expect them to give me information to establish a prosecution.

358. Would you expect them to go into the witness-box to give evidence?—I know it would be destructive to their work if I did so.

359. Would that remark of yours apply to them giving evidence to rescue a child?—No.

360. Do you recognise it to be your duty to get that evidence to rescue these children?—Yes.

361. *Mr. Tunbridge.*] I think, since I have had the honour to be Commissioner, I have increased your number of sergeants in the immediate vicinity of Auckland by two?—Yes.

362. Do you usually find a publican in sympathy with sly-grog sellers? Would they go out of their way to frustrate the action of the police in such cases?—No, they would not.

363. It is rather more in their interest to stop sly-grog selling?—It is.

364. Then you would not be rather surprised to hear that a publican had availed himself of an opportunity to inform a sly-grog seller that the police were going to track him?—I would be rather surprised.

THOMAS GRESHAM, examined on oath.

365. *The Chairman.*] What are you?—I am a solicitor, and Coroner for the Waikato District. I have resided at Te Awamutu for the last twenty years, and have had the opportunity of observing matters in respect to the sly-grog selling in the King-country. I have formed a very strong opinion that to suppress sly-grog selling in that district it is absolutely necessary to have a licensed house at Otorohanga and one at Te Kuiti. They are the only two townships in this district. The licensees of such houses would have a direct interest in preventing unlicensed people from selling intoxicating liquors.

366. Do you think that would be more effectual than the police?—I am sure of it.

367. Is not their direct interest as much as his?—That may be, but policemen as a body have no chance up there; it is well known when they come up and how they come up. With the exception of what is known as Sergeant Cullen's raid, the repression and suppression of the thing has been a total failure, and the fact of his having been there did not, I believe, mitigate the evil: that is, it did not cause a suppression of the evil—it is done less openly, but it is still done.

368. Do you suggest that if the requirements of the people should be supplied legitimately they would not have recourse to obtaining illegitimate supplies?—That is my opinion, and I also hold it would be to the interest of the men holding licenses to check the evil. With regard to the constables stationed up there—Constable Stanyer, I have frequently had opportunity of judging of him, both as my officer as Coroner, and also in civil and criminal police work at the Court, and I should like to record that I consider him a most trustworthy and efficient constable.

369. *Mr. Tunbridge.*] Your opinion is, I suppose, that if there were licensed houses it would be unnecessary for the police to stoop to the subterfuge and deceit they are now compelled to stoop to, to check sly-grog selling?—That would be the effect of it. I maintain it is to the interest of the licensee to stop any outside selling of grog, and I think he would do it.

370. And would not people who desire to drink grog prefer to go to a licensed house instead of going to an illicit dealer's?—I have no doubt about it, because they would have a guarantee of what they were drinking.

371. And then there would be no necessity for this deceit and lying in order to check it?—I think that would be a sequence.

372. Do you think that this system of obtaining conviction is derogatory to the police?—I am sorry to see a constable in the position of that constable, and Sergeant Cullen having to call himself an insurance agent.

373. Do you know of any other law that calls for such steps as these?—No.

374. Speaking of your knowledge of Courts, do you not think that in every case where evidence is obtained by such questionable means as these it should be treated with the very utmost suspicion and distrust?—Especially where it is obtained from Natives.

375. Then, as a matter of fact, it is discreditable to everybody concerned in the matter?—It is.

376. *Rev. Mr. Isitt.*] Do you often visit the King-country?—I am liable to be called up on an inquest at any moment.

377. Do you travel much in other parts of the country?—I have, but I do not travel as much as I did. I have not travelled out of the Auckland Province.

378. Do you stay in hotels much?—No.

379. You do not find it necessary to avail yourself of their accommodation?—No.

380. Has much come under your observation concerning illicit sales in hotels?—No.

381. As a matter of general observation, do you believe that the hotels of the colony habitually observe the law with regard to the hours of closing and Sunday sales?—I would not venture an opinion upon it. I do not know the subject sufficiently well.

382. Have you noticed cases coming before the Police Courts?—Yes.

383. Do you observe a very considerable amount of illegality dealt with in the Police Courts?—Yes.

384. Have you also noticed that many Magistrates from the bench have drawn a comparison between the hard swearing in publichouse cases which is not found in any other cases?—Certainly I have; that is a matter of public notoriety. I believe there is hard swearing in such cases.

385. Do you mean perjury when you say hard swearing?—Yes.

386. Then, what is your objection to sly-grog selling?—It is illegal; and not only that, but it introduces a much worse quality of liquor than I think it would be possible to obtain from a licensed house.

387. Have you personal knowledge of that?—Yes. I have been engaged in defending some of these sly-grog sellers, and I have been present at prosecutions at Te Awamutu Court, and I have reason to know the sort of stuff they sell. I have not tasted it, but the Magistrate smelt it, and another person tasted it, and said it was something of a very deleterious nature.

388. You object to the illegal sales by sly-grog sellers?—No, I do not; it is the law that says it shall not be done. The very fact of a breach of the law may put guineas into my pocket.

389. Do you not think that it is as great a crime to sell liquor in Queen Street, Auckland, after 10 o'clock in the evening as to sell liquor in the King-country without a license?—Well, that is a question of ethics. I still come to this point: that by not suppressing the illicit sale of liquor in the King-country, all sorts of rubbish, and worse than rubbish, are sold there. So it comes to this: If I can be sure in the city of getting a good glass of brandy, I do not think it so bad as getting in the broad daylight a glass of liquor that would poison you.

390. I am anxious to know if you put on the same level an illegal sale by a licensee and an illegal sale by a man who has no license—are they not both in the same category?—I do not see that they are. There is a vast difference, in my opinion, inasmuch as the quality of the liquor is affected.

391. Has the sly-grog seller entered into a contract with the Government?—Of course he has not.

392. Has the publican entered into a contract with the Government that he will sell at certain hours?—He has only got permission to sell at certain hours.

393. You say the licensee will have a direct interest in stopping sly-grog selling?—Yes.

394. Will he have a direct interest in preventing unlicensed sales by others? Will it be to his financial interest to sell after hours if he can do so?—I suppose if he could sell by day and by night he will have a bigger turnover.

395. *Colonel Pitt.*] Could the police more easily control the conduct of the licensed houses than they could these sly-grog sellers?—They could put their finger on the spot.

396. *Rev. Mr. Isitt.*] You spoke in condemnatory terms of Sergeant Cullen's raid. Had he been instructed to go as a *bonâ fide* insurance agent, would you have had that objection?—Yes, of course.

397. If he had taken a temporary engagement in some other capacity?—Certainly, if the object was merely to act as a policeman.

398. Is it your opinion that crime generally can be detected without subterfuge?—Yes; it should be, and I do not know why it is not.

399. Without any subterfuge or secrecy?—Yes, that is my opinion.

GEORGE MICHAEL LENIHAN, made affirmation.

400. *The Chairman.*] You are Roman Catholic Bishop of Auckland?—Yes.

401. *Colonel Hume.*] How long have you been in Auckland?—Nearly sixteen years.

402. Do your duties take you out much at night?—No, I cannot say they do.

403. On Sunday evenings?—No; on Sunday evenings I am always busy.

404. I suppose during these sixteen years you have known a good many of the Police Force in the Auckland District?—Yes. Fine fellows and good men I always found them.

405. Have they made many complaints that you heard of?—No; until this Commission started I heard very few complaints.

406. Probably, if there had been complaints amongst those who belonged to your religion, they would have come to your ears, either directly or indirectly?—They might; you know we do not busy ourselves unless we are asked in the private affairs of our people; we might hear something of them.

407. Now, do you employ night-watchmen at your church or house?—Not to my knowledge. I live at Ponsonby, and what they do at other places I do not know.

408. Have you ever been in the King-country?—I have been as far as Te Awamutu.

409. Have you been there lately?—Yes, about five weeks ago.

410. Did you see much drunkenness there?—Nothing whatever.

411. Were you there long?—No; three or four days.

412. Did you visit Kihikihi?—Yes, I passed through it.

413. And Te Kuiti and Otorohanga?—No.

414. Then, so far as you know, nothing has ever come under your notice to induce you to think that the police of Auckland are disorganized?—Not at all—not under my notice.

415. *The Chairman.*] Is there anything in your mind that you would like to bring under the notice of the Commission, tending to improve in any way the efficiency, or management, or control of the Police Force?—No. I have heard complaints from people; I have seen in the papers that the Police Force is insufficient, and that we require more men, but beyond that I found the men, many of whom belong to our faith, always ready and always able to do their duty.

416. So far as your observation goes, you have not observed any negligence in the enforcement of the laws of the colony that you wish to bring under our notice?—Not in my case.

417. *Colonel Hume.*] Would your night hours be very much disturbed if you knew that on some nights in the large City of Auckland the whole of the police on duty were left in charge of a young constable?—Personally it would not disturb me very much, because I have so little to lose, and so it would not trouble me one way or the other. I should feel aggrieved if the laws of the country were not observed.

418. It does not follow that the laws of the country are not observed?—It has never troubled me that way. I have never realised that such would be the case, but I certainly think such should not be the case.

419. During the time you have been in New Zealand have you any knowledge that any religious influence has been brought to bear to advance any particular member of the Force?—Personally I have not. I asked Mr. Thompson myself in one case lately—in the case of one man who was the support of his mother and five little ones. I found the party had been appointed before I approached the Minister. He was a man well worthy of his position. That was in respect to an appointment.

420. Have you known any influence with regard to transfer or promotion?—Nothing whatever, by myself or any one else; in fact, I do not know whether we should be listened to.

421. Did you come here voluntarily, or were you summoned?—I was summoned.

ARTHUR HUME, further examined on oath.

422. *Rev. Mr. Isitt.*] I want you to give me the exact date when the two constables were sent as swagmen into the King-country, and the date of Sergeant Cullen's entry into the King-country as an insurance agent?—I cannot answer that question; I cannot tax my memory to that extent. I shall be very glad to lay the papers before the Commission when we return to Wellington.

423. And the date of the deputation which waited on Inspector Hickson, and the date of the deputation which waited on the Hon. Mr. Thompson?—Yes.

424. Is it within your knowledge that, from October, 1896, a very large number of resolutions were carried throughout the colony pressing upon the Minister of Justice the consideration of the condition of things in the King-country?—I certainly am aware of it.

425. Would they be sent to you as Commissioner?—Yes. There were over fifty such resolutions. They were apparently from Wesleyans and Presbyterians, who met after service on Sunday, so far as I could understand, and passed two resolutions. The first resolution was that the liquor-laws should be strictly carried out, and the second was that sly-grog selling in the King-country should be stopped. I think it very remarkable that apparently there was not a single meeting in connection with the Church of England or the Roman Catholic. The resolutions were all from Wesleyans and Presbyterians.

426. That is to say, the resolutions sent happened to come to you from ministers of these denominations?—Yes; and from secretaries of Prohibition Leagues.

427. Would you think it a very surprising thing for publicans to send notice to the sly-grog seller that the detectives were coming?—I do not know; it all depends on the whole circumstances of the case.

428. Would it not depend entirely on the question as to who it was who was sending grog to the country to be sold? Would not that evoke a measure of sympathy with the publican and the wholesale vendor of liquor?—I do not think that follows. The whole thing is problematical.

PATRICK HERBERT, examined on oath.

429. *The Chairman.*] What rank do you hold?—Third-class detective, stationed at the Thames.

430. *Colonel Hume.*] You were stationed in Invercargill last year?—Yes.

431. Did you receive instructions to proceed to the King-country from me?—Yes.

432. Do you know when?—I left Invercargill on the 24th May last year.

433. You were in Wellington one day and then proceeded into the King-country?—Yes; I went through the North Island, ending up in the King-country.

434. You had instructions to go in either by way of Pipiriki or Hunterville?—Yes. I went by Pipiriki. I went to several places alleged to be sly-grog districts.

435. And you remained on and off until Sergeant Cullen finished in the King-country?—Yes.

436. Do you recollect the date when you left?—At the conclusion of the trials at Te Awamutu, in, I think, September, 1897.

437. Then, if anybody told this Commission that a deputation waited on the Minister on the 25th June, and that nothing had been done about the King-country previous to that, they would be misrepresenting matters?—Yes; I had instructions a month before that. I had furnished reports before that date.

438. *Rev. Mr. Isitt.*] When you say that you submitted a report, was that on anything actually accomplished or in connection with evidence taken with a view to proceedings?—I had at the time of my first report secured evidence with reference to a case of sly-grog selling myself, and reported it, and the case was brought before the Court at Wanganui without my being present, because the evidence I sent to Sergeant Cullen was sufficient to get a conviction in my absence. I did not appear, and asked him not to have my name mentioned.

439. When was this conviction obtained?—In June, at Pipiriki.

440. Are we to understand that the bulk of your work was in conjunction with Sergeant Cullen's raid?—Well, I cannot say "Yes" or "No" to the question. I was sent independently of Sergeant Cullen at first.

441. There were some sixty-seven convictions?—Yes, that was in conjunction with Sergeant Cullen. I myself did not try to catch any sly-grog sellers in the King-country. I would have made a fool of myself if I had, because I was as well known there as in Auckland. I did my best to fool them, and lead them off the scent; they followed me about, and they thought when they knew what I was doing that there was nothing else to fear.

442. *Colonel Hume.*] Your instructions specially were to lay no informations?—Yes; if I had seen any case of sly-grog selling I would not have then taken action.

FRANK LAWRY, further examined on oath.

443. *Colonel Hume.*] You are member of the House of Representatives for Parnell?—Yes.

444. How long have you resided in the Auckland District?—About thirty-five years.

445. Do you live in Parnell itself?—No, at Ellerslie.

446. Are you in town much at night?—Yes, very frequently.

447. Are you a Prohibitionist?—No.

448. Do you know the King-country at all?—Yes, very well.

449. Have you been up there recently?—About two months ago.

450. How far did you get?—I went to Te Kuiti.

451. Did you go by railway-line?—Yes.

452. Did you see much sly-grog selling going on?—I saw some.

453. Did you see many Natives intoxicated?—Not one.

454. How long were you in the King-country?—On the last occasion my visit there was a short one; but on many previous occasions I have spent weeks there.

455. Did you see much drunkenness then?—None.

456. Why do you say there is sly-grog selling going on?—Because I have seen it sold.

457. Natives?—I am not quite so sure about Natives. It is no use disputing the fact that sly-grog selling is very prevalent in the King-country.

458. You know the King Natives pretty well?—Very well.

459. Did you not, on some occasion or other, deliver an address to them?—Yes; about two months ago.

460. Where?—At Otorohonga.

461. At night?—Yes.

462. Was it a big gathering?—Yes.

463. Was there much drunkenness in the settlement that night?—None whatever.

464. What time did you let them go away?—About ten o'clock.

465. Was the address about liquor?—In the main it was about the licensing question.

466. You did not point out to them the harm liquor would do to them?—Yes, I did—*re* the quality of the liquor they were getting, at any rate.

467. Was not the idea as to whether they should have one or two licensed houses or not?—No.

468. Anyway you did talk to them about the liquor question. What did you gather from what you could hear from them: would they be in favour of a license or would they prefer the sly-grog selling business?—So far as I understood them, they were absolutely in favour of establishing a license and the regulation of the trade.

469. Did you go there at the request of the Government?—The Government knew nothing whatever about it.

470. Have you ever been at any entertainment held up there by Natives?—Yes.

471. Where?—At Otorohonga and Te Kuiti, and also Whatawhatahoe.

472. Was there any irregularity there?—No, the most perfect decorum.

473. Are you the Mr. Lawry who is editor of the *Sporting Review and Licensed Victuallers' Gazette*?—I have control of the licensed victuallers' page. I write most of the leaders and control that part of the paper.

474. You heard the paragraph read out the other day?—Yes.

475. Was that your opinion that was echoed in that paragraph?—I did not write that leader, but I took no objection to it because I believed it to be simply an expression of opinion and a mere matter of supposition.

476. I suppose you are influenced very much in your writing in documents of that sort by publicans and brewers?—None whatever; I do not believe there was a brewer or licensed victualler in Auckland who knew I had anything to do with the paper until it came out in evidence the other day.

477. Perhaps you will now make the statement you wish to in regard to the King-country?—Well, I will make it very brief. I have been acquainted with the Natives in the King-country for a period extending over the past thirty years. I know nearly every European settler now settled in the King-country, and this question of sly-grog selling and the question of licensing houses have been brought continually, by verbal statements and by documents, before my notice. About the period referred to—namely, two months ago—I was invited by a number of Europeans residing in the King-country, and by some of the most influential chiefs there, to visit Otorohonga and to deliver them an address on the general question of license or no license in the King-country. Without the knowledge of any person, I believe, with the exception of Mrs. Lawry, I accepted the invitation. I went to Otorohonga and, in accordance with the request, I delivered an address which was duly interpreted to a very large gathering of Natives. I told them that it was not part of my purpose to advise them on the question of license or no license. However, I strongly advised them to observe the law as much as possible, although I did not consider it was any crime to break a law which it was almost impossible to observe; but I said to them—and this was the point I endeavoured to bring out at my meeting—that the Natives in the King-country and the Europeans in the King-country were labouring under disabilities such as obtained in no other part of New Zealand. In every other part of New Zealand the Natives and Europeans had the power to declare by vote whether they should have hotels or not. I said, agitate by all means to get the same privileges as the Natives and Europeans possessed in other parts of the colony: that is, the power to decide by vote as to whether you shall or shall not have hotels established in your country. You are well aware that the Natives in the King-country do not possess this power. That meeting, by a unanimous resolution, declared they would struggle to the very utmost to obtain this power. I understood it that expression of opinion was approved of by every Native and every European at the large meeting, and, I believe, Sir, if that recommendation were given effect to the question would be decided for all time.

478. *Rev. Mr. Isitt.*] You are a public man of long experience?—Yes.

479. Have you found in your experience that theory or practice has most effect by the people?—Practice.

480. Did you inform the police you had seen that sly-grog selling?—No; I am not an informer.

481. But you are a legislator?—Yes.

482. Do you regard it as a serious offence for a legislator to observe an offence and not report it?—Not in that case. I look upon it as my duty to legislate and make laws, and for other people to observe them.

483. You are editor of the licensed victuallers' page?—Yes.

484. That page is run specifically in the interests of the liquor-trade?—No; it is run in the interests of fair-play as against rabid Prohibitionists.

485. Still, you will admit it contends for the financial interests of the trade?—It contends for fair-play. It has taken up the question of police. It contends for fair-play on the part of the police. It is run on the lines of fair-play, the suppression of all evil, and the exposition of all virtue.

486. You will admit it contends for fair-play for the liquor-trade?—It is fair-play; it turns on no special hinge.

JOHN BENNETT TUNBRIDGE, further examined on oath.

487. *The Chairman.*] What is it you wish to explain?—Inspector Hickson telegraphed to me while I was engaged on this Commission—I forget where it was I received the telegram—asking me to send him a sergeant to Auckland, as he was very shorthanded owing to an accident to Sergeant Clarke, and the absence of Sergeant Treanor up North in connection with the Native troubles.

I had no sergeant I could send, and having a few months before augmented the district by two sergeants in the immediate vicinity of the City of Auckland, for the express purpose of meeting cases of this kind, I replied to Inspector Hickson directing him to call in either Sergeant Walker of Newton, or Sergeant Wild of Devonport as a temporary measure, pending the return of Sergeant Treanor from the North, where I expected he would only be detained a few days. Until I heard it given in evidence this morning that the night duty had been left in charge of a third-class constable of about two years' service, I had no idea that such a state of affairs had existed. My opinion is that it ought not to have existed, and I cannot help saying that I regret very much that it did exist. That is practically all I wish to say.

488. *Colonel Pitt.*] Are there no sergeants available yet?—At the present time there are three sergeants available in the city connected with the head station, and there is one at Newton and one at Devonport.

489. Was there any reason why your suggestion should not be carried out?—Not the slightest; in fact, it was my wish it should be. I think the city should never be left without a sergeant at night.

490. *The Chairman.*] Do you consider the regulation to which reference has been made justified the Inspector in adopting the course he did adopt in the absence of a sergeant?—Undoubtedly that would be so, provided there was no sergeant available; but I must qualify that by saying that, a sergeant being available, a constable should not have been placed in charge.

491. In the absence of any instructions from you, would he have adopted a right course in putting the whole of the night guard under a young constable?—The regulation that the next in seniority takes charge applies in all cases.

492. Do you think that would apply to such a case as the charge of the night-duty section?—It applied under the circumstances then existing, but these circumstances would not have existed had a sergeant been called in from Newton or Devonport.

493. *Colonel Hume.*] I understood Inspector Hickson to say he thought inspectors should have more power in selecting men for the charge of beats. Do you agree with him?—Yes, I think the inspectors should be given latitude. I think the best man should be taken, whether he has one year or ten years' service, if you want efficiency.

494. Do you know of any order prohibiting the Inspector from bringing in the sergeants from Devonport or Newton with instructions from you?—No, I do not; he could have done that without referring to me at all.

JOHN JOSEPH REYNOLDS, examined on oath.

495. *Colonel Hume.*] What are you?—A farmer and Justice of the Peace at Helensville.

496. You asked me to call you as you wished to give some evidence about Constable O'Brien's conduct in Helensville?—I am a voluntary witness. I knew the constable very well and saw him three or four times a day. I had an office in the centre of the township, and the constable could not go to the telegraph-office or to the railway-station without passing my office. I could not go to my home without passing Constable O'Brien's house and also the Courthouse. As a Justice of the Peace I was brought constantly in contact with him both in Court and out of Court. I found him a good and excellent constable in every respect, as a constable and in the performance of his police duties. As a Clerk of Court I consider he was a wretched failure through incompetency; he was a wretched penman and a worse arithmetician. I think he was put in a wrong position as Clerk of Court. All the local Justices sent a request to the Minister of Justice asking that a civil Clerk of Court should be appointed in his stead. There was an inquiry, I believe, owing to somebody laying a charge of drunkenness against the constable. I gave evidence before the sergeant. I do not know what the result was, but from public opinion and my own observation I do not think that such a charge could be sustained, because all the time I saw and knew Constable O'Brien I could conscientiously swear I never saw him drunk. I consider the dismissal of such a man would be injurious both to the interests of the Police Department and the public. I have not seen the policeman for a long time, and may never see him again.

497. Nobody asked you to come here?—I have had no conversation with anybody until I accosted you this morning and said I wished to give evidence.

SATURDAY, 18TH JUNE, 1898.

THOMAS HARRIS SMITH, examined on oath.

1. *The Chairman.*] What is your rank?—I am a third-class constable, stationed at Auckland.
2. You are aware your mother has made certain complaints to the Commission?—Yes.
3. You are aware of the terms of that complaint?—Yes.
4. She alleges that you have been improperly treated in the Force. Have you any complaint to make?—None whatever. I have been treated as well as any man in the Force can expect to be.

HUBERT FERGUSON, examined on oath.

5. *The Chairman.*] What are you?—Inspector of Factories and in charge of the Labour Department at Auckland. I am well acquainted with all the factories and factory workers in connection with my duties, and I not only see many of them at work, but at other times of the night and day. I am out in connection with my duties on the streets up to 10 o'clock and after many nights. When I see any females congregated about in any part of the town I often make it my duty to see if these girls are factory girls. I have never seen any factory girls with those people whom we suppose are on the streets for immoral purposes. I have seen no immodesty or indecency with any recognised factory girls, and I know many of them personally.

6. Do you see anything in the conduct of known factory hands that leads you to consider they are prostitutes?—Nothing whatever; their conduct appears to be most proper. I feel certain there is no employer in Auckland who would employ in his factory an immoral girl, knowing her to be such.

7. *Mr. Poynton.*] Are the rate of wages sufficient to keep them without them being tempted to lead immoral lives?—I think so, to the best of my knowledge. They are all respectable girls, with respectable homes, and they have enough money to keep them in their homes.

8. How many girls are employed in Auckland, and round about, in factories?—On the 31st March last there were 2,030.

9. What would be about the average rate of wages of girls, say, from sixteen and upwards?—The average rate would be, I should say, 14s. or 15s. per week. They start at 2s. 6d. a week, and work up to £1 5s. Tailoresses earn more by piece-work.

10. *The Chairman.*] And, as a class, they live at home with their parents?—Mostly all live at home. I am satisfied that factory girls, as a class, would not associate with known immoral girls. I know they would refuse to work with any girl who had a light name, and they would tell their employer so. This I believe. I would hesitate in giving a license to a factory-owner, if I thought there were any immoral girls in his employment. So far as the law would allow me, I would not give him a license. I have had no such case, but I think the law would support me if I took that stand.

11. *Colonel Hume.*] I think you have been mostly connected with criminals and people of indifferent character all your life?—Yes, I was about thirty years in the prison service.

12. And you rose to the highest position of chief-warder?—Yes.

13. And you were transferred to the Labour Department on the reduction of the prison warders?—Yes.

14. You have had special opportunity of judging girls of immoral character?—Yes, my observation has been very much that way.

15. Have you been asked to come here?—No. When I saw that report in the newspapers I thought I should come here in justice to the factory girls, whom I considered were unjustly slandered.

WILLIAM THOMAS JENNINGS, examined on oath.

16. *The Chairman.*] You are a member of the Legislative Council?—Yes.

17. What is the matter you have to bring before us?—The matter is in reference to a statement made by one of the witnesses before the Commission. A witness named Sister Francis in giving evidence before this Commission stated, according to the daily paper, that "there were many prostitutes employed in factories during the day." It is in connection with that paragraph alone that I wish to give a short statement before the Commission. I may say that Sister Francis's evidence has caused much anger and annoyance to the parents of the girls employed in the factories of Auckland, many of whom have spoken to me on the subject; and it is at their request that I appear before the Commission this morning. I have been President of the Tailoresses' Union for over six years, and during the whole of that time whenever we have had a lot of business transacted, both in public meetings and at private interviews with the girls from the different factories on various matters in regard to the rate of wages and so forth, I never observed any improper conduct or anything that would lead one to suppose or believe that there was any immoral conduct amongst the girls. In fact, the whole demeanour of the girls was such that showed rectitude of conduct and intelligence. I also know this fact, that the managers of the various factories all exercise the greatest discretion and judgment and circumspection in regard to the employment of the girls. In fact, in some factories references are required before the girls are taken on. I know Sister Francis, having met her occasionally; and I know that she has been doing a great deal of good and a noble work in this city. I do not wish in any way to take exception to or deal with any matters that she may have touched on otherwise. But the statement she has made is so wide and so sweeping ("that there are many girls prostitutes in factories") that a great deal of pain and annoyance has been caused to many respectable and hardworking women; and I have been asked to make representations to the Commission that Sister Francis ought, in justice to nearly seven hundred girls employed in factories, to publish and give facts so that her statement could be brought home, and, if true, steps be taken to alter such an undesirable state of things.

18. *Rev. F. W. Isitt.*] You say you represent the Tailoresses' Union?—Yes.

19. I suppose there are very many factories outside the scope of your influence?—A great many, and a great number of girls; but in regard to the tailoring industry in this place, I never made any distinction between union and non-union.

20. But there are many factory employes other than tailoresses in which you take no personal interest?—Yes.

21. Then when you say seven hundred girls employed in factories, do you mean texture factories?—Yes.

22. Then over and above that number there would be others employed in other factories?—Yes.

23. Then, if there are 2,030 girls employed in factories, might there not be a dozen or so who might get money by other means?—There might.

24. Would you not recognise that the remarks might be applied to a comparatively small proportion out of a large body of people without being a sweeping assertion?—This is a public assertion of Sister Francis's, and in the interests of public morals, and in justice to the fathers and mothers of the girls employed in this city, no such vague and sweeping assertion should be made.

25. Are you aware that the question has been asked as to whether shop girls and factory girls indulge in gambling?—I am not aware of that question. I would not be at all surprised if such was the case, because gambling is becoming a very great evil in this colony; but I do not know if the practice does prevail.

26. You know a great deal about the wages of factory girls?—Yes.

27. Are they in many instances very low?—Owing to representations made here last September, in which we took a case before the Conciliation Board, the wages were increased from 20 to 25 per cent., and an agreement under the Industrial and Conciliation Act was signed by a large number of manufacturers, and the agreement has been kept to. Prior to that case, in some places the wages were low.

28. You would not characterise them as being very low?—To give my own personal view of it, I think they could be improved even now.

29. Are they so low as to render it more creditable to the girls that they live respectable lives?—That is so.

30. Mr. Ferguson, the Inspector of Factories, said the girls lived at home with their parents?—That is so.

31. *The Chairman.*] Mr. Ferguson told us that from his own knowledge of the factory girls here they would not work with known prostitutes?—That is so; the girls are most circumspect in their behaviour. That is my experience in six years.

32. He also says from his knowledge of the employers that they would not knowingly employ an immoral girl?—In fact, I know of such an instance where somebody—perhaps of a shady character—was in a certain factory and the girls distinctly refused to work with her, and owing to representations made by a committee that girl was removed.

MONDAY, 20TH JUNE.

HENRY WILLIAM NORTHCROFT, examined on oath.

1. *The Chairman.*] You are a Stipendiary Magistrate?—Yes, and now stationed at Wanganui and on the West Coast up to Manaia.

2. *Rev. F. W. Isitt.*] Have you been many years a Magistrate?—About twenty-one or twenty-two years, I think.

3. How many years have you been in Auckland City?—I was there about three years and a half, I think.

4. Were you previously in the Provincial District of Auckland?—Yes; in the Waikato and Thames districts.

5. Covering generally what term of years in the Auckland district altogether?—I was in the Provincial District the whole twenty-one or twenty-two years with the exception of occasionally acting as Relieving-Magistrate in Wanganui and other districts.

6. Up till what date?—Last March twelve months, when I was removed to Wanganui.

7. You had good opportunities of judging as to the efficiency of the police in the Auckland district in connection with your magisterial duties?—Yes, I should say so.

7A. Were you satisfied from your standpoint, as to their efficiency?—My opinion is that there was a great want of discipline throughout the Force.

8. Do you say that with regard to the Force outside the Auckland Provincial District or within it?—I should say from my knowledge, so far as I know, the whole Force. Of course, there have been transfers from different parts of the colony to different parts, and I should say there is a great want of what we call discipline. I may say that for many years before I was a Magistrate I was sub-Inspector in the Armed Constabulary, and was first of all lent to the Justice Department to take over the duties of Magistrate in the Waikato District.

9. Have you anything further to say in regard to the want of discipline—can you give any particulars to the Commission?—There was the last case I inquired into here. I do not think you could have a better instance of want of discipline than was afforded by the South case.

10. Any other case, Mr. Northcroft?—There is this throughout the Force: that for some years past which to my mind has undermined the whole value of the Force—political influence and interference.

11. Has any specific instance of this kind come under your notice?—Yes, when I was in the Waikato, during the time of the Stout-Vogel administration, I think it was. There was a constable named Ryan, who was then Clerk of my Court. A general election was then coming on. He got instructions from Commissioner Gudgeon that he was to be transferred to some other place, and he went to one of the candidates (the late Major Jackson), who was then standing, and got him to telegraph to the Government that he thought it would affect the candidate's position if the constable was shifted. It was found out afterwards that this candidate was not supporting the Government, so fresh instructions came for the constable to be shifted. He then went to Mr. Teasdale, the opposing candidate, and Mr. Teasdale telegraphed on his behalf, and the order for this transfer was cancelled. He told me then himself, and showed me the telegram. I told him I knew Major Gudgeon, and that I would report the matter, and I did so, and I presume it was put in the records. At Patea, one of the places in my present district, I had a Clerk of Court there, Constable Carr, and I had occasion to complain about some of the work. He told me he had great political influence in the Force. That is quite recently—within the last year. He has lately been shifted. I have known lots of men come to me when they got orders from their officers, and ask me to use my influence to prevent their being shifted—that is enough to interfere with and destroy the discipline of any Force.

12. Is there any other case you wish to mention?—It is so well known that really you hardly need to mention cases. I have repeatedly known constables to say they would use so-and-so. I know during the last election here one or two constables told me they had been working for a certain individual. Well, that is political influence. I would say years ago, when I was in the Force, the Force was disfranchised, both officers and men; and, to my mind, that should be so now. I would disfranchise the Force and everybody living under their roof. I would go further,

and disfranchise everybody receiving salary or wages from the Government. I may say this, that latterly there has been a marked improvement to my mind in the Force. Since Commissioner Tunbridge has taken charge of the Force there has undoubtedly been greater activity in it. There is another difficulty. Many constables are made Clerks of Courts, and very many of them are totally unfit for the work. They are very good constables, but they have never learnt Court work, and, of course, the work to them is very laborious. And there is this difficulty: If the Magistrate complains they then say they are busy at police work, and if a Police Inspector complains then they say they have been doing Magistrate's work, and therefore the pair of us are helpless—between two stools. I know several Inspectors have told me that. Inspector McGovern, whom I have known for many years, has told me he is in exactly the same position. In many instances it is because they are not fit in the first place for the position they are in. We have some men who are rattling good clerks, like Constable Jones of Te Awamutu, and Constable (now Sergeant) O'Donovan, who are capable of doing both work, but many are not capable: very far from it.

13. Have you known or had reason to believe that there were other outside influences besides political influence brought to bear on the Force?—Of course, that would amount to political influence. It depends then who are the persons who have most political influence in a little sub-district, and, of course, the constable knows he must not offend that particular individual. There is no doubt about that.

14. Plainly, have you known the liquor trade to interfere with constables?—I cannot say I have positively known of a case, but have heard of many. Many members of the Force say that if they interfered with certain publicans they would be shifted. I know there is that impression undoubtedly in the Force. I say there are many first-class men in the Force.

15. Have you known of specific instances in which political influence has secured promotion to men?—I cannot say I have.

16. You have told us you believe this sort of influence has interfered with the discipline, and therefore the efficiency, of the Force. Whatever the cause may have been, had you any grounds of complaint in your own mind as to the efficiency of the police in Auckland while you were here?—Not further than I say as to the want of discipline.

17. While you were here, was there not an epidemic of crime such as burglary and house-breaking?—That was after I was transferred from Auckland.

18. Were you satisfied, so far as you can say, with the efforts of the police to suppress crime while you were here?—There is no doubt the Police Force here is not strong enough for a city like Auckland. I do not know what hours they are on. I have landed from Coromandel and other places repeatedly after 1 o'clock and between 2 o'clock and daylight, and could never, or very rarely, find a constable on the street. I never found them if wanted. There was one instance when the Thames Hotel window-blinds caught fire, and we (other passengers and I) hunted round, but could not find a constable. We found two night watchmen.

19. How long is this since?—That is some five years ago.

20. *Rev. F. W. Isitt.*] Is that a centrally-situated hotel?—At the foot of Queen Street.

21. At what hour of the night was this?—About two o'clock in the morning, landing from a late steamer.

22. Was the question of the suppression of betting and gambling ever specially under your notice?—I think the police when I was here tried to put that down to the best of their ability. At least that was my impression. There were several convictions here, and one or two rather clever cases.

23. You never had cause to complain in that respect?—I think they did their best. As I said before, the Force was very short-handed then.

24. With regard to the suppression of immorality and brothels and prostitutes, were you satisfied with what the police did?—There there is a very great difficulty. I found the police very ready to help me in any way they could.

25. And in regard to juvenile prostitution?—There is, as every one knows, a great deal in this city. My report to the Government was on information chiefly given to me by the police themselves and rescue people. Of course, they (the police) cannot interfere when young girls are simply walking about the streets, as they do to very late and early hours, except to warn them off the street and request them to go home. Before the constable can interfere with one of these young "night strollers" he must see her commit some offence.

26. Did you gather from the police report and the cases that came before you that there were young girls earning their living by prostitution or practising prostitution?—I would say most of the girls I think were over sixteen or seventeen years of age who were in brothels—that is from my knowledge of the cases that came before me.

27. *The Chairman.*] Do you think the police neglected to enforce the laws relating to brothels?—That, of course, it would be impossible for me to say, because most of my information was got from the rescue people and from the police themselves. There was great difficulty in such cases, because if the police turned the women out of a brothel they must get some other house to live in. At present there was no home to which they could be sent, and if they were sent to prison they only sunk lower in the social scale. The gaol was not the proper place for these women.

28. *Mr. Tunbridge.*] The gaol is not a proper place for them?—No.

29. Nor for drunkards?—No, nor for drunkards either.

30. *The Chairman.*] Can you give us any opinion on this point: Did the police neglect to enforce the laws of the colony in respect to these particular matters?—I think a great many brothels were known to exist and that the police did not take action; but then, as I said before, that was because if they did take action they only scattered these unfortunate creatures. The women, if convicted and sent to gaol, on liberation only scattered and lived somewhere else.

31. *Rev. F. W. Isitt.*] Were there cases came under your knowledge short of actual prostitution where the children were living under bad circumstances and where the police could have removed

them under the Industrial Schools Act, but did not?—No, I think wherever the police became aware of children being in brothels, an information was laid and they were removed. I know many instances where I received information from rescue people, and when I informed the police they (the police) took action at once and had the children removed.

32. Had you any opportunity of observing how far the police enforced the licensing laws?—They were not as active in many instances as they should have been sometimes, owing to a want of knowledge of their duty; but it is very difficult for the police with the Licensing Act in its present state to enforce the law strictly.

33. Were breaches of the law winked at?—I cannot say whether they were winked at, because it is very difficult in licensing cases to get evidence. There is so much perjury in all these licensing cases.

34. In regard to Sunday trading, do you think the police are as active as they should be?—I think there is a great deal more Sunday trading than should be allowed, but whether the police can stop it is another question. But, as I say, the police are short-handed right throughout the service. There is no doubt about that, and the publicans and their servants know the members of the Force.

35. Did you make any special notice of houses in which there were two bars when you were Chairman of the Licensing Committee?—Well you see, by the Licensing Act as it stands now, it is not compulsory to have a bar at all. That is a flaw in the Act, and though as Licensing Chairman I have requested people not to have more than one bar, the Committee could not prevent them opening those other places called “private bars,” and that greatly increases the constable’s difficulty.

36. Did you at any Licensing Committee meeting give them any special notice that you would deal with that matter?—Yes; but we could not enforce it if the publicans kept private bars all the same.

37. From whom did you, as Chairman of the Licensing Committee, receive reports in regard to hotels?—From the police.

38. Suppose there were two legal bars in a hotel in the city, could you learn it officially, except from the police?—No; from the police only.

39. Did you have any report as to the existence of more than one legal bar in any hotel in Auckland?—Not more than one bar is allowed.

40. Have you had any knowledge as to the general conduct of the police or any opportunity of observing as to the sobriety and morality of the police and the personal character of the police?—Well, I have seen policemen over and over again in hotels drinking—in uniform.

41. In Auckland?—Yes, in Auckland.

42. In the Provincial District as well as in Auckland City?—I saw a constable on two or three occasions at different times go in and get liquor, which he did not pay for, and I said to the barmaid, “Do you let that constable get liquor without paying for it?” and she said, “Of course; you are obliged to keep them ‘sweet,’ you know.” That constable is still in the Force. But where there are officers who do the same thing you cannot blame the constables. You must have officers beyond reproach before you can get constables beyond reproach.

43. *The Chairman.*] Have you seen such a thing in regard to an officer?—Yes; I have seen him not only drunk on several occasions in a hotel and playing cards for money, but drunk in a coach. I on one occasion told a constable he would have to shift his drunken officer from a hotel at Te Aroha, or I would have him locked up. He was playing cards in a hotel for money with questionable characters.

44. *Rev. F. W. Isitt.*] You say he is still in the Force?—He is still in the Force as a first-class Inspector. I met him once when he was so drunk that he did not know me. I was speaking about a buggy, and he turned and asked the driver of the coach he was on who his friend was.

45. Do you mean that, if a commanding officer himself is drunk, you cannot expect the men to observe the laws in regard to liquor?—Discipline is lax, undoubtedly.

46. If it came within your knowledge that the officer in charge of the beat was a junior of two years’ and two months’ service, would you think the city to be rightly looked after?—There may be instances where a junior is a very efficient officer, and where the older officers may not be as intelligent and as efficient, and then the junior is placed in that position. If you take any Force you will find it is not all the oldest men in it who are the senior officers or non-commissioned officers, or the smartest or most intelligent.

47. The question is: Do you consider that there was sufficient police protection at night, if the night-guard was in the charge of a third-class constable of two years’ experience?—That would entirely depend on the intelligence and smartness of the man.

48. Would it not be somewhat phenomenal if the night-duty section man was a third-class constable of two years’ and two months’ experience, and all the men on the beat were his juniors, that they should all be of sufficient intelligence to take charge of the city at night?—That, I say, would entirely depend on the intelligence of the men. I would not like to say. Many young men may be more intelligent than those much longer in the service. The responsibility rests with the person who put him in charge; he might have been the most fit of any men he had available.

49. Did anything concerning the enforcement or non-enforcement of the law in regard to sly-grog selling come under your notice?—No.

50. As to the morality of subterfuge in regard to the detecting of crime, is it your experience that all crimes can be detected without the police resorting to subterfuge sometimes?—I do not think they would get any conviction unless they did. I consider the detectives must disguise themselves in all manner of forms, or they would never detect the persons they want. You must use subterfuge in all manner of ways to detect crime. I do not hold with lying.

51. Suppose even a clergyman were to dress himself as a chimney-sweep, and sweep a brothel to gain evidence to rescue a child, would you think it a noble or an ignoble act?—To my mind, as a

rule, there are only two courses—right or wrong—and I do not know how far you can do wrong that you may get right.

52. You think that a wrong thing to do?—You might, perhaps, sweep a chimney simply to get a child out of a brothel. I do not think there is any wrong in that.

53. Would you object to subterfuge, short of lying, to save Maoris from the effects of drink?—I do not hold with lying at any time.

54. *Rev. F. W. Isitt.*] Do you know anything of the causes which led to your removal from Auckland?—I have not the least idea. The Government said there was no cause whatever: absolutely none.

55. *Colonel Hume.*] You served some time in the Armed Constabulary Force?—Yes. I was a soldier ever since I was fourteen years of age. I have been in the colony's service for thirty-eight years.

56. And you consider the state of discipline in the Armed Constabulary Force very much better than in the police?—Yes. I am speaking of things coming under my notice.

57. Did the Armed Constabulary get a vote at that time?—They did not; we were not allowed to be approached either politically or in any other way.

58. Would you say there were less offenders in the Armed Constabulary Force in those days in proportion than there are in the Police Force now?—There, of course, you are going into a very different thing. Your fighting man is a man who takes his liquor pretty freely, as you know by your sailors; and men were punished pretty sharply if found drunk. We had *men* then—well, you might say, I suppose, some of the smartest men out of England in our Force, and many of them had to leave simply because they contracted, perhaps, the habit of drinking; but they were splendid fighting men, as the colony knows.

59. Am I to understand there was no political influence in this Force at all?—None that I ever heard of.

60. Even if I produce documents to show that there was?—Well, then, it must have been subsequent to my leaving, or in a different district to what I served in.

61. What were your years?—I was transferred to the Justice Department in 1876, I think it was; it might have been later. I was acting as Resident Magistrate in the Waikato, whilst still a Sub-Inspector in the Armed Constabulary Force. I was clerk to the Justice Department for some years.

62. How were the men appointed? Who appointed them?—They were sometimes raised in batches by officers. No. 6 was raised by Colonel Roberts at the Thames; Nos. 1, 2, 3, and 4 were taken from the old Force.

63. Would you say, in connection with No. 6 company, that Colonel Roberts was not influenced by the member of the district in making any appointment?—I would say that he was not, most positively.

64. During your service with the Armed Constabulary Force did you never see any officers intoxicated on duty?—I have, and I have seen them dismissed for it.

65. Have you ever seen them drunk and not dismissed for it?—No, I have not.

66. Now, do you know of any branch of the public service in New Zealand where there is not political influence?—There is political influence. That is the very reason I say I would disfranchise every person receiving salary and wages from the Government.

67. *Colonel Hume.*] Do you know any branch of public service in the world, apart from America, where there is not political influence?—There is political influence in every branch of Government service in New Zealand. It was rampant right through the public service.

68. Did you ever use political influence yourself?—Never; I was shifted, as I consider, in a most cruel manner, but I never went to a single individual, nor would I do it. I wrote for an explanation and then let the matter drop.

69. You do not make an exception of the Police Force?—No; I would disfranchise every branch of the service.

69A. Now you pointed out the want of discipline, and you quoted the South case as your experience when you were here; can you give us another case that has caused you to come to this conclusion that there was a great want of discipline?—There it came out more forcibly than anywhere else that I have noticed.

70. Do you happen to know another case?—When there was a lunatic in the cells I went down to the police station to visit them, and there seemed to be a general want of what you might call "officer in charge," or somebody you could always refer to positively for anything one wanted to know about the lunatic.

71. Was there not the Inspector?—I did not see the Inspector; he was upstairs.

72. Was there not a watchhouse-keeper?—He might be there at times, but when I went into the watchhouse there was not the sort of thing I would expect to find in the guard-room or any place of that sort.

73. We have been told here that the watchhouse-keeper is a most important person?—Yes.

74. Was he not always there?—I will not say he was always there, but he was there most of the times I went.

75. Now, this Constable Carr, at Patea, told you he had great political influence?—Yes.

76. With your experience, you do not take everything for gospel?—Well, no; but when a constable says anything of that sort there must be something behind him.

77. Do you happen to know whether he was promoted out of his turn, or can you give any particular circumstance beyond the fact that he was shifted from Patea?—He led me to understand that he wanted to go to the Napier District.

78. You said one or two constables at the last election stated they had worked for a certain candidate?—Yes.

79. Did you report that to the Commissioner?—No, that is not my business. I am not an informer.

80. But still you make it your business to do it here?—I was asked a question. I was summoned here.

81. You spoke about constables acting as Clerks of Courts, and you said that when you found fault with them they said they were doing police work, and when the police found fault with them they said they were doing Magistrates' work. Can you give a single instance of this?—I can give you many instances. I can give you an instance of Constable Salmon, at Manaia. His clerical work was not entered up, and he said he was doing police duty. I saw Inspector McGovern, and I asked him about the matter, and he said, "Well, of course, if I want them, then they are doing Clerk of Court work." I could mention many other cases.

82. Was not that difficulty got over by Salmon being shifted somewhere else?—I know he was shifted, but I have known other constables to tell me exactly the same thing.

83. You have to complain more of the work being in arrears than of work not actually done?—I say the men are not capable of doing the work.

84. You do not complain of summonses not being served?—We had a man here named O'Brien, who was Clerk of Court and Bailiff at Helensville, whom I reported over and over again for not serving or returning summonses and warrants.

85. Well, he was removed?—Well, it was six or nine months before I could get anything done one way or another. The man was always in a state of drunkenness.

86. Have you seen him drunk?—I have; and I have seen him in Queen-street, Auckland, so much under the influence of liquor that he did not know what he was doing.

87. Do you know of any single case of a constable or sergeant who has suffered in any way through carrying out the liquor-laws?—Well, of course, I cannot say positively of my own knowledge it is done. I only know what men have told me themselves, or what I have heard from others in the Force. There was a constable named Donovan at Coromandel, and I understood from some members of the Force that he was shifted because he had offended a publican—reported him—and that the publican openly boasted of having had him shifted. I was told by a person who saw the telegram to the publican that the constable was to be shifted.

88. Have you known any other instance in your twenty-two years' service as Magistrate?—I only know what the constables have said themselves. They said if they made themselves too smart they would be shifted, and that constable was shifted as I have said.

89. You do not take everything for gospel in that way?—Well, the opinion is prevalent throughout the Force, and I am certain that constable was shifted from the cause I have stated.

90. You say that through ignorance the police are not so active in regard to the liquor-laws as they might be. Can you give an instance?—I think in many instances they do not know what the liquor-laws are. I have had to speak to constables about allowing drunken men to remain on licensed premises when open, and I do not think they knew that was permitting drunkenness.

91. You cannot give me an individual case?—I have told constables, "You should not allow drunken men to remain on licensed premises," and they have said, "I did not see the man drinking anything." That showed they did not know that this was permitting drunkenness by allowing a drunken man to remain on the premises. I saw a drunken man coming out of a hotel between two others, and the constable did not think it an offence for a drunken man to be on licensed premises when open.

92. Then you do not think it was the duty of the Licensing Committee to go and see any publichouse themselves, I understood you to say?—Not before the Licensing Committee have sat. I think to go and inspect before the case is heard is not advisable. The members of the Committee are not constituted inspectors of hotels under the Act. The police report to the Committee, and the evidence is then on both sides of the question, and then it may be necessary to go and visit the publichouse.

93. Then from what followed you did sometimes go to publichouses?—I have only gone in one or two instances where some suggestions as to alterations were made, and the Committee have visited to see whether they were necessary or not, or whether they would fall in with the views of the Committee in regard to life-saving appliances.

94. I understand you to say you saw a constable in uniform drinking in a bar?—When travelling I stopped at the hotels. I used to stop at Oram's hotel here, and I have seen a constable in there. I live at a hotel now in Wanganui.

95. How long ago was this when the barmaid said she had "to keep him 'sweet'"?—About three or four years. About the time I took over the Auckland Court. When I came up the other day in New Plymouth I saw a constable standing in uniform in a hotel.

96. You did not happen to mention it to the Inspector?—It is no part of my duty. I never go to the Inspectors about their duty; the Inspectors come to my room if they want to see me.

97. *Mr. Tunbridge.*] Will you give me briefly the dates when this man Ryan applied to the two candidates?—I can only tell you it was when he was Clerk of the Court at Te Awamutu.

98. Then the conduct you spoke of occurred at Te Awamutu?—Yes, and Major Gudgeon was then the Commissioner of Police.

99. You say he is still in the service?—He was when I left Auckland. I cannot say now.

100. As regards the Patea case, you said Constable Carr told you that he had very considerable political influence?—Yes.

101. When was that?—Three or four months ago. He told me not on one occasion, but on one or two occasions.

102. In what way did you understand that applied? Was it used to keep him there, or what was it used for?—On the last occasion he told me he had reason to think he should be transferred into the Civil Service as Clerk of Court, and I said, "I do not think you will be able to do it." He replied, "I have very great political influence; I think I shall manage it."

103. *The Chairman.*] Are you aware that his (the constable's) wife is a sister of the Colonial Secretary?—Yes.

104. *Mr. Tumbridge.*] Did you understand from him he was being removed from Patea at his own request?—I understood he wished to go to the Hawke's Bay district.

105. Did he lead you to understand he was being removed at his own request?—From the conversation I should say, yes.

106. Did you understand he had made any application to be removed?—I did not go into the matter with him. I knew, of course, he considered he was suffering under a certain grievance. The County Clerk there at one time had been Clerk of the Licensing Committee. Subsequently Constable O'Brien was Clerk of the Licensing Committee, and the Licensing Court was held at Waverley. I found Waverley very inconvenient because most members of the Committee lived very far from it, and I adjourned the Court to Patea. Constable O'Brien was the Clerk, and he was a very good clerk, and I did not see any difficulty in his going to and from Patea by train. But Carr said he considered he had always been done out of the Clerkship of the Licensing Committee, and he was going out of the district, he was glad to say.

107. You compare the discipline of this Force with the discipline of the Armed Constabulary Force?—I have had a great deal to do with military men and discipline, and think I know what it is.

108. Have you had any idea of police discipline out of this colony?—Nothing whatever.

109. Do you think it is advisable to attempt to maintain military discipline in a Police Force—I should say it was advisable to have discipline, and where there is a non-commissioned officer who is in charge of others—or whoever is senior—the others should be entirely under his orders and control.

110. Is that not so in this Force, so far as it goes?—I would say in many instances, No. You cannot have any better instance than that of the South case. Then a sergeant sat at the table and did nothing, and allowed the constables to act independently of him.

111. Do you think that a good soldier is calculated to make a good policeman?—You know the Police Force better than I do, and I am not going to pit my opinion against yours. You have had the experience of London, and I have not. I would say—and I think in all Forces you must have discipline—that the police must look to their superior officers and to their Commissioner particularly, and not go outside and use outside influence. If they do I say there is a want of discipline in the Force and a want of unity in the Force, and it will become useless.

112. You say that when you landed from the Thames steamer you were scarcely ever able to find a policeman?—Yes, at night, if late.

113. Is it not a fact that every time a ship comes to the wharf a constable goes to the side of it?—I say positively No. I have landed time after time and have never seen any constable there.

114. Does that mean down to the present time?—I have not been there lately.

115. With reference to immorality in the City of Auckland, I believe you had almost a system of your own in dealing with these cases before the Court?—It might be. I did not like to send them to prison if I could save them. Prison only further degrades them and makes them worse.

116. Did you not very frequently allow them to go when brought up by the police, on their promising to leave the town?—Never, that I can remember. Drunkards I have, for prison is no place for a drunkard.

117. Do you remember three prostitutes named Parnell, Meadows, and Creamer being brought before you on one occasion?—Parnell was in a Rescue Home up to the time of my leaving Auckland for Wanganui. That is the only time, I think, she was before me. Meadows, if I remember right, was a girl from the South, and she was to return to the South to her home; the police to report to me if she did not.

118. You will not contradict me if I say that in October, 1896, you had these three, Parnell, Meadows, and Creamer, before you on one charge, and that you allowed these three prostitutes to go on condition they left the town; and that, as a matter of fact, they put that decision at defiance, and were never further dealt with?—I think if you turn up the records you will find that these girls, Parnell and Meadows, were brought before the Court. Parnell was then taken to a Rescue Home at Parnell. She afterwards left the Rescue Home at Parnell, and came to the Salvation Army Home, and was remaining there up to the time I left Auckland. Captain Sparkes came and informed me she was still in the Home, and I think I struck the case out then, just before leaving for Wanganui.

119. As regards houses of ill-fame or brothels, do you know that the city by-law here (subsection 37 of section 38) makes every person found on the premises liable to punishment?—I do not remember it. I suppose it is so if you say so.

120. Do you recognise that that frustrates the action of the police in giving evidence, by the people found in the premises claiming privilege when asked questions?—I admit the police had great difficulties in carrying out that law, and in carrying out the licensing-laws. If the law was like the English Act, so that any person found on the premises during prohibited hours could be brought up, it would be much better, and materially help the police in carrying out the law.

121. Do you advocate the inclusion of that section in the New Zealand Act?—Yes, undoubtedly.

122. Do you know of the existence of any bar—other than those allowed—opening directly on to the street?—There is only one bar. I say there is a deficiency in the licensing-law.

123. You do not blame the police for that?—Oh, no, it makes their duties more difficult.

124. In regard to the First-class Inspector, has it been notorious that this particular Inspector has been in the habit of taking more liquor than is good for him?—I think so.

125. And your knowledge of intemperance only extends to one Inspector?—Yes.

126. With reference to sly-grog selling, do you consider it a good policy to make it compulsory really for the police to have to act the lie, or to tell a lie, to get a conviction?—I do not believe in ying.

127. Is not subterfuge a nicer word for lying?—A man may go as a traveller in mufti. If he goes in uniform he could not expect to get a conviction.

128. If he goes as an insurance agent, and represents himself to be an insurance agent, and goes into a house to get a policy, is that acting a lie, or would you call it subterfuge?—It is a nice point.

129. Do not you think it would be better if the laws were made more in accordance with public feeling on the matter? Do you think it would be possible to govern the drink traffic if a house was licensed better than it is now, and with this sly-grog selling?—Well, of course, I can only answer that by telling you what is within my own knowledge. Years ago, from Napier to Lake Taupo, there were only military canteens, and we found we could not suppress sly-grog selling until we had hotels at Tarawera, Opepe, and Tapuaeharuru. We had the Force under our command, and we could close the hotels. There was an officer stationed at each station, and he could see that the hotels were closed at the time they should be, and we could turn out the liquor if it was not good. The doctor examined it occasionally.

130. Do you think the evil is less under a licensed-house system or under sly-grog?—You see, sly-grog sellers concoct liquors, and they sell the most vile liquors—if they can be called liquors as we understand the name.

131. You consider the evil less under the licensed system than under the sly-grog system?—Undoubtedly. We had the one under control and the other uncontrolled.

132. Have you reason to suppose the same condition of affairs would exist in equal measure if applied to the King-country?—You would not have the strict supervision over each hotel that we had, because there was an officer stationed at each place where an hotel was.

133. But, assuming the hotels were under proper supervision, is there any reason why it should not act in the same way in the King-country as it did in the case you have mentioned?—I think the majority of the Maoris in the King-country are against the liquor. I was stationed on the borders of the King-country, and had a great deal to do with the chiefs, and during the time I was there all the chiefs who had any influence with the people were against liquor going into the King-country, because they said it debauched themselves and their women. That feeling was very strong right throughout the King-country. From my knowledge of some of the most influential chiefs we had in the King-country, I know they were always against it. That would be up to 1887 or 1888.

134. Do you look upon the practice of paying for information, and offering money to get information, as one not to be encouraged more than possible?—Yes, I think it is dangerous.

135. You always look upon such evidence with a good deal of suspicion?—Yes, dangerous and unreliable as a rule.

136. You mentioned an occurrence in New Plymouth as “the other day”: what date was that?—I think last Easter, and about six months ago.

137. *Inspector Hickson.*] Have I had many prosecutions against disorderly houses in Auckland?—I think you had a great many before I came here, and some after I came.

138. *Mr. Poynton.*] Inspector Hickson, in giving evidence here, stated he had a difficulty in getting evidence, because there was a by-law which made the inmates of every house of ill-fame liable to a penalty, and that when witnesses were called upon to give evidence they objected to give evidence because under the English law no man is supposed to incriminate himself, and under that by-law a man incriminated himself, and Inspector Hickson says you uphold that objection?—It never came before me. The only cases against prostitutes before me were taken under the Criminal Code Act and Indictable Offences Summary Jurisdiction Act.

139. *Inspector Hickson.*] Have you ever seen me drunk?—No.

140. Have you ever seen me under the influence of liquor?—No.

141. Did you ever see me in a publichouse after hours?—No.

142. *Rev. Mr. Isitt.*] If a Magistrate releases an offender on condition that he or she left the town, and they did not leave, would it be the duty of the police to report that fact to the Magistrate?—If I allow a person to leave I generally say to the police, “If this person does not leave, bring him or her up,” and the case then generally stands till next day.

143. It would really be the duty of the police to let you know if the person had not gone?—Yes; I always instructed them to do so.

144. You have been asked as to licensing houses in order to do away with the sly-grog evil: Is your general knowledge of publichouses such that they are controlled against illicit sales, by being licensed?—I think liquor is better under control than sly-grog selling, and I think there will be less sly-grog selling if there are licensed houses well under control.

145. Would you say there would not be a large number of illegal sales then under licenses?—I do not think there is any question about that as the law is carried out at present.

146. Had you any reason to suppose what your line of examination would be this morning?—I had not the least idea, or I should have been better prepared. I have not spoken to you on the subject before.

147. *The Chairman.*] In regard to the difference between license and no license, I understand you give as your opinion that under the licensed system there is better liquor sold and there is more control than there is under a system of no license?—That is my opinion from experience.

JAMES MCCREA BRIGHAM, examined on oath.

148. *Colonel Pitt.*] What are you?—I am secretary and treasurer of the Auckland Harbour Board.

149. How long have you resided in Auckland?—Over fifty years.

150. How long have you held your present position?—Over twenty-five years.

151. *Mr. Tunbridge.*] In your capacity as secretary of the Harbour Board have you been brought in contact with the police?—Yes, to a very great extent.

152. On the wharf and about the city?—Yes; on the wharf as secretary of the Harbour Board, and in the city observing matters as I go along.

153. What is your opinion as to the way in which they have performed their duties generally?—The police, so far as the wharf is concerned, have invariably carried out their duties to my entire satisfaction. In no case have I known the police to do other than what was perfectly straightforward and correct.

154. And as regards the city?—My observations in the city are exactly in the same direction. I know no number of men who carry out their duty in a more efficient manner than the police, so far as the wharf is concerned. In Auckland, up to within a few years ago, we had what we called the water-police, and matters upon the wharf, so far as the police were concerned, were administered by the water-police, and with much more satisfaction than they are at present. The water-police who were then on the wharf had an intimate knowledge of the by-laws of the Board, together with shipping matters, and were capable of handling boats. As it is now, I understand a policeman will go on duty on the wharf, and be on duty there for a night or two, and afterwards may not be there for months; therefore he has little or no knowledge of the people frequenting the wharf, and what is absolutely required there. I think it would tend very much to facilitate operations on the wharf if the water-police were reinstated.

155. Do you know how many men were required for this service?—There were three in the service at one time; one was taken away and then another, and ultimately they were abolished altogether.

156. Were they on duty day and night?—I forget how they regulated that. I think one of them took duty at night. The Harbour Board provided the police-house; they so arranged it, anyway, that there was always a policeman about on the wharf. Matters were, in my opinion, very much better regulated than they are now; and one thing I have noticed since the water-police were withdrawn is that cases of drunken men falling over the wharf are much more frequent.

157. *Colonel Pitt.*] Do you know if any report has been made by the Harbour Board to the Police Department on the abolition of the water-police?—No, I think not. I made inquiries about it, but I was told Auckland was different in regard to the water-police than any other city of New Zealand.

158. Has any other matter come under your observation in which the police, either as a body or individually, have failed to carry out their duties in Auckland?—Certainly not. As I have said, my experience of the police has invariably been that they have done their duty, and done it well.

159. What about bad characters being allowed to frequent the wharves: have you any complaint to make in that respect?—No. There have been at times some bad characters who frequent waiting-rooms, but on their being ordered out they cleared away. We had no trouble about it. At the same time the trouble we labour under in connection with the police is that there is not a sufficient number of them. Had we more police matters would be better regulated.

160. Can you give the Commission any evidence as to the sobriety or morality of the police?—I never had any fault to find with the police in that direction.

161. *Colonel Hume.*] I take it if the constables on wharf duty were constantly the same ones you would have no cause for complaint?—No; provided they knew, as the water-police knew, how to handle boats, and that sort of thing.

162. You are aware there were no other police in the colony at the time the Auckland water-police were abolished?—Yes, I am aware of that.

163. You say there are more accidents now than there used to be when the water-police were here?—Yes.

164. Is it not a fact that the wharves are nearly doubled in size now, and the number of inhabitants is very much greater?—It is a fact that the wharves are very much enlarged, but I do not think that accounts for the larger number of accidents. When the water-police were about they would intercept drunken men, and prevent them going on the wharf. Now we have only one policeman there, and drunken men are able to get down; hence the accidents.

165. I take it you do not want the water-police as a separate body if constables with a knowledge of the sea and seafaring matters are kept on duty?—Yes; and more than one constable is kept there.

EDWIN HARROW, examined on oath.

166. *Colonel Pitt.*] What are you?—I am a farmer, living at Lake Takapuna, near Auckland.

167. How long have you been in this district?—Sixteen or seventeen years—the hotel there belongs to me.

168. Have you had frequent opportunities of observing the police?—I have had a good deal to do with them. In regard to the district of Devonport, I think it is an enormous district, and the policemen have to look after a district which extends from Devonport to Waiwera.

169. In that district do you think the police are insufficient in numbers?—Certainly; and they have the most disreputable district of the whole lot—that is, the Wade district.

170. Do you think the matter would be remedied by a constable being stationed at Birkenhead?—I think it would improve matters very much.

JAMES HICKSON, further examined on oath.

171. *Colonel Pitt.*] You wish to make some statement?—I wish to make an addition to what I have already stated. I want to state in a few words the absolute necessity of having an additional officer here—say, a Sub-Inspector to assist me in the performance of my duty. I arrived in Auckland in January, 1893; in the month of March of that year I was ordered to Whakatane owing to some surveyors having been obstructed and assaulted by the Natives. I attended the Court there, and fifteen prisoners were convicted. During the several days I was away correspondence accumulated, and each time I had to fill it up. I have been seven times out of Auckland on similar expeditions, and I have never had a day's rest on my return. I say it is imperative to have a Sub-Inspector.

No matter how unimportant it may have been, I must read the correspondence to see that nothing of importance is omitted. I have had only fourteen days' leave in the colony since I came here, thirty-two and a half years ago.

172. Have you ever applied for your leave?—I did not apply for leave. I was not refused it any time. I felt I could not be dispensed with. I would have applied had I thought there was any likelihood of there being anybody to replace me.

JOHN BENNETT TUNBRIDGE, further examined on oath.

173. *Colonel Pitt.*] What is it you wish to state?—For some time past I have felt it would be advisable to make a change at Patea, Constable Carr having been there, I think, just over seven years. On Sunday, the 22nd ultimo, some papers were placed before me at Wellington which, in my opinion, reflected somewhat on the constable stationed at Waipawa, and who was in charge there. I thereupon decided to transfer that constable to a station where he would have no one under his charge. Constable Williams, at Woodville, had some three months before been in a little trouble with his Inspector, and I thereupon decided to make what I may describe as a triangular change, by transferring Constable Brosnahan from Waipawa to Woodville, and Constable Williams from Woodville to Patea, and Constable Carr from Patea to Waipawa. I made the change accordingly.

174. Was any influence brought to bear on you in any way to make the change?—None whatever, either for or against either of the constables; nor did I consult either of the constables as to whether the change would be agreeable to them or not. It was done entirely on my own initiative, and for the reasons I have stated here.

BERNARD GREENE, examined on oath.

175. *Colonel Pitt.*] In regard to the Dean case, you heard the complaint of Mr. Dean that you used some disrespectful expressions in regard to his wife?—I have no recollection of having used any words that would bear such a construction. I know her to be a highly respectable woman. I might explain it was when the Shop-hours Act came into operation, and as Inspector of Factories I spoke to Mr. Dean, who was going to stop on his premises and sleep there. I told him the best thing he could do was to go home to his family; it was not necessary for him to remain on his premises, as his shop was only a fruit-shop. Just about that time there were spieles and thieves coming out from Auckland, and I might have made some remarks about them.

176. You disclaim having said anything about Mrs. Dean?—Nothing whatever.

177. You heard Mr. Taylor's evidence about men driving on the Mangarere Bridge?—There are some young fellows who hire buggies, and make a round through Otahuhu and Onehunga.

178. Did you notice any of them intoxicated?—They make a greater show than they are. Some time ago Constable Walker and I followed two and arrested them, and charged them, I think, with furious driving. They were brought before the Court and fined £1, I think. It is sometimes difficult to catch up to them. It is only on holidays that the like occurs.

179. Is that the only occasion on which arrests have been made?—There have been arrests for driving on the bridge in an intoxicated condition, and they have been charged with being drunk whilst in charge of a vehicle.

NEW PLYMOUTH.

WEDNESDAY, 22ND JUNE, 1898.

FRANCIS MCGOVERN, examined on oath.

1. *The Chairman.*] When were you appointed Inspector?—I was promoted to Inspector on the 5th May, 1886.

2. And stationed where at that time?—I was at Kawhia.

3. From there where were you sent to?—From there to the Bay of Islands. That was in the year 1887. From there, in 1891, I was transferred to Greymouth, and from there, on the 15th May, 1896, to New Plymouth.

4. Now, what are the boundaries of your police district?—I take in Bulls, Marton, Hunterville, Ohingaiti, Raetihi, and Moawhango; then Mokau and Kawhia. From Kawhia I go to Aotea, about eight miles inland.

5. What stations have you in the district?—I have twenty-two in all, including New Plymouth.

6. And have you more than one constable at any of these stations?—Yes; at Hawera there is a sergeant and one constable; at Stratford there are two constables; at Wanganui there are six constables and a sergeant; there is no sergeant at Stratford, but at New Plymouth there are five constables and one sergeant. At all the other stations there is only one constable, except at Patea, where there are two constables. At Kawhia there is a district constable.

7. Now, do you find that the Force is sufficient for your work in the district, in New Plymouth, Wanganui, Stratford, and Patea?—I think there should be another man in New Plymouth and the same in Wanganui, and also an additional constable at Hawera.

8. With the exception of these places, do you consider the strength of the police is sufficient?—At the present time.

9. Can you tell us of the efficiency of the men at the present time. In this you must tell us what is the condition of the men and of any physical infirmity?—There are none that I consider infirm; they are all good with the exception of one or two. There are a few in the district that I would be very glad to get rid of.

10. As to any physical infirmity?—With those exceptions the others are good men; I have no fault to find whatever with them.

11. Has no complaint been made to you of any misconduct on the part of any of your constables which has not up to the present time been inquired into and dealt with?—You mean recently?

12. Yes—within the last four or five years?—No, no complaint but what has been dealt with.

13. With regard to the general enforcement of the law in your district, do you find your men active and energetic?—I do.

14. Have you any fault to find with any of them in that respect?—No, save with the two exceptions I have mentioned.

15. As to hotels, how many have you in the borough?—Six. Another at the Breakwater, about a mile from here; and another at Bell Block, four miles away.

16. Now, is there much drunkenness here?—No.

17. Will you be good enough to prepare a return showing the number of cases of drunkenness within the last twelve months ending March last, and all cases of Sunday drunkenness—I mean those arrested between 8 o'clock and 12 at night?—I will.

18. Have you any public gambling here?—Not that I am aware of.

19. And the general order of the town with regard to prostitution, what is that?—Very good. I have not had a single complaint.

20. You have heard that the Force places great weight on the question of a pension, and that it has been constantly referred to. What is your own opinion with respect to the question of a pension or retiring-allowance?—My idea is that without a pension there will not be an efficient Force in New Zealand, so that old men may be discharged within a reasonable time.

21. And do you think that the men in the Force would be willing to submit to a reduction of their pay in order to secure the advantage of a pension?—I think so. I would give a large sum myself, and any men I have heard speak about it are quite willing that it should be done.

22. We do not wish to take you through all the questions that we have asked other officers; I dare say you are familiar with them. If you have anything to say on the matters we shall be glad to hear you. At what age do you think men should be compelled to leave the Force?—I think the men should leave at sixty. That would give them a chance of making a little home for themselves.

23. You think, then, at sixty resignations should be compulsory?—I think so.

24. What with respect to pay?—You know the circumstances of this locality: do you consider the present rate of pay is a reasonable and proper rate for the class of men whom it is desirable to attract into the Force?—I consider that 7s. is little enough for any man who joins, more particularly if he has a wife as well, and has to pay house-rent.

25. Do you think that the pay should be raised by length of service?—I do; and that the second and third class should be abolished. I do not think there should be any classes at all. I would say not less than 7s. a day and rising at intervals would be satisfactory.

26. How long do you think they should be in the Force before getting a rise?—I should say six or seven years, but that I have not considered.

27. Rising at intervals of what? What do you consider the maximum rate of pay for a constable should be?—I should say 9s.

28. You have heard that the various witnesses have stated that uniforms should be provided to the police free?—Yes; I consider the police should have a suit of uniform for every year. I think the cloth should be sent to the constable, who could get it made up properly.

29. *Colonel Pitt.*] Have you any suggestions to make as to the alterations of boundaries in your district?—There is one, I think. I think Kawhia should be in the Auckland District. There is no communication between here and Kawhia. Suppose I have to go to Kawhia, I should be obliged to go to Onehunga, and wait for a steamer which goes to Kawhia once a month in winter time. In summer I could ride to Otorohanga. It would be a hundred and fifty or two hundred miles of a journey.

30. How often are you able to visit out-stations in your district?—Once each year, perhaps, with the exception of one place—Kawhia. All the others I have visited, except Mokau.

31. Do you recommend the appointment of Sub-Inspectors in the chief centres?—I would recommend the appointments in the large centres—Auckland, Wellington, Christchurch, and Dunedin.

32. Have you any recommendations to make as to the headquarters of your district? Do you think that New Plymouth is the most convenient for it?—Well, I would say no if it was not for the Parihaka district, and the trouble with the Maoris. But for that I should say it should be Wanganui.

33. Now, is there much larrikinism in this town?—Not a great deal.

34. Have the police much trouble in dealing with it?—Very little. Some complaints have come from the out-districts—at Bell Block.

35. What is the larrikinism there?—Principally as to the disturbance of congregations.

36. Have any proceedings been taken under the Police Offences Act?—Yes; some have been severely punished. I may say I have had no complaints recently.

37. And are there no reputed "tote" shops here?—Not that I am aware of.

38. I suppose you are not troubled much with street betting here?—No.

39. *Rev. Mr. Isitt.*] Have you had any experience with regard to the existence of political influence in the Police Force?—So far as I am concerned I have had none.

40. Has it come to your knowledge that there is a general impression that political influence affects promotion?—No.

41. Or removals?—I can only speak from rumour.

42. Is that rumour substantial? Has it come from men under your command?—No.

43. Is there an impression amongst the men that it is dangerous to interfere with the liquor trade?—No; certainly not.
44. About street betting, have you any trouble in connection with betting with boys?—Yes; some cases from Waitara.
45. Was any information laid?—Yes; and the man was punished. I think he was fined £5 and costs.
46. Was there a case withdrawn on condition that he should return the boy the money he obtained from him?—I do not remember.
47. Would that occur without it being reported to you?—I do not think so.
48. What officers were on duty?—Sergeant Stagpoole and Constable Bleasel. Sergeant Stagpoole reported the matter to me, and I directed a prosecution.
49. Would you say it was a right thing to withdraw the case on the condition that the money should be returned?—No; it should be reported to me.
50. Do you know anything of a man named Coleman?—Yes; that is the man I am referring to.
51. Is he a bookmaker?—I believe he is.
52. Was he punished?—Yes, he was fined £5 on each charge.
53. Has a man named Butterworth been here in your term of office?—Yes. The "Bird" business was not in my time.
54. Have you a constable named Quinn under your jurisdiction?—Yes.
55. Was he disgraced?—Yes, I believe so.
56. Will his records tell that?—Yes.
57. Was he dismissed or disgraced?—I believe he was dismissed and put on again. I am only speaking from memory.
58. Has he since been promoted?—My opinion is that he is now a first-class constable.
59. Have you any knowledge of any of your men drinking in publichouses or a brewery?—Only from hearsay.
60. Not reported to you?—No.
61. *Colonel Pitt.*] How long ago from hearsay?—That would be within the last twelve months.
62. Which is it, drinking in a publichouse or a brewery?—I have heard of a particular constable drinking in both places.
63. *Rev. Mr. Isitt.*] Tell us, then, how you heard of this?—I read it in a newspaper.
64. *The Chairman.*] When you saw it in the paper did you institute an enquiry?—It was only this morning that I saw it.
65. *Rev. Mr. Isitt.*] Then, you did not hear of it prior to that?—Yes; I may say that I heard one of the men went to a brewery; but, so far as drinking in a publichouse, this morning was the only time I heard of it.
66. So far as the brewery is concerned, did you make inquiries?—The persons who said that would not give me any particulars. I could not find out whether there was any truth in it or not.
67. Have you heard of one of your men going to the hotel to ask if the police had been telephoned for—going on the supposition that the police had been telegraphed for?—Yes; some two months ago I was told that.
68. Was it before your time that Duffin was dismissed?—No; he was dismissed in my time.
69. Have you records in the office bearing on his case?—No; they went to Wellington.
70. Was it within your knowledge as to the intemperance of any man under your command—was it within your knowledge that any man under your command had been of intemperate habits for a long time without being dealt with?—Not in my time. When I took charge here Sergeant Duffin was sergeant-in-charge for some months. He was perfectly sober and a good sergeant. I was very well pleased with him until he commenced to drink.
71. You say, Inspector, that no complaints had been lodged with you concerning prostitution?—No.
72. I suppose you mean as to the existence of any brothel? Do you wait until complaints are made before you take action?—Certainly not. If I learned there was anything in it I would take action at once.
73. Are you satisfied with the way in which the licensing-laws have been enforced?—As far as I know; I can speak for New Plymouth.
74. Were you present at Stratford when the license was granted to the Inglewood Hotel?—No.
75. Was no objection urged against the granting of the license, or exception taken by you?—No. The policeman at Stratford is the Inspector of Licensed Houses.
76. Was any objection urged against the granting of an 11 o'clock license?—I do not know.
77. Have you no record?—No; I heard it was granted.
78. Were you aware that an 11 o'clock license was granted without the applicant having applied for it?—I cannot say. The Magistrate could tell you.
79. In the event of an 11 o'clock license being granted to a publican without his having applied for it, would that circumstance be reported to you?—I do not think so. I would not go behind the ruling of the Licensing Bench.
80. Not even if the 11 o'clock license was granted without application?—No; the Licensing Committee has full discretion in such matters.
81. Has a man named Buckthought been granted a license at Rahotu?—Yes.
82. Where did he come from?—Near Hawera.
83. If a character were wanted for that man, where would he go for it to the police?—To Hawera.
84. Do you know if a character was granted to him?—No, there was no character granted to him.

85. Do you not know, as a matter of fact, that it was refused to him?—There was a case pending against this man at Hawera. The matter was sent up to me (the application for a character) from Hawera, and it was referred to the Stipendiary Magistrate. The documents were left before him, and it was held in abeyance until the case would be disposed of at Hawera.

86. As a matter of fact, was this man dealt with by Mr. Northcroft?—He was fined £10 and costs for permitting drunkenness.

87. Did Mr. Northcroft refer to the fact that a death had occurred in consequence of drunkenness?—I believe he did.

88. With that knowledge, did you not protest against a character being given?—I did not. The whole correspondence was laid before the Magistrate, together with Mr. Northcroft's decision.

89. Then, the whole responsibility laid with the Committee?—Yes.

90. Were you present at Wanganui at the Licensing Committee meeting?—No.

91. The Mokau you spoke of is not the Mokau at the terminus of the railway?—No.

92. Have you any report of sly-grog selling being rampant in your Mokau?—Yes.

93. Were constables sent to deal with the matter?—It is only a few days ago I heard of this rumour.

94. Was it within your time that Constables Buchanan and Bleasel were sent?—No.

95. Are not these men well known in the district?—Bleasel would be well known in the district.

96. Are there no Parihaka writs not served?—One for sly-grog selling. There were others for dog-tax.

97. None for other informations—a considerable number remaining unserved?—No.

98. Who would be at Eltham to lay informations against publicans?—Constable Simpson.

99. Were two informations laid there some time ago against two of the houses?—Yes; on the 1st January last. I presume this is what you are referring to, for keeping their houses open after hours on New Year's night.

100. And these were dismissed?—Yes.

101. Have the police power to appeal if a case is dismissed?—It has to be referred to the head of the department.

102. Who would have charge of these cases if an appeal had been thought necessary?—The person prosecuting would have had to report it to me.

103. Did you get his report?—I got a report as to the decision.

104. Did you, under the circumstances of the case, think an appeal desirable?—I know the circumstances of the case—that the cases were dismissed—but not the grounds of dismissal. I cannot remember.

105. *Colonel Hume.*] You were at Greymouth for some years?—Yes.

106. You told us that during the whole of the time you were there you knew of no political influence being used?—I know nothing whatever about it.

107. Well, on that West Coast business, do you remember purchasing a grey horse for use in Greymouth?—Yes.

108. You had it on trial, I suppose?—I did.

109. Do you remember on whose recommendation you got it—there is no veterinary surgeon there?—No; I cannot now say if there was any recommendation. It was a beautiful horse, and I took a great fancy to it. We had it for a fortnight.

110. You rode it yourself?—Yes; I rode it to Greenstone, Maori Gully, &c.

111. You were satisfied with it?—I never put my foot across a nicer horse.

112. You had a shoeing-smith there named Tanner?—Yes. I do not think Tanner was referred to in the purchase of his horse. I would not have any confidence in him.

113. Did I not always impress on you that you were strictly to carry out the liquor-laws?—Yes; the liquor-laws, gambling-laws, and all laws.

114. I suppose when you had the West Coast you had more publichouses under your charge than any other Inspector in the colony?—Yes; there were some twenty-six publichouses in the Borough of Greymouth.

115. You say you never received instructions from me not to carry out the law. Did you ever receive instructions from any one else in authority?—Certainly not. I was never interfered with in any shape or form in carrying out my duty. I would take it as an insult if I was.

116. You had a constable named Bennett under you in Hokitika?—I had.

117. Do you recollect his having to pay for a child?—I do.

118. Do you recollect recommending that he should not be further punished?—I did not hear of the case until after it was disposed of by the Magistrate. I then went to Hokitika to inquire into the case, and interviewed Bennett about it. The sergeant had reported it to me. I made particular inquiries into the matter, and on my return I sent my recommendation forward.

119. What was the nature of your recommendation?—That he had been punished to the extent of £50, or something like that.

120. This man had saved life on one or two occasions?—He was an excellent constable in every way, as far as I knew.

121. Were you influenced in that case in any way or interfered with by anybody in authority?—I am perfectly certain I was not. As far as I remember my recommendation was asking that the man should not be punished. From the inquiries I made I considered it would be a hard case if he was.

122. Now, you said that in order to have an efficient Force there should be pensions?—I did.

123. Are the Commissioners to infer from that that the present Force is inefficient?—Undoubtedly not; I have as good constables as can be found in any Force.

124. As regards this Mokau business, was it within your time that Bleasel and the other man were sent out?—No; I know nothing about it.

125. Do you happen to know the Justices of the Peace near Mokau specially requested that Bleasel should be sent?—I have no knowledge whatever of it.

126. Then, as to this man Coleman that you were asked about just now, do you know where he is?—I think he is in Wellington Gaol on these charges. He was fined £5 on each charge, or two months in default. He cleared out immediately, and we had some trouble in getting him summoned.

127. When you came here first, in New Plymouth, I understand you found things satisfactory?—Fairly so.

128. The sergeant was sober, I think you said?—He was for a few months.

129. Now he had been some time here without anybody over him at all?—Yes; I think from March to May.

130. From Mr. Thomson's death until you arrived?—Yes.

131. I suppose you were surprised when you found he had got into this state?—I was very much surprised. I was pleased with him before that.

132. *The Chairman.*] Were there any special circumstances which led up to that?—When I spoke to him he spoke of family troubles.

133. How long had he been in the Force?—Over thirty years.

134. And he had an absolutely clean sheet?—So far as I know.

135. *Colonel Hume.*] Do you not think the same man had very considerable political influence?—I do not know of it. I never heard him speak of political influence in any shape or form.

136. Do you know anybody in power who is trying hard to keep him in the service?—No.

137. No member of Parliament or anything of that sort?—I cannot say.

138. *Mr. Tunbridge.*] You suggested, Mr. McGovern, that the cloth should be issued to allow the men to get their own uniforms made up?—Quite so.

139. Do you think you would be able to keep a check on the men, so that they would get their clothing made up?—I think so, if the Inspector went round. It would prevent the slop-made suits.

140. If you went round once a year you think you would see that the men had the cloth made up?—Well, it might be a difficulty.

141. With regard to these two charges at Eltham for keeping hotels open on New Year's night, were they referred to me in any way?—No, they were not.

142. *Colonel Pitt.*] Can you give us the return of the men of under two years' service in the Force now under your charge?—Yes.

143. Do you give the men any instructions here as to their duties?—Nothing more than to instruct them to read up the by-laws and that sort of thing.

144. How many beats have you in this town?—Well, I may say there is only one, along the main street.

145. *The Chairman.*] Do you fill that every night?—There is a man on duty in the day and every night.

146. *Colonel Pitt.*] Is the town orderly at night?—Yes, as far as I know.

147. *The Chairman.*] You have only one night beat. What day beats?—There are two men for day duty, one for night duty, and a mounted man who takes his turn of day duty.

148. Is there only one man out during the day?—Yes.

149. And one at night?—Yes.

150. Does the night-man take his full eight hours out?—Yes he is on duty all the time.

151. Is he visited on his beat at any time?—The sergeant sees him occasionally.

152. Does the sergeant visit him at irregular intervals?—Oh, no; we have only one sergeant. It would be impossible for him to be on duty at night time as well as the day.

153. Then, practically there is one constable on duty at night and nobody to look after him?—The sergeant is out at all hours, and I have been out myself.

154. There is no officer out at night to see if he keeps on his beat?—I have gone out myself sometimes.

155. Do you think it would be proper not to make surprise visits?—It has been done occasionally. It could not be kept up every night. The sergeant is on duty from 7 o'clock in the morning until 11 o'clock at night.

156. *Colonel Hume.*] Has constable Quinn been giving you satisfaction since he has been here?—I have no complaints whatever to make about him. He had been stationed at Waitotara, and is now at Manaia.

WILLIAM GREY, examined on oath.

157. *Rev. Mr. Isitt.*] How long have you been in the service?—I was transferred from the Armed Constabulary in 1887.

158. Where have you served?—Wellington, Auckland, and New Plymouth.

159. How long have you been here?—Close on five years.

160. Have you had any experience of political interference being used in regard to transfers or promotions?—I cannot say that I know of such influence except from rumours. I have no knowledge beyond rumour.

161. Have you found there is an impression in the Force that there are such influences at work?—Well, of course men talk, but I have had no experience of such.

162. Did you gather that impression?—Well, it was on my mind at the time.

163. *The Chairman.*] Where did you gather that impression?—Well, in a place like New Plymouth there is not so much talk as at Auckland, where there are a number of men.

164. *Rev. Mr. Isitt.*] Did you get the impression that there were such influences at work?—Well, Mr. Isitt, I can hardly go that far.

165. Did you believe that it was not safe to touch the liquor trade?—I have never heard that. As far as I am personally concerned, I have never hesitated to do my duty.

166. Have you known of any constables being given to intemperate habits?—I have known one to have a drink.

167. I mean of intemperate habits?—I would like Mr. Isitt to define what he means by intemperate habits.

168. *The Chairman.*] Giving way to liquor?—Well, I have not seen it to that extent.

169. *Colonel Pitt.*] Is there any matter you wish to bring before the Commission on your own behalf?—Well, I have had a grievance, and I have spoken to the present Commissioner and to Colonel Hume.

170. What was it?—It was about the long-service pay. I was one of the unfortunates who were transferred to the police from the Armed Constabulary and did not get long-service pay.

171. You mean you joined after the circular was issued abolishing long-service pay?—Yes. This is the only grievance I have.

172. *The Chairman.*] You joined with a full knowledge of the circular. I joined without much knowledge.

173. *Colonel Hume.*] You found the circular had been issued?—Yes, I afterwards found the circular was issued.

174. You have a good few duties to carry out as well as the laws relating to liquor?—Yes.

175. Have you ever found any person in authority to interfere with you?—No, never in any way.

HAL GOODACRE, examined on oath.

176. *Rev. Mr. Isitt.*] Does your business involve your travelling much?—Yes, I am travelling about half my time.

177. Much in the Provincial District of Taranaki?—Yes, a fair amount in the district—all over it.

178. Have you stayed much in hotels in the country?—Yes, I generally stay at the hotels when away from home.

179. Have breaches of the Licensing Act come under your observation?—In what way?

180. Have you seen breaches of the law?—Yes.

181. In what way?—I have seen business done after hours; also I have seen gambling with cards—if you call it gambling, playing for shilling corners.

182. *Mr. Poynton.*—With cards?—Yes.

183. Do you know that that is not illegal?—I was under the impression that it was illegal.

184. *Rev. Mr. Isitt.*] Have you seen Sunday trading?—No, I have not seen Sunday trading.

185. Have you known, of your personal observation, any constables of intemperate habits?—Amongst the constables? Not of my own personal observation. I do not know of it. Any of the constables that I know I cannot say that I have seen them intemperate.

186. *Colonel Hume.*] Where was this selling after hours that you have seen?—Well, I have seen it in a number of houses—I could not give the day or dates—within the last two years.

187. Were the people boarders who were being supplied at the houses?—That I could not say. I would not know of any case in particular.

188. *The Chairman.*] Of course you know that it would not be any breach of the law to supply travellers or boarders?—Well, yes, the houses have been fairly full. I could not say whether they were lodgers or not. I would be a lodger myself. In many instances I should say they were not lodgers.

189. Are you aware that it is quite legitimate to sell at any hour of the night to persons who are travellers or lodgers?—Yes.

190. Well, what are we to understand?—That all that were in the house were getting liquor after the usual closing hours.

191. Well, now, have you yourself ever obtained liquor after hours when you were staying in any house?—No.

192. Are you a Prohibitionist?—Yes.

193. *Rev. Mr. Isitt.*—You could not swear they were not lodgers. Had you any doubt that sales were going on to all and sundry?—Not the slightest doubt; but I could not swear whether or not they were lodgers.

194. Have you seen breaches of the law throughout the colony other than in Taranaki?—Certainly, worse than Taranaki. I believe the law is better carried out in Taranaki than in any other district I have travelled in.

195. It was only a general impression that it was a general trade, but you could not swear to it?—I could not swear to it.

196. Have you seen illegal gambling on these premises?—Well, I cannot swear to that, not patronising the rooms where apparently gambling seemed to be carried on.

197. *The Chairman.*] Do you stay at any time in boarding-houses?—Not as a rule; they are not convenient for commercials. I find the accommodation better in the hotels.

Sergeant MARTIN DUDLEY STAGPOOLE, examined on oath.

198. *Rev. Mr. Isitt.*] How long have you been in the service, sergeant?—About twenty years.

199. Where stationed?—At Wellington, Napier, East Coast—in fact, nearly all round the colony.

200. How long in Taranaki?—A little over twelve months this time.

201. *The Chairman.*] Where were you made sergeant?—At Tologa Bay, on the East Coast.

202. And then?—Christchurch, Sydenham, then Auckland, then Bay of Islands, then Hawera, then Wellington, and here—a little over one year here.

203. *Rev. Mr. Isitt.*] When were you in Hawera?—I left in March, 1896.
204. How long had you been there?—Close on four years.
205. Had you any experience of the exercise of political influence in the force?—No, none at all; that is, not personally.
206. Are you aware that it is or is not an impression in the Force that political influence is a power to be used in getting on?—It has been the impression. It has frequently been spoken of among men, but whether it is or not I could not say.
207. Have you gained the impression that the men have been afraid to touch the liquor trade through it?—No, I never have. It never interfered with me one way or the other.
208. Did you know Sergeant Quinn?—Yes; I took his place in Hawera.
209. Do you know of your own knowledge why he was disgraced?—Not from my own knowledge. I heard when I came there that it was for being drunk.
210. When was that?—When I went to Hawera in 1892.
211. Do you know if he was reinstated?—No.
212. Was he disgraced or dismissed from the Force?—I understood he was dismissed first and reinstated as a third-class constable.
213. When would that be?—In 1892.
214. Do you know that he was immediately reinstated, or after an interval?—No. If I remember rightly there was no interval at all.
215. You mean practically that the dismissal did not take effect?—That would be it.
216. Do you know by what stages he was promoted?—Well, I think about six months after that he was promoted to second-class constable.
217. Do you know how soon after that he was promoted to the first class?—Some months after—five or six, I should say—he was promoted and sent to Waitotara.
218. Do you know of any influence leading to the promotion or removal of constables?—I do not.
219. *Mr. Tunbridge.*] You were stationed in Sydenham?—Yes, I was there two years.
220. What was the date?—I left there in May, 1890.
221. What constables were serving there under you?—When I first went there there was a constable named O'Conner.
222. What became of that man?—He was fined for some offence, and went up to Christchurch.
223. Did you report him?—Yes; he was fined.
224. Who came afterwards?—Constable Bennett came there, and was there when I left.
225. Did you know the Sydenham Hotel?—Yes.
226. Did you ever go there to find a constable?—Never.
227. You never went there to find a constable when you required him for some duty?—Never, positively.
228. Did you know he was in there playing cards?—Never.
229. Has Bennett left the Force?—Yes. I think O'Conner was afterwards transferred to Hokitika and discharged.
230. And is it not true that you went to that hotel and found the man playing cards, and that he said he would come when he had finished his game of cards?—It is absolutely untrue.
231. *Colonel Hume.*] From what I know of you, you are a man who can command a certain amount of political influence?—I cannot say I can. I have a good many friends, but I do not know that I could say that.
232. Have they ever used influence on your behalf?—No. As far as I know, no influence was ever used on my behalf.
233. *The Chairman.*] You say you reported O'Conner?—Yes.
234. Was it for being at the hotel?—No. If I remember rightly it was for insubordination to me.
235. You are sure that it was nothing to do with hotels?—Perfectly.
236. *Rev. Mr. Isitt.*] Was Buckthought under your jurisdiction at Hawera?—Buckthought was a butcher when I was at Hawera. I knew him to be a very decent man when a butcher.
237. *The Chairman.*] Has the pension scheme been discussed amongst the men in your district?—Freely.
238. Do you know whether they have discussed the question of reduction—whether they would be willing to contribute by a reduction on their pay?—I feel quite sure they would.
239. Are there many constables who hold offices outside their police duties?—Yes. Nearly all hold offices, except at Hawera.
240. Is there any other matter that you wish to bring before the notice of the Commissioner?—No, I do not think so. Most of the constables have read the proposals of the Commissioner, and one and all seem to be satisfied with them.
241. Have you followed the evidence that has been given throughout the colony by the newspapers?—Yes.
242. Has anything come to your knowledge that you wish to say anything about to the Commissioners?—No, I do not think so.

Constable MICHAEL ROCHE, examined on oath.

243. *Rev. Mr. Isitt.*] How many years have you been in the service?—For twenty-seven years in the Armed Constabulary and police; about twenty-one years in the police proper.
244. Where have you served in the police?—I have served at Normanby for a couple of years, and for the rest of the time between here and Stratford.
245. There is no political influence in Taranaki in police matters?—No.
246. No disinclination to interfere with publicans?—Not that I know of.
247. Were you here during Butterworth's case?—I was here then.

248. Had you anything to do with it?—Nothing.

249. Did any one complain to you?—No. I remember the circumstances, but he did not complain to me.

250. Did you know it was an illegal game?—Well, it was played a good many years at that time.

251. Did you know it was a game of chance?—Yes, it is a game of chance. It is not played now. Nicol played the same game previously.

252. Did you know the late sergeant to be a man of drinking habits while you were here?—Yes.

Sergeant MARTIN DUDLEY STAGPOOLE, recalled.

253. *Rev. Mr. Isitt.*] Were you on duty at Waitara Regatta last February?—I was.

254. On the 28th February, I think, it was?—That is the date.

255. Did you see a man, named Coleman, bet with minors?—Well, I did not see him bet. It was reported to me afterwards. I took proceedings against him. I arrived there rather late; but on the information I received two informations were laid.

256. Did you know of any other case?—I did not.

257. *The Chairman.*] You laid two informations for betting with minors?—Yes; and he was fined £5 on each charge.

Constable MICHAEL ROCHE, recalled.

258. *Rev. Mr. Isitt.*] Have you ever known a sergeant of police to be of intemperate habits?—I have.

259. Can you give his name?—Sergeant Duffin.

260. *The Chairman.*] Did that come to the knowledge of his superior in any way?—I am not aware.

261. He was in charge here for some time?—Yes.

262. And during that time he was under the influence of drink?—Yes.

263. *Rev. Mr. Isitt.*] Did you know it was a matter of talk for years?—Not for years, for a short time.

264. *The Chairman.*] Was it for a short time prior to his dismissal?—Yes, sir.

265. Can you say, of your own knowledge, that he was of intemperate habits prior to that outbreak?—I have never seen him drinking until that time. He was in charge here for some time.

CHARLES AHIER, examined on oath.

266. *Rev. Mr. Isitt.*] Have you been acquainted with ex-Sergeant Duffin for many years?—Four years and a half.

267. Have you very friendly feelings towards him?—I have. I entertain a very high opinion of the man.

268. Would you say that the department winked at any weakness of his, as far as you know?—I do not know that I would have a right to say that, but I think the department did not act fairly to the man in letting him have charge of the district, considering his age and considering that he had been here so many years.

269. *The Chairman.*] How long had he been here?—I do not know, only by repute. I understood he had been sergeant in the district for something like thirty years, and I think it was unfair under the circumstances for the department to leave him in charge of this very large district. I do not think that a better man than Sergeant Duffin was ever in the Force, with the exception of his occasional intemperance. I come here a stranger, with no prejudice either way.

270. Do you know that that occasional weakness extended over the whole time you knew him?—Well, I have seen him occasionally, the same as other men, taking a drink. I do not know that it ever interfered with his duties; but I know that at the local option poll Sergeant Duffin did his very best to see that the prohibition people had fair play; in fact, I think he was exceedingly considerate to ladies who were engaged in the matter. I am satisfied that in spite of his intemperate habits he always tried to do his duty as far as we were concerned. But I blame the department for having left a man of his age, and a man who had been so long in the district, in charge of such an important station as this.

271. *Rev. Mr. Isitt.*] Well, Mr. Ahier, with all the kind things you have said of him, do you not admit that he was of intemperate habits all the four years?—Well, I admit I have seen him occasionally under the influence of liquor.

272. *The Chairman.*] During the whole four years?—Well, I did not know him intimately until the latter two years. For that time I have occasionally seen him intemperate.

273. *Rev. Mr. Isitt.*] Did you see him occasionally intemperate during the first two years?—I do not remember. I know that during the latter two years he was occasionally the worse for liquor.

274. *Colonel Hume.*] You blame the department for putting him in charge?—Yes.

275. Do you know the circumstances that led to the department putting him in charge?—I think it was on the occasion of the death of his Inspector.

276. Do you not blame the department for that, do you?—If the department would shift the officers a little more I believe we should have a better condition of things. I only speak as a member of the community.

277. But you would not blame the department for putting a senior sergeant in charge of a district as a temporary arrangement?—I think if the sergeants were shifted every five years they would be more of a credit to the Force.

278. *Mr. Tunbridge.*] Do you know how long he was in charge?—I have heard thirty years; but I could not say how long he was here.

279. Yes, but during part of that time the late Mr. Thomson was in charge?—Yes, when I arrived.

280. But do you know how long Sergeant Duffin was in charge of this place?—I know it was for a few months.

281. Between the death of the late Inspector Thomson and the arrival of Mr. McGovern?—Yes.

282. You say, when you first came here Sergeant Duffin was not intemperate?—Well, I did not know him. I was here four and a half years, but my business takes me out of the place a considerable part of the week.

283. How long were you here before you discovered he was intemperate—one year?—Possibly.

284. May it have been two years?—The first occasion I can remember may have been two years and a half ago.

285. The man has been out of the service a year and a half, has he not?—I could not tell.

286. Your knowledge of his intemperance is to the extent of over one year—during the time he was in the Force?—I read him many lectures during the year.

287. *Colonel Pitt.*] Do you not think it was a more improper thing on the death of the Inspector to leave the sergeant, who was in charge and well acquainted with the district, than to place some stranger in charge?—Well, I do not pretend to be a police administrator. I think the police should be often changed, and that they should not be left in one locality for a number of years.

288. Did you not pretend to be a police authority by saying that the department should not have put him in charge? I ask you, was it not better to put him in charge, as he knew the district well, than to put one here who was a stranger?—I am not alluding to that particular time; but from the fact that the sergeant was the late sergeant here it would have been better.

289. *Rev. Mr. Isitt.*] You are also a Justice of the Peace, are you not?—Yes, Sir.

290. *Ex-Sergeant Duffin.*] When you arrived here did you not make a complaint to me about larrikins annoying your nieces?—Yes, and you behaved remarkably well.

291. You said you knew me since I was here. Now, did you ever see me under the influence of drink?—In the street?

292. Have you ever seen me in such a condition anywhere?—Only once or twice.

293. Where was it?—Once near our yard. When I say you were intemperate I wish it to be distinctly understood that you were not in the habit of getting drunk.

294. You wish the Commissioners to understand that I was in the habit of taking a drink the same as other men?—Yes.

295. But you have seen me under the influence of drink?—Only once or twice.

296. How long since?—That would be within the last two years and a half.

297. Did you say you saw me staggering drunk?—No, I did not say anything of the sort.

298. How did you know I was under the influence of drink? Did you have a conversation with me?—No, I did not.

299. Did you ever hear of anything wrong while I was in charge?—I have said, and will say again, that there was not a man I have had a higher opinion of than you. Whenever I appealed to you the result was highly satisfactory. I was very much surprised when I got the summons to appear here to give evidence.

JOHN DUFFIN, Ex-Sergeant of Police, examined on oath.

300. *Rev. Mr. Isitt.*] Did you know this man Butterworth who has been referred to?—Yes; I have known him for the last thirty-two years.

301. You were familiar with the circumstances under which he was prosecuted?—Yes.

302. Was an information laid against him before?—Yes; I think there were a couple of informations.

303. How long before?—I could not say now from memory.

304. I think an information was laid: Did it result in a conviction?—Yes.

305. Was a question raised about the game—about its illegality?—I could not say of my own knowledge.

306. After that he continued to play the same game?—I believe he did. It was considered by the Inspector that it was harmless, and kept the young fellows amused, and also kept spiellers off the course.

FRANCIS MCGOVERN, recalled.

307. I now produce the report of the matter relating to the publichouse cases from Constable Simpson, of Eltham, relating to breaches of the Licensing Act in the cases against two hotelkeepers, Hooper and Cullen, where the informations were dismissed. The cases were taken before the Stipendiary Magistrate. The reports show that it occurred on New Year's night, and there was no disorder.

WANGANUI.

FRIDAY, 24TH JUNE, 1898.

Sergeant JOHN ELLISON, examined on oath.

1. *The Chairman.*] When did you join the Force?—On the 26th June, 1872.

2. You are in charge of Wanganui?—Yes.

3. Where have you served?—In Auckland, Wellington, Ngaruawahia, Hamilton, and Wanganui.

4. When did you join the Police Force?—In 1877, at the time of the amalgamation. I had been doing police duty before that.
5. When were you appointed to Wanganui?—I came here about the 28th of October last.
6. When were you made first-class sergeant?—In February last year.
7. What men have you under your immediate control here?—The ordinary strength of the station is one mounted constable, five foot constables, and one sergeant.
8. What is the actual strength?—Five constables—four men besides the mounted man. There is a vacancy at present.
9. How long have you been short of that man?—Since the first of this month.
10. What are the boundaries of your sub-district?—It includes six other stations—Marton, Bulls, Hunterville, Ohingaiti, Moawhango, and Raetihi.
11. Who is stationed at each of these places?—One constable at each station.
12. Have you visited them since you have been in charge?—I have never visited Raetihi and Moawhango.
13. Why?—I have never had occasion to visit them. They are so far away: I have never had the opportunity.
14. Do you not understand it is part of your duty as sergeant in charge to visit these places periodically?—No. The instructions I had from my predecessor were that the sergeant visited the outside places to conduct licensing and indictable cases.
15. Have you had no subsequent instructions?—None.
16. Where are Raetihi and Moawhango?—Moawhango is about half-way between here and Napier, about forty miles beyond Mangaroa. Raetihi station is eighteen miles from Pipiriki. It would take a week or more to visit that place in the steamer. Steamers run up once a week, but sometimes twice. Pipiriki is sixty miles up the river.
17. What constable is at Moawhango?—Constable Tuohy.
18. How long has he been there?—Since about November last.
19. Do you find the men you have in the town station sufficient for the duty they have to perform?—Well, it would be better to have another.
20. But is there any necessity?—There is, I believe, a necessity for another man in Wanganui Town.
21. How many men have you on day duty?—Two at present.
22. How many at night?—One. I have a man also in the station attending the calls and inquiries. There are two men on day duty, and one at the station, and one man on night duty.
23. If you had an additional man, for what purpose would you require him?—For night duty, so that we could have two on night-duty.
24. *Colonel Pitt.*] Would you not want two men, to have an additional man on night duty?—I should have two on day and two on night duty. There is a great deal of escort duty.
25. Would one man be enough to give you an extra man for night duty?—As a rule it would, but when there were special duties I should have to take one man off night duty.
26. What about the men you have at your disposal—are they efficient physically, and in other respects, at their duties?—Yes, they are all very fair men.
27. Have any complaints been made to you by anybody outside the department as to the conduct of any of these men?—No complaints.
28. Do you find them submissive to discipline?—Yes, I have no complaints to make against them; they are well conducted and contented.
29. You have no complaints?—No complaints at all.
30. And with the addition of one man you feel that the Force would be amply sufficient for the requirements of the town?—Fairly sufficient. The population is increasing a good deal since I have come here, and I am told previously to that there has been a large increase. Aramoho is extending considerably.
31. Is there a man at Aramoho?—No.
32. Can you tell us the population of Aramoho?—I can only give an estimate. I should say there are about seven hundred people in the immediate neighbourhood—fully. It may be a good deal nearer the mark on the other side.
33. Have you any complaint or any statement to make as to the manner in which you are able to enforce the laws in this district—speaking generally, licensing, gambling, prostitution, and the usual laws with respect to social life?—The laws have been well observed since I have been here, and in any infringements that have been discovered the police have always taken action.
34. Have you many reported crimes in which the offenders have not been discovered?—There is very little undetected crime, and the community is very orderly. There are none of what are called the criminal class about Wanganui. The people are very orderly and well conducted as a rule, and the police are very little troubled.
35. Do you find in connection with race-meetings, which are rather attractive in Wanganui, any difficulty in enforcing the law?—No. There were a great many strangers who came to the Jubilee Race-meeting here.
36. Had you at that time any temporary increase of the Force?—Yes, I think there was an increase of six constables at the Jubilee Race-meeting, and four or five at the last race-meeting.
37. Is gambling prevalent?—No, there is no gambling. There is the ordinary betting at race-time, but nothing of what can be termed gambling about the town.
38. *Colonel Pitt.*] What is the population of this place?—The population is given in the last electoral return as 5,977 as the town population, and the suburbs have over four thousand—altogether about eleven thousand. That is over a radius of about nine or ten miles. It had over ten thousand of a population in the electoral district when the districts were divided.
39. How many licensed houses are there in the borough?—Twelve.
40. And how many in the suburbs?—Seven in the licensing district in a radius of nine miles.

41. What time do the licensed houses close here?—Ten o'clock.
42. What time does the latest train come in?—Ten minutes to 10.
43. Do you find any inconvenience from that—the licensed houses closing at 10?—I cannot say that I have found any inconvenience. I have often been appealed to by strangers as to what hotel they can get into.
44. Are there night porters kept at the hotels?—No, but they generally keep side doors open.
45. But friends cannot go to see travellers?—They cannot go into the bars, but they can go into the rooms to see the boarders.
46. Does that create any difficulty in enforcing the licensing-law?—I cannot say. The licensees are very careful.
47. Do you think closing the hotels at 10 o'clock causes inconvenience and increases the difficulty of the police in enforcing the closing-hour?—I should not like to say. Some people say there is a difficulty, and others do not. I find none in enforcing the laws. People doing business and boarders in the hotel are coming and going up to 11 o'clock, and in the commercial rooms I have frequently seen gentlemen reading after 11 o'clock.
48. Have you considered the pension scheme in this sub-district?—I have for some years past considered it, and some years ago a number of us in the Auckland Station drew up a scheme.
49. Are the police in this district favourable to it?—Yes.
50. And would be willing to contribute?—Yes.
51. Have you any suggestions to make as to the rate of pay in the Police Force?—I think the suggestions put forward by the Commissioners, from the reports I have seen, are very fair.
52. Do you know that that goes to the extent of the men giving up all emoluments? Do you think that the country police would regard that as a good, prudent, and popular arrangement?—I dare say there would be some difference of opinion.
53. Mr. Tunbridge suggested that a reduction should be made from wages at the rate of 4 per cent. to secure the pension: Do you agree to that?—Yes.
54. Are there many Clerks of Court in this sub-district?—None of the constables are Clerks of Court.
55. Is there not a Clerk of Court at Marton?—He is not a constable.
56. Are you much troubled by larrikins in this district?—A few cases. The bench have supported the police very well, and there is very little larrikinism.
57. There are no gambling and "tote" shops?—No "tote" shops.
58. And street betting?—There may be a little at race-times.
59. Is there any with minors or people under age?—I have had two people prosecuted for betting with people under age since I have been here, and both were convicted.
60. *Rev. Mr. Isitt.*] At what places have you been on service before you came to Wanganui?—I was stationed at Wellington, Auckland, Ngauruawahia, and Hamilton.
61. Has there been any political influence on members of the Force in any of those places?—I had no experience of it.
62. Have you gathered anything from other men on that subject?—No, I cannot say I have. I was for a long time employed in the Inspector's office as clerk, and always kept apart from any gossip—in Wellington and Auckland.
63. We have it in evidence all round as a general impression. Is there any general impression here?—I cannot speak of a general impression. I have heard about things in reference to transfers and seen remarks on the subject in the Commissioners' annual report. That is the principal thing I have heard or seen.
64. Do you know if any men have thought it was an unsafe thing to touch the liquor trade? I have not heard.
65. Do I understand that you have only one man at present on night duty?—Yes.
66. What length of service has the youngest man had that you have here—the shortest service?—Only a few months. He was transferred from Auckland. He has been about five months in the service. I have not the records.
67. Is that five-months man ever on night duty?—He has been.
68. What would be his beat?—I can produce the written beats.
69. Would it take in the suburbs?—No.
70. Would he confine himself principally to the Avenue?—The principal parts of the town.
71. Is it a fact that a large number of the streets can never be visited?—Well, streets between here and Aramoho are never visited at night.
72. How many streets are visited?—There are two or three miles of a beat altogether.
73. He cannot touch Aramoho at all?—No, he cannot.
74. There are twelve publichouses?—In the borough.
75. And they close at 10 o'clock?—They all close at 10.
76. What time does he go on night duty?—From 9 p.m. to 5 in the morning.
77. Can he keep his eyes on the hotels, as well as on the whole of the town?—He must give all possible attention. He cannot do any more than one man's work.
78. Was there not a great deal of theft of fruit during the season?—I think only two cases have been reported to me—trivial cases.
79. Any larrikinism—destruction of property, such as gates and things of that kind?—I do not think any cases have been reported to me that have not been punished.
80. Would you estimate the population of the town at over six thousand?—5,970, according to the census, and I believe the population has increased considerably since then.
81. With seven hundred at Aramoho?—Yes.
82. Do you think that a town of that size is adequately protected with one man?—I do not think it is. I think it would be better with two.

83. You say you know nothing about reputed "tote" shops. Do you know anything about suspected "tote" shops?—None.
84. Have you been up to Pipiriki?—Once.
85. When?—In December last, I think.
86. How long were you on the trip?—Two days.
87. Have you any report or convictions for illicit drinking?—Yes, I think there are reports.
88. If you have not been up since December, can you exercise any restrictive influence on that sort of thing?—No, I could not restrain it from a visit.
89. Do you know of it?—There are none reputed to be.
90. If you have not been up since December, are you in a position to state that?—There is no reputed selling, and I have been told by people—tourists and others—that it is impossible to get a drink there.
91. Still, if you have not been up there for six months?—If there had been, I have no possible doubt that I should have heard of it.
92. Have you any reports in your office of prosecutions for Sunday trading a few months before you came, and after-hours trading just immediately before you came?—It is quite possible there may be. I have not looked for them.
93. Do you know anything of three hotelkeepers having been prosecuted three months before you came?—I do not think there is anything of that nature.
94. Do you know that one of the hotels has had several convictions?—I think there were two convictions.
95. Do you know that in one case the licensee was cautioned for Sunday trading—cautioned by the Licensing Committee?—No, I do not think there was. There was a complaint about Sunday trading about nine or twelve months before I came here.
96. Do you know that the licensee of the Albion Hotel was cautioned?—There had been a complaint against the licensee of the Albion Hotel dismissed.
97. Have you any record of the remarks of the Chairman of the Licensing Committee on the Albion Hotel case?—I have no record of a caution by the Committee.
98. Did you submit a report to the Licensing Committee with regard to the Albion Hotel?—I did.
99. Was there anything special in that report?—Yes.
100. What was it?—It referred to the kitchen being insufficient for the place, and a side door being cut through the adjoining premises. The licensee said it was for the convenience of boarders. It was a kind of private entrance.
101. Did that door open on to a right-of-way?—Not exactly; the door opened into a blacksmith's yard.
102. *The Chairman.*] You reported that fact?—Yes.
103. *Rev. Mr. Isitt.*] Was there any right-of-way near that door?—About 30 ft.
104. Did it open into a 17 in. space between two buildings?—Yes, I stated so in my report.
105. Did you say in your report that it was put there for the convenience of boarders?—No. The licensee told me that it was for the convenience of people working in the factory and using the closets.
106. You never said anything about it being used for boarders?—I never stated so in my report.
107. Your report stated that the door had been cut for the convenience of the people in the factory?—No, my report stated that the licensee said that. My report was that it was apparently for traffic after hours.
108. Was the defence in Court before the Licensing Committee that it was for the convenience of boarders?—Yes.
109. *The Chairman.*] When did you first discover that door?—Some months previously—three months or so before I reported it.
110. *Rev. Mr. Isitt.*] Is that a correct plan [plan produced], except that the door is not so deep in the passage?—That is about it.
111. *Colonel Pitt.*] When you discovered the door, how long after that was it that you reported it?—I reported it at the first annual meeting of the Licensing Committee after I discovered it.
112. *Rev. Mr. Isitt.*] When was that?—In May I reported it. I knew of its existence some months previously.
113. Did you know of it at the previous Licensing Committee?—I did know of it at the quarterly meeting. I reported it at the first annual meeting afterwards.
114. Then you made no report of it at the March meeting?—I did not report it at the quarterly meeting in March.
115. Could you not have made a report at the quarterly meeting?—Yes, but I had no intention of making objection to the license on account of the door.
116. You say you discovered it before the meeting of the Licensing Committee?—Yes.
117. Did you discover it yourself?—I was told there were people going in by the back door.
118. Who told you?—Constable Campbell told me a few days after it was cut.
119. Would that be in the month of March?—I could not swear; I believe it was earlier than March.
120. What did you do directly you heard of it?—I went and saw the door.
121. Did you allow it to remain open?—I watched the door for several weeks to see if there was any ground for believing it was being used for an improper purpose.
122. At what hours?—In the day and at night also. I wanted to see what class of people were using the door.
123. What did you discover?—Nothing to take any action upon.

124. What did you see; did you see people using it?—No, I saw two or three people coming out of it once.

125. *The Chairman.*] Did you consider the door in any way an infraction of the Licensing Act?—No, I did not see any sufficient cause for me to raise any objection.

126. *Rev. Mr. Isitt.*] But did you not consider it was *prima facie* evidence of Sunday traffic?—No; I reported that it was apparently used for traffic after hours.

127. When was the door closed?—The door was closed, I believe, after I put in my report to the Licensing Committee.

128. Did you keep a copy of the report?—Yes, and I believe there was a copy of the report sent to the person interested.

129. Did the Committee order the door to be closed?—It was arranged that the door should be closed.

130. How often did you inspect the Albion Hotel?—I have been right through it three times.

131. Did you inspect the outbuildings?—Yes.

132. Did you notice the door then?—On two occasions I noticed the door. I did not notice it on the first inspection.

133. When did you inspect the hotel?—Soon after I came here, for the December meeting, and then for the March and June meetings.

134. Did you notice the door before the March meeting?—Yes.

135. *Colonel Hume.*] Was the sly-grog selling you speak of at Pipiriki on board the steamer?—Yes.

136. And the steamer is a good deal more at Pipiriki than anywhere else?—Only one night. Tourists have complained repeatedly that they could not get a liquor at Pipiriki, and had to carry it with them.

137. *Rev. Mr. Isitt.*] Have you anything to do with persons in a hotel at any hour of the day or night if they are not drinking?—No.

CHARLES CARGILL KETTLE, examined on oath.

138. *The Chairman.*] You are District Judge and Stipendiary Magistrate?—Yes. I was appointed Stipendiary Magistrate and District Judge in March, 1890. I am also Chairman of the Wanganui Licensing Committee, Registrar of the Supreme Court, &c.

139. *Rev. Mr. Isitt.*] Have you had an opportunity of judging of the efficiency of the Police Force in this district?—Yes, from general observation. I have used my eyes, and have seen what is going on around me, and from the bench.

140. Are you satisfied with the enforcement of the laws generally?—That is rather a wide question. I cannot say I am thoroughly satisfied with the way in which the laws are enforced by the police in this colony.

141. Will you give us specific illustrations with regard to the suppression of crime generally?—I think the police are fairly active in the suppression of crime generally—that is, ordinary crime, such as larceny, sheep-stealing, and so on. I think the police are fairly active.

142. Do you think they do their utmost to suppress illegal betting?—I cannot offer an opinion about that; I do not know. Speaking generally, I think they are fairly active.

143. And the laws that deal with prostitution—brothels and child-prostitution?—There is very little of that sort of thing on this coast. I am inclined to think that, when the police know that brothels exist and are being conducted so as to be a nuisance to the public, they take steps to put them down. I have had cases in the District Court at Palmerston North where women have been prosecuted under the Criminal Code Act for keeping brothels.

144. Does your answer narrow itself down to the operation of the licensing-laws?—I do not think there is enough discipline in the Force; I do not think policemen are properly trained and instructed before entering upon their duties. A great many do not know what their duties are, or how to go about them. I think there is a great need for preliminary training before the police enter upon their duties—preliminary training and instruction. As a rule, ordinary policemen—there are many exceptions—do not know what their duties are, or how to go about them. I believe they are honest and willing enough to do their duty, but they do not know it.

145. Do you think they do not do their duty with regard to the licensing-laws?—I think there is a laxity with regard to the enforcement of the licensing-laws.

146. Has there not been a good deal of activity with regard to the enforcement of the licensing-laws in regard to prosecutions?—There have been a number of prosecutions in this district. I cannot altogether answer that question satisfactorily without referring to the record-books. The records will show what prosecutions have been instituted in this district, and with what result, &c.

147. As far as your investigations go, have they been initiated by the police, or are they the result of previous cases in the Court?—I am inclined to think a great number arose from facts coming to light at inquests or during the hearing of Court cases—men coming before Court for drunkenness or on applications, prohibition orders, and so forth, where something has been brought to light which led the police to prosecute.

148. Do you mean that the police have taken their cue from observations of other cases?—Yes; that is what I mean. A man may be put into the box for drunkenness, and may admit that he had been for some hours in a particular hotel, and had six or more drinks while there, &c. When that fact is disclosed in the Court the police are in a position to follow the thing up and get further evidence. I am of opinion from travelling about that the police are not as active in seeing that the licensing-laws are observed as they ought to be. I attribute that to a great extent to the fact that the police are—a great many of them—afraid to do their duty honestly and straightforwardly.

149. You mean afraid to touch the trade?—That they are afraid to interfere with people who have influence, and who might, unknown to the police, affect their positions.

150. Do you mean people interested in the liquor trade?—Yes. My opinion is that any public officer—and I look upon the police as one of the most important parts of the machinery of government—should feel that he can honestly discharge his duty without fear of consequences. If he does his duty honestly he ought to be in that position.

151. Was there any circumstance which should have led the police to be especially careful with regard to the Albion Hotel?—I see a good deal, but I am not a common informer. I consider it is no part of my duty to give information to the police of what I see in my travels.

152. As Chairman of the Licensing Committee, were there facts within your knowledge which should have led the police to watch the Albion Hotel with regard to Sunday trading?—All that came before me in connection with the Albion Hotel came out in Court. It came out in evidence that the licensee of the Albion Hotel had lent a constable money. It came before me, as Chairman of the Licensing Committee, that there was what was called a "secret door" leading into the back premises of the hotel.

153. Did you regard that door as suspicious enough to warrant report to the sergeant?—I think if the police knew of the door it should have been reported to the sergeant.

154. *The Chairman.*] Was it the duty of the sergeant to report the existence of the door to the Licensing Committee at the next quarterly or annual meeting after its discovery?—Yes; and he did so.

155. Did he do his duty?—Certainly. I think the sergeant is fair and honest in the performance of his duties.

155. If he had reported it at the quarterly meeting, could you have interfered with it prior to the annual meeting?—We might have asked the licensee to explain it. I do not know that we could have done anything definite then.

156. *Rev. Mr. Isitt.*] You said no one could suppose the door was there for any proper purpose?—I should not think so. I should say it was put there for an improper purpose. Mr. Barnicoat, solicitor for the Public Trustee, the owner, admitted that it could not be defended. It was quite possible the police never saw the door until a case came on in which two men were using the right-of-way for an improper purpose. I do not know when it was discovered.

157. *The Chairman.*] The sergeant says it was discovered by Constable Campbell shortly after it was made, and he reported it to him, and that he (the sergeant) visited it and watched it from time to time with a view to see how it was used, and that he reported at the next meeting of the Licensing Committee that the door was opening on to private property, and that it was apparently intended to evade the provisions of the law?—Yes. Mr. Isitt's question to me was, "Ought it not to have been discovered before?" The door is in a very secret place, where the general public would not go. If the police were watching that hotel it seems to me strange if they did not discover the door. Mr. Isitt suggests that it was there some time before it was discovered.

158. *Colonel Pitt.*] The evidence of the sergeant is that it was reported?—The Licensing Committee, when this matter was reported, had Mrs. Whelan before it, and asked her when it was put in, and I think she said it was put in shortly after she took over the hotel from Mr. Tasker.

159. *The Chairman.*] Could you have refused the license on the ground that the door was there?—I think we could have done so, but I may say that Mrs. Whelan swore positively that the door was not for any improper purpose, but simply for boarders, and there was no evidence to contradict her. I held that in the face of the evidence we could not refuse the license; but we ordered the door to be closed at once. Of course, the Licensing Committee must be guided by sworn testimony. Whatever our suspicions may be we cannot act on them. I have my suspicions now; but at the same time we must act judicially, and she swore positively that the door was not used for any improper purpose.

160. You could not have refused the license simply because the door was there?—No, certainly not, unless it was proved that it was used for an improper purpose.

161. *Mr. Poynton.*] There are certain grounds on which you can refuse a license, but there is nothing about doors?—No. If we were satisfied that a door was put in for after-hours trading we might have refused the license on the ground that the house was not properly conducted.

162. *Rev. Mr. Isitt.*] Did you have to complain of the police in August last as to their inactivity in finding Harrison Blythe?—Yes; and also Dr. Marshall.

163. Did you note that, with regard to Harrison Blythe, there had been practically no notice taken of his disappearance from the 2nd to the 10th August?—Yes.

164. And that after it was reported on the 10th August little or nothing was done?—Yes; I think the police were not as active as they might have been in making inquiries with regard to the boy's disappearance. At the same time the father of the boy seemed to be very unconcerned about the matter, and said he thought the boy might have gone to stay with friends.

165. Do you wish to say anything about Dr. Marshall?—He was missing a long time before his body was found. He was seen by Mr. Duigan about the Heads near some gorse in an apparently despondent condition. He (Duigan) reported it to the police, but nothing was done by them. Dr. Marshall disappeared for about eighteen months or two years, and at last his body was found where Mr. Duigan had seen him—*i.e.*, amongst the gorse.

166. *The Chairman.*] You think there was neglect?—It was not altogether neglect, but I think the police ought to have taken more interest in the matter. They might have gone to his wife or friends, and when they knew he had been seen in a peculiar place under suspicious circumstances, showing that he might be going to commit suicide, they ought to have done something more. Mr. Duigan thought he was contemplating suicide, and I think he so reported to the police.

167. *Rev. Mr. Isitt.*] Has anything with regard to political influence come under your observation?—Only what I have heard outside and read in the newspapers, &c. I cannot say I have any personal knowledge of anything of the kind.

168. *Colonel Pitt.*] Is that constable still in the district to whom the licensee leant money?—He was, I believe, dismissed from the Force before he was sued.

169. *Mr. Poynton.*] You recognise the police have a difficulty in getting evidence in cases of breaches of the licensing-law?—Yes, no doubt they have.

170. More so than in cases of any other kind?—Yes.

171. You have yourself observed breaches of the licensing-laws?—Often.

172. And have not given information to the police?—I have not given them specific information. I do not consider it is my duty to act the part of a common informer. I ought not to be in that position.

173. But, if you saw a person picking another's pocket, would you not consider it your duty to give information?—Yes; but there is distinction between the cases. If I saw a man picking a pocket in the street, I would give information. I am compelled to stay a good deal in hotels, and from my position I ought not to be expected to act the part of an informer. A great many Magistrates have to live permanently in hotels, and it should not be so.

174. I am speaking of the general unwillingness?—I am not unwilling to give information, but I think I should not do so. It is not advisable in the public interest that a Magistrate or Judge should place himself in that position, and be constantly, perhaps, in the witness-box.

175. But if you saw another pick a pocket you would give information to the police?—Yes. That, in my opinion, is a very different matter. You must consider all the circumstances.

176. A man who drinks after hours or on Sundays is not willing to give information to the police?—Yes. He is liable as well as the publican. I have pointed out to the police, especially to Sergeant Cullen, that people who go into hotels after hours and obtain drink, or were found in sly-grog shops drinking, were liable under section 49 of "The Justices of the Peace Act, 1882," but he seemed to think it was not judicious to prosecute them, because the police had to rely upon these people to give evidence—I mean these persons who are parties to the committing of breaches of the law.

177. And unless it comes to the knowledge of the police indirectly, such as in cases where inquests are held, they are powerless to catch the offender?—Yes. I discourage anything in the nature of inducing or entrapping people into committing offences. I think it is wrong that the police or others should try to entrap people into the commission of crimes. Here the hotels close their doors at 10 o'clock, and the police cannot see what is going on inside because the blinds are down and the doors shut. It is difficult to get evidence which would prove beyond a doubt that a breach of the law is being committed. A man might come out of a hotel wiping his mouth, and that would perhaps be some evidence, but probably not enough by itself. I think the licensing-laws should provide that one door should be kept open—*i.e.*, not locked—till the licensee retires for the night, so that the police may have free access until some time after the closing-hour, and so that they can see what is going on inside after closing-hour.

178. *The Chairman.*] You know that, with regard to a breach of the licensing-laws to the extent of selling liquor after hours, it is a very different criminal offence to that of larceny?—No doubt.

179. While you feel it would be a duty to every citizen to report an offence against property or life, do you think it is the duty of a citizen to report every offence under the licensing-law?—That is a matter of opinion. I think people do not, as a rule, care to mix themselves up in these matters—men in business, and so on. No doubt it is perfectly true that every good citizen, if he sees the law broken, should endeavour to stop it. Strictly speaking, it may be the duty of every good citizen, if he sees the law is being broken, to report the matter.

180. *Mr. Poynton.*] Do you not recognise the difficulty the police have in getting evidence in betting cases, and also in cases of prostitution—there is a distinction between these and ordinary crimes, such as larceny, perjury, and so on?—No doubt some crimes and offences are more difficult to prove than others.

181. *Rev. Mr. Isitt.*] Your opinion has been asked as to the difference between crimes such as larceny and offences under the licensing-laws. Does not your experience lead you to the conclusion that there is as much injury to life and limb through drunkenness as in anything else?—Statistics will show that. No doubt excessive drinking leads to misery, poverty, and crime.

182. Do not these things chiefly arise from the late hours or illicit trading?—It is not possible for me to say that. Excessive drinking is, no doubt, the cause of a great amount of the misery and crime we see around us.

183. Speaking from your general observation, do you yourself see many cases of infraction of the licensing-laws when staying at a hotel?—Yes, I see a good many. I have stayed at Chevannes's Hotel for some years, and I wish to say that I do not think I have ever seen any infraction of the licensing-laws there. Mr. Chevannes conducts his hotel as fairly and strictly as a man could possibly do. There are many cases where licensees may be misled. Take the case of a prohibited man. It is impossible for hotelkeepers to know all the prohibited men and women, and yet if they serve one with drink they are liable under the Act. The law requires to be altered on this point.

184. Your outside observations have shown you many infractions of the licensing-laws?—Yes. It is notorious that the licensing-laws are not rigidly observed or enforced.

185. Are they such that the police could detect if more active?—Yes, I think so. If the hotelkeepers knew that the police were honest, and could afford to be honest, in the performance of their duties, there would not be so many breaches of the licensing-laws.

186. Is it a fact that you have more dubious evidence in connection with liquor cases than in any others?—There is a great deal of false swearing in liquor cases, and in other cases too. There is hardly a day passed that I do not hear deliberate perjury. It is appalling. Many men seem to have no regard for the oath. Of course, when a man is deeply interested it may be expected that there is a strain on him when giving evidence on his own behalf; but I have seen men go into the box and perjure themselves without any apparent reason for doing so.

187. Then, you say you would not get more perjury in liquor cases than in other cases?—I could not say. I have seen so much of it.

188. *Mr. Tunbridge.*] Can you give us any case where the police have been in possession of evidence which justified proceedings being taken and they have not taken action?—No.

189. You cannot mention a case where the police have neglected their duty?—I have no charge to make against any member of the Police Force.

190. Did you know of any case where the police were deterred from taking steps or properly performing their duty?—In connection with the Licensing Act?

191. Yes?—It is only what I have heard—it is only hearsay. I refer to the case of Lawliss at Napier, which was a good deal commented on at the time.

192. That is the only case you know of?—So far as I can recollect. That seemed to be a case where the police and also the Magistrate received certain communications which, I think, ought not to have been made to them.

193. That is the only case you know of where direct influence was used?—That is the only case where indisputable facts were apparently established by documentary proof.

194. Have you, in your experience as a Magistrate, seen anything to lead you to believe that a constable has not taken action where he feared the consequences?—No; but I do not think there has been sufficient activity shown.

195. *The Chairman.*] The Inspector of Police acted on instructions at Dannevirke in the Lawliss case?—The Magistrate and constable saw that it was the desire of the department that Lawliss should get a certificate of character and license.

196. *Mr. Tunbridge.*] You say it is difficult to get evidence against publicans?—I should say it was difficult sometimes to get evidence in such cases.

197. You know there must be a sale, and that the Magistrate wishes to be satisfied that there has been a sale?—The Magistrate must be fully satisfied that the evidence establishes a breach. The evidence must be sufficient to satisfy your mind beyond reasonable doubt.

198. Do you not think the law should be altered so as to make the persons liable who are found on the premises during illegal hours?—Yes. I see you have suggested that, and I agree.

199. Do you not think the onus of proof should fall on the people found there?—Certainly. They ought to be asked to explain why they are there. If that clause was in our Act, a policeman meeting a man coming out of a hotel after 10 o'clock would say to him, "What are you doing here?" If the man said, "I have been in seeing a friend who stays there," the policeman would have to satisfy himself as to the truth or otherwise of the statement before taking proceedings. The policeman would, no doubt, in most cases have to rely upon the man's word.

200. With reference to the constable borrowing money. Do you know it was after the man ceased to be a member of the Force that the fact of borrowing money became public property?—I presume so. He was sued. I believe the sergeant here did not know, and it was a matter of surprise to him. He was informed by the Clerk of the Court. I am satisfied he did not know a man had been borrowing money from the hotelkeeper.

201. *Colonel Hume.*] I understood you to say that many police were afraid of enforcing the laws: is that your opinion?—I am of opinion that the police are afraid that if they enforce the laws against certain people who have political influence, and otherwise, they may suffer. In fact, I have been told by the police that they know it is so. Some time ago I refused to grant a man a certificate of character, Mr. Tasker. He sold the Albion Hotel, and became an ordinary member of the community. I afterwards refused to give him a certificate of character (he wanted to take the Rutland Hotel). He admitted to me that I was perfectly justified, but he afterwards got up a petition asking the Minister of Justice to inquire into my conduct. It is true that it had no effect on me, and I treated it with contempt, but if that kind of thing is encouraged in the case of policemen it would make them afraid and timid. That sort of thing should not be permitted. A policeman should be able to look to the Government to support him if he does his duty fearlessly and honestly, no matter who the persons against whom he complains may be.

202. Have you ever known petitions to injure any constable?—I cannot remember a case.

203. *The Chairman.*] You cannot prevent any class of men signing any petition?—No, you cannot prevent it; but a constable should be able to feel that if he does his duty honestly he will be supported by the department.

204. *Colonel Hume.*] Does what you say refer to the officers? Do you think the Commissioner or officers are afraid?—I have come to the conclusion that some members of the Police Force are afraid to do their duty as thoroughly as they would like to.

205. Would you say that feeling exists beyond the rank of constable?—I should hope not. I hope it is not very widespread, but I know there is that feeling. I cannot say how it has been created.

206. Is it your opinion that if the police bring up a man for being drunk they should be able to state, if in possession of information, where the man got the drink from?—No, not always. Cases of this kind often come before me: A working-man comes into town with a cheque of, say, £10 or £15. He remains in town for several days and "knocks it down"; is found drunk in the street. I say it seems strange, if the town is properly manned with police, that a man can be about town drinking hard and spending his money in the hotels without the police knowing it.

207. That is what is called "lambing down"?—Yes. It often seems a strange thing to me that men should be about town for days in a drunken state and not be seen.

208. *The Chairman.*] Are you aware that there are only two constables in Wanganui in the day-time, and only one at night?—I believe so.

209. Do you suggest that the Force here should be enlarged?—That is a question for the sergeant. I think the Force here is small. I think it is necessary that we should have a station at Aramoho. The town is spreading there. There is an hotel and a railway refreshment-room there. I never see a constable there when trains arrive or depart. I should think it would

be better, instead of a policeman patrolling the town, that he should be stationed at some known place, so that people know where to find him. This is, no doubt, a matter for the department to decide on.

210. *Mr. Poynton.*] Do you suggest that a burglar would not know where he was: if a burglar wanted to commit a crime would he not know where the constable was?—I suppose if a man wanted to commit burglary he would try to find out where the policeman was. He would naturally see that the "coast was clear."

211. *Colonel Pitt.*] In your examination-in-chief this morning you said, "I believe the police are honest and willing enough, but they are not instructed"?—Yes; I think they, as a rule, wish to be active, but there is that fear of consequences which I have referred to. They certainly need proper instruction.

212. And afterwards you say, "I believe if the police were honest, or could afford to be honest, there would be very few breaches of the law"?—No; I think I said, "If the publicans knew the police were honest, and could afford to be honest," &c.

213. Does that refer to the police being underpaid?—I certainly think the police are underpaid. What I mean is this: that if the hotelkeepers knew that the police were prepared to do their duty, would keep their eyes open, and would be supported by the department, there would be less unlawful trading.

214. Why do you suggest that the police cannot afford to prosecute them?—I am inclined to think some policemen believe hotelkeepers have influence which might be used against them.

215. Can you quote any case where any police-officer has been punished for doing his duty?—I know of no case, but I can tell you of cases that have been mentioned to me where officers and men thought they were removed for being active in preventing breaches of the licensing-laws.

216. You cannot say of your own knowledge?—I cannot say that I know of any case. Police-men have told me that they have been removed from one place to another because they were too active in carrying out the licensing-laws.

217. *Mr. Tunbridge.*] You condemn subterfuge on the part of the police?—I think the practice of inducing or tempting people to break the law is to be condemned.

218. Even in sly-grog selling?—I do not like to see people entrapped into committing crimes. A proper system of detection is not objectionable.

219. If legislation could be introduced that would tend to obviate that difficulty you think it would be as well?—Yes. There is a difference between detecting crime and inducing or tempting a person to commit crime with the object of afterwards punishing him. I object to that. The person who induces or tempts the other is really an accessory. See section 49 of "The Justices of the Peace Act, 1882."

220. And you think the police should content themselves with getting evidence of crimes already committed, and not set themselves about the committal of crime?—Suppose there is reason to believe that a person is keeping a sly-grog shop—say, a boardinghouse—I see no objection to a detective being sent to board there with the view of seeing what is going on; but, in my opinion, he should not tempt or induce the keeper of the house to sell drink.

221. Do you think it likely he would be able to get evidence by going there as a detective?—It is impossible for me to say. I should think any smart detective could discover a sly-grog seller.

221A. *Witness.*] There is one thing I would like to refer to, and that is the employment of constables as Clerks of Court. I have always objected to that, and I am not the only Magistrate who has done so. Of course, in a country like this, where there is a heavy public debt, we have to study economy, but at the same time we ought to have regard to efficiency. I think there are many objections to constables acting as Clerks of Court. The principal objection is this: that the constables who act as Clerks of Court have instructions that their police duties are to take precedence of their duties as Clerks of Court. I know that in Hawera, for instance, complaints have been made by litigants that delays have taken place in executing distress warrants sent to the constables. It is all-important in many cases to get an immediate execution. In the cases I refer to the constable could not execute the warrants at once because he was away on duty—collecting dog-tax. I did not blame him, because it was not his fault. The warrants were in his hands two or three days, and the unfortunate judgment creditor lost the fruits of his judgment; owing to the delay the cattle and sheep were taken away and disposed of before they could be seized. It might lead the Government into serious difficulty and expense if the bailiff of the Court (a constable) did not act promptly because of the orders I have referred to, viz., to do his police-work first. That is the main ground of my objection, that the Clerk of the Court, if a policeman, his police duties have to be performed first. It might lead to serious loss to litigants. This is a matter which requires serious consideration both by the Commissioner and the Justice Department. It is a very difficult matter to adjust, but I think there are grave objections to constables acting as Clerks of the Court, and, if possible, a different system should be adopted.

222. *The Chairman.*] Do you think that in any case a constable should act as Clerk of the Court where there are over a hundred civil complaints in the course of the year?—I object to the system generally, if it can possibly be avoided.

223. Do you consider the holding of that office interferes with the performance of police duty—that the public suffer from the fact that the constable holds the office?—No doubt, if the constable's time is occupied in doing the Clerk's work, the public loses the benefit of his time and attention as an officer. It necessarily follows that some one must suffer.

224. Do you think it is fair to the police constable, and to the Court and public, that he should be called upon to perform such duties as those of the Clerk of the Court?—I have been talking generally. There may be stations where the constable might have ample time for both. Again, a man entering the Civil Service should have the necessary knowledge, and, if not, he should be

taught before he acts. It is not fair to put a constable in the position of Clerk of the Court unless he has some reasonable knowledge of the work.

225. *Colonel Pitt.*] In so far as constables have time to do it, how do they perform their duties as Clerks of Court?—I have not had much experience. Where you have men like Constable Donovan, for instance, who is a solicitor, exceptionally intelligent, and educated, of course they can perform their duties satisfactorily.

226. I was asking about the average of them?—As far as my observation goes, I have no fault to find. I have seen mistakes made, but they have done as well as one could expect under the circumstances.

227. *Witness.*] I would like to make another suggestion—namely, that where complaints are made against constables for breaches of duty, &c., it would be a good plan to give the Magistrate of the district power to go into the matter and to take evidence on oath; to take the evidence down in writing and to have it signed, but not to adjudicate, and then to forward the evidence to the Commissioner. A Bill was introduced into Parliament to give effect to that. I drafted that Bill. I think it would be a very useful provision, and I am sure it would be a great assistance to the Commissioner. The Magistrate would simply take the evidence on oath, and send it to the Commissioner. The Bill provided that any one who gave false evidence should be liable to be prosecuted for perjury. Under the present system, if anything happens, the Commissioner can no doubt hold an inquiry, but there is no responsibility on the part of persons giving evidence. They simply make unsworn statements.

228. *The Chairman.*] Would you suggest that as an original or appeal proceeding?—Original proceeding, just to take evidence on oath and forward same to the Commissioner.

229. Instead of allowing the Inspector to deal with charges against constables as at present?—Yes, it would be for the Commissioner to say whether evidence should be taken in the manner suggested.

230. At present the constable has no right of appeal. The matter is reported upon by the Inspector, and the Commissioner confirms the recommendation or otherwise. The complaint on the part of the police is that they cannot get evidence taken on oath before the Inspector, and you suggest that the evidence should be taken before the Inspector, and, if the constable or Commissioner advises, there should be the right of taking the evidence on oath, to be forwarded to the Commissioner?—Yes, I think the Commissioner should have full power and a free hand to act in all cases. He should decide whether a constable should be discharged or removed. A right of appeal to a Magistrate might, of course, be given.

231. You say he should have power to confirm that evidence on oath?—Yes; he should have a free hand to act as he thinks right. A right of appeal might be given.

232. Do you suggest that the evidence should be taken on oath in the first instance, or after the ordinary inquiry by the Inspector?—The Inspector must necessarily make some preliminary investigation, and he can then require evidence to be taken in the manner suggested if he considers it necessary.

233. And then after that the constable should have the right to have the evidence taken on oath?—Most certainly. I think any one charged with misconduct, which might result in his dismissal, &c., should have the right to have the evidence taken on oath. I think the Commissioner should have full power, subject perhaps to appeal, to discharge the constable or remove him. He should have full control.

234. You put a man in that position like a Judge, and he should not be hampered?—Where it becomes a question whether a certain constable should be discharged or removed, I think the Commissioner should be free to act as he thinks best. I think a great many of the complaints against the Force is due to the fact that the constables are not properly instructed. I think that training depots are very excellent things. The pay of the constables is certainly very low. I think, if the Government could see their way, the police ought to be paid better. In my opinion, the pay is miserable, especially for married men with families. The men have to live and keep themselves respectable, to keep their uniforms in condition, and to provide for their families. With regard to the licensing-laws, my opinion is that it is absolutely necessary that they should be consolidated and amended. At present they are in a jumble. With regard to prohibition orders, I think it is very hard on the hotelkeepers that they should be liable to be fined for serving liquor to a prohibited person when they may have no means of knowing that he is a prohibited person. I think such persons should be compelled to wear a badge of some kind—a red button, or something of that sort. Speaking generally, I think the whole of the licensing-laws want a thorough overhauling, and that it would be a great help to the police, hotelkeepers, and the public if that were done.

BENJAMIN McCAUL, examined on oath.

235. *The Chairman.*] What is your occupation?—Livery-stable keeper and stud-master.

236. *Rev. Mr. Isitt.*] Is your livery stable situated just behind the Albion Hotel?—Yes.

237. Is there a right-of-way leading from the street into your ground?—Yes.

238. How long have you had possession of the livery stables?—Since the 1st December last year.

239. Do you know anything of a door between the hotel outbuildings and the coachbuilder's?—Yes.

240. Do you know of your own knowledge if it was in existence on the 1st December when you took the stables?—Yes.

241. Have you seen persons making use of it?—Yes, and complained about it.

242. Complained to whom?—To the police.

243. When did you complain to the police?—During the first month I had it—December last year.

244. What was the purport of your complaint?—Well, that it was impossible for me to conduct a respectable business, or expect respectable people to come to my place, if this trading was allowed to go on.

245. *The Chairman.*] In what way did it interfere with your stables there?—Because to get to that door they came down my right-of-way.

246. *Colonel Pitt.*] Why should they not go down your right-of-way?—The right-of-way is my property. It is in my lease.

247. *Rev. Mr. Isitt.*] Does this plan [produced] represent your right-of-way?—My right-of-way starts from the coach-builder's boundary. I have, commencing from the coachbuilder's boundary, 15 ft. towards the post-office.

248. Early in December you complained to the constable?—Yes.

249. Did you bring to the constable's knowledge the fact that the door was there?—Yes.

250. Did you bring to his knowledge that it was being used?—Yes.

251. By whom?—By people coming to the hotel on Sundays, and after 10 o'clock up till all hours in the morning.

252. Were you satisfied with the character of the people frequenting it?—No; I was not satisfied with the people using that door.

253. What complaint had you to make concerning them?—Well, that they used to tumble out drunk and commit a nuisance on my property, and jangle and fight and behave in a disorderly manner.

254. *The Chairman.*] That was in December?—Yes.

255. Do you know when the next annual licensing meeting was held after that?—No.

256. *Rev. Mr. Isitt.*] Did you bring any specific charge against the character of the people?—Yes; I complained about prostitutes. There was a brothel alongside my property.

257. *The Chairman.*] Did you complain to the police?—Yes.

258. When was this?—That would be in January.

259. Where do you say it was?—Adjoining the stable property and the 15 ft. right-of-way.

260. What is the frontage?—It is 15 ft. to the street and 15 ft. to Campbell Place.

261. *Rev. Mr. Isitt.*] Did you complain of the prostitutes using the door?—Yes.

262. Did you make any subsequent complaints?—Yes.

263. When?—Very shortly after; and I went so far as to write a letter to the sergeant telling him that I did not wish to take any action or anything of the kind—that if he would do away with the nuisance I would take no proceedings against the sergeant.

264. *The Chairman.*] You wrote a letter?—My solicitor did.

265. *Rev. Mr. Isitt.*] Who was the lawyer?—Mr. Gordon.

266. Have you anything else you wish to state bearing upon that question?—No.

267. *Mr. Tunbridge.*] I believe you had the misfortune to be in a lunatic asylum about eight days ago?—Yes.

268. And I also believe you were prosecuted on the instance of the sergeant, and fined £10 for assaulting an old man?—Yes.

269. Consequently you have not a very friendly feeling towards the sergeant?—The sergeant brought this on himself.

270. When did you say you reported this door to the police?—In December.

271. To whom?—The sergeant.

272. Verbally?—Yes.

273. *Colonel Pitt.*] When were you fined £10?—About April, I think.

274. *Mr. Tunbridge.*] It was on the information of the sergeant you were prosecuted?—Yes, I believe it was.

275. You say you verbally reported this door to the police in December last?—Yes.

276. Will you swear you reported it to the sergeant in any form until this letter was written to him?—Yes.

277. Is this the letter you say was sent by your solicitor [letter produced]?—Yes.

278. Is that the letter—23rd April, 1898?—Yes.

DEAR SIR,—

Wanganui, 23rd April, 1898.

Mr. B. McCaul has asked me to write you with reference to the right-of-way from his stables to Ridgway Street, and the nuisance occasioned him by objectionable characters and others loitering there, especially at night. He does not write to make any complaint at present, but would ask you to take such steps and give such instructions to your Force as you consider necessary to do away with the nuisance. This is a serious matter for my client, as he finds the matters complained of are likely to interfere very much with his business, and therefore I would request you to take the matter in hand at once.

I am, &c.,

C. BURNETT, per G. GORDON.

279. Was this the reply you received or was sent to the solicitor?—

DEAR SIR,—

Police Office, Wanganui, 23th April, 1898.

I am in receipt of your letter of the 23rd instant, informing me that a nuisance is occasioned to Mr. McCaul by objectionable characters and others loitering in the right-of-way leading from Ridgway Street to his stables, especially at night, and requesting me to take the matter in hand at once.

I shall be very pleased to render any assistance possible so far as the law authorises me to interfere; but I desire to say that for the last seven or eight weeks I have had occasion to be repeatedly in the right-of-way at night, and with one exception—a drunken man who came up from the stables and was arrested by me—I have not seen any one there who could be termed an "objectionable character," and I have never seen any one loitering there except those who had business at the adjoining workshop or stables. In fact, very few persons are to be observed at any time in the right-of-way, especially at night. I have questioned other members of the Force here with a like result as to their experience.

I have, &c.,

J. ELLISON, Sergeant.

C. Burnett, Esq., Solicitor, Wanganui.

I believe it was sent.

280. *Colonel Pitt.*] You observe that this letter of Mr. Burnett's says nothing about a brothel?—I said I complained to the police in December, and asked Mr. Gordon to write.

281. *Mr. Tunbridge.*] Before people could get to the back door of the hotel they had to pass over the coachbuilder's property, did they not?—That is so.
282. Could you see the door from the right-of-way?—No.
283. Where could you see it from?—From the end of the coachbuilder's corner.
284. Then, before you could see the door you had to pass over the coachbuilder's premises?—Yes, or go through the hotel-yard to see it; unless you went down to the corner of my trap-sheds.
285. You took the premises from the 1st December?—Yes.
286. Do you mean to say that immediately you got there you found the persons using the back entrance to the hotel were a nuisance to you?—Yes.
287. During what hours are you in the habit of using the right-of-way?—I have used it up to 1 and 2 in the morning.
288. And when were these people a nuisance to you?—Mostly between the hours of 10 and 12 o'clock.
289. How do you know the people were going to the hotel at all?—I made it my business to follow them, and went in myself many a time.
290. Then, you were improperly there?—Well, I did so. I could not say whether I was breaking the law or not.
291. As regards the brothel in Ridgway Street, do you know that the keeper of that place was prosecuted by the sergeant of police?—I think after getting the letter.
292. Your letter says nothing about that brothel?—I cannot help that. I told him about it.
293. You know the owner of the brothel was prosecuted for keeping a brothel?—I know there was a case.
294. Do you know that Fred Matthews swore that no men came to that place that were not brought there by you?—I have the letter here.
295. You say you know they swore that?—Yes.
296. And that is the house you complain of?—Yes.
297. When did you complain of it: it is not in the letter?—I complained very shortly after being there.
298. Verbally?—Yes.
299. To whom?—The sergeant.
300. That is the only complaint you have made to the police?—I have made several complaints.
301. Verbally?—Yes, verbally. That is what I was told, or was stated in Court. I showed it to my wife first, and then to Judge Kettle. [Paper produced.]
302. *Rev. Mr. Isitt.*] You say you were improperly in the hotel?—I went there.
303. Where did the impropriety occur in seeing people there?—Yes, that is what I went there for, and to have a drink.
304. After hours?—Yes.
305. You could see the people in there?—I could see from the corner of the shed.
306. Do you know Mr. Balmer?—Yes.
307. Who is Fred Matthews?—He was one of the occupiers of this brothel.
308. Was he prosecuted?—Yes.
309. *Mr. Poynton.*] Do you admit or deny that you took men to this place?—I deny it.
310. *The Chairman.*] For any purpose whatever, moral or immoral?—Yes, I deny it.
311. *Mr. Tunbridge.*] You suggested, I believe, that the police took action on the receipt of your solicitor's letter against this brothel?—No, I suggest nothing of the sort.
312. When I asked you if the keeper was prosecuted, did you not say, "After my complaint," and was it not pointed out to you that your letter said nothing about a brothel? Do you know your letter is dated the 23rd April?—Yes.
313. And do you know that these people were prosecuted on the 11th April?—No.
314. You will not contradict me if I say they were prosecuted on the 11th April?—No.
315. Then you will admit that if so the prosecution was not the outcome of your solicitor's letter of the 23rd?—I do not know.
316. *Rev. Mr. Isitt.*] Did you say the prosecution was the result of your complaints?—No.

Sergeant ELLISON, recalled.

317. *Mr. Tunbridge.*—Did you hear the evidence of the last witness?—Most of it.
318. Will you state to the Commission when you first received notice from McCaul of this back entrance to the hotel?—I never received any notice in reference to the back entrance to the hotel whatever. The only complaint with reference to the right-of-way was the letter received from McCaul, or some person on his behalf, and that does not refer to the back-door. When he was giving evidence in the Court in the assault case he was asked why he did not report to the police about persons frequenting the right-of-way. He said he did not and that it was no use, or words to that effect. He swore on his oath that he never reported it to the police, and spoke only of persons frequenting the right-of-way.
319. Was the prosecution of the man who kept the brothel the outcome of the complaint by McCaul?—No.

MARGUERITE WILLIAMSON, examined on oath.

320. *The Chairman.*] Is your husband living?—Yes.
321. Where?—Wanganui.
322. What is his name?—Hugh Williamson.
323. What is he?—A chemist.
324. Have you engaged in any work that has led to your visiting the police-cells?—Well, I

was for some time one of the Official Visitors to the gaol here. I held an appointment, and was naturally interested in anything connected with them.

325. Have you visited the lockup cells of the police-station?—Yes.

326. You wish to make a statement with reference to those cells, I believe?—What I wish to say is this: that they are quite unfit for women to be locked up in. My grounds for saying so are these: there is insufficient light, insufficient ventilation, and absence of mattresses, and, worst of all, there is an absolute want of proper conveniences for women when locked up. There is none at present, unless they thump on the wall to summon a constable in the adjoining building; consequently, it does not matter how ill a woman may be she cannot get out nor can she use any convenience without summoning a male constable to attend to her. Of course, occasionally cases happen where women are locked up from Saturday till Monday, which makes it very much worse.

327. *The Chairman.*] Is there any resting-place for those in the lockup?—There was no furniture whatever in the cells. They are about 8 ft. square, and there is no window.

328. Did you look at the blankets for these people?—Yes.

329. What was their condition?—They were clean, thick, and warm, but that is not sufficient.

330. *Mr. Poynton.*] You think there should be a mattress in addition?—Yes; and there should be a filter or something of that sort without them having to call in a reluctant police-officer.

331. *Colonel Pitt.*] When you visited the cells were they occupied by any one?—No, they were empty.

332. *The Chairman.*] Did you observe whether there was any reasonable provision for ablutions?—No convenience whatever. There is a bath apparently to be used by both men and women. Neither can have access to this place without summoning some one. It is that particular point I want to emphasize—that there should be some means of getting backward and forward without summoning a man.

333. *The Chairman.*] You say there is a proper lavatory for washing?—I saw a bath, but no place for washing the hands and face.

334. You do not know what convenience there is for persons to wash their face before going into Court?—I saw nothing like that. I saw a tap. It is enough to drive girls or first offenders out of their mind. You would not put a dog into them.

335. *Mr. Tunbridge.*] Are you aware that when there are no male prisoners in the lockup female prisoners are allowed free scope at all times?—Yes, I have been told so.

336. Are you aware that it is a very rare occurrence for male and female prisoners to be in the lockup at the same time?—No; but I do not think it should ever be possible.

MARGARET BULLOCK, examined on oath.

337. *The Chairman.*] Are you a married woman?—A widow.

338. Residing at Wanganui?—Yes.

339. *Rev. Mr. Isitt.*] You heard the evidence of the last witness?—Yes.

340. Do you confirm what she says?—Yes. I did not consider it necessary to trouble the Commission with any further evidence, but if what the Commissioner (*Mr. Tunbridge*) said just now be true, that the cells are the same all over the colony as at Wanganui, I should like to say that I think it is quite time some alterations were made. As *Mrs. Williamson* said, the cells are dark and unlighted, the sunshine is excluded, they are very small, and they are not properly ventilated. There are two places with holes bored through at the top; that is the only way in which the air can get into the cells, and through the door. It may be that when there are no male prisoners females have the run of the cells, but I contend that that should not be left to chance. When males are there female prisoners have no convenience whatever. There is—for both sexes—one little place with a bath in it, but a female prisoner can only go to it accompanied by a constable. A young, inexperienced, but possibly innocent girl might be put into one of these cells, and if she requires any attendance whatever she has to knock on the door for the constable in charge, who may be sound asleep. I contend that female prisoners should have advantage of female attendants, and that there should be proper communication between the female prisoner and the female attendant, who might be the sergeant's wife. She, I feel sure, would be quite willing to perform this duty for a little pin-money. The chief points that struck me were the want of ventilation, sunlight, and female attendance, and also the want of something to lie on. There are five or six cells in our lockup, and there may be one blanket to each, but there is no mattress.

341. Have the blankets attracted your attention in any way?—I went to the cells this morning and examined them, and they seemed to me to be perfectly sweet and clean. There seemed to be a good supply, and they were very good; but there are no mattresses, and nothing to lie or sit on but the bare boards. The floors might have been newly washed over on a prisoner's arrest; they would then be damp, and the unfortunate prisoner without a mattress would have to sleep on them with only the protection of a blanket. The treatment altogether seems to me to be inhuman, and if it is the same all over the colony I think it is absolutely time that something was done.

342. *The Chairman.*] Do you know anything of the interior of the gaols?—Yes.

343. Does your observation lead you to this: that unconvicted people are not treated in the same way as convicted people—that persons who may be perfectly innocent of an offence are treated worse than those convicted?—Decidedly; my opinion is that they are punished before they are convicted. They are very well treated at the gaol. I can only speak for our own gaol.

344. *Mr. Tunbridge.*] Would you advocate similar comforts being given to people in lockups as are given to prisoners in prison?—I think that mattresses should be provided, if not bedsteads, and I think that admission should be given to the sunlight. I think the cells should be open to the air and that they should contain windows.

345. Do you not recognise that windows might afford the means of escape to prisoners?—I think that could be guarded against.

346. Do you know that there have been cases where prisoners have hung themselves from the window-bars?—I have heard of cases of that kind.

347. Have you heard of cases where prisoners have cut their throats with the glass?—I do not know of my own knowledge. I am not asking for nice windows, but I think the sunlight might be admitted—possibly without the aid of glass. I think it is an awful thing to shut up a poor and possibly innocent girl in a dark cell, who may possibly be taken in on a Saturday to remain there until the Monday; it is quite enough to drive one insane. I think, also, that persons accused of lunacy are put there. That is a matter which is wrong, and which should be remedied.

348. *The Chairman.*] You recognise that to confine a man or woman from Saturday until Monday without any resting-place but the floor is an act of cruelty?—Yes, and I think it is against the spirit of the age.

LUKE LYNCH CAROLAN, examined on oath.

349. *Rev. Mr. Isitt.*] What are you?—Cab-proprietor.

350. In Wanganui?—Yes.

351. Did you drive for Mr. McCaul?—I drove for myself, and stabled there.

352. Were you stabling there at the time he took the stables?—No.

353. Were you stabling there in December at all?—Yes, as far as my memory serves me, about the middle of December.

354. Did you know anything about a door in the back premises of the Albion Hotel, between that and the coachbuilder's?—Yes.

355. Do you know of your own knowledge whether that door was there in December?—Yes, it was. It was there at the commencement of December.

356. Before Christmas?—Yes.

357. You used it yourself?—Yes.

358. And you are perfectly sure?—Yes.

359. Have you seen it used on Sunday?—Yes.

360. *Colonel Pitt.*] Have you ever seen any one buy liquor on Sunday going in by that door?—No.

361. *Rev. Mr. Isitt.*] Have you seen them buy liquor after hours?—No.

FREDERICK HAMILTON SPENCER, examined on oath.

362. *Colonel Pitt.*] What are you?—Clerk in holy orders.

363. Living where?—At Wanganui.

364. *Rev. Mr. Isitt.*] Did you live in Rotorua?—For eight years.

365. From what date?—From the end of 1887 to the beginning of 1896.

366. Had you reason during your stay there to believe that the Maoris were supplied with liquor—from your own knowledge were they supplied with liquor to excess?—Very considerably.

367. *Colonel Pitt.*] Have you seen them in a state of intoxication?—Continually.

368. Where was this?—In Rotorua and surrounding districts.

369. *Rev. Mr. Isitt.*] Did you complain to the police at all?—Continually.

370. Verbally or in writing?—Verbally to the police locally, and several times direct to the head office in Wellington, and to Inspector Emerson in Waikato.

371. Do you know anything in connection with that which you knew to be a distinct breach of the licensing-law?—Well, it was so continuous. Whenever the Natives had their lands purchased or brought in wool for sale, and also there was a considerable number engaged during part of the time in the construction of the railway-line to Rotorua—whenever they had any money it was a scene of continual orgies until the money was spent. They would go up to the hotels and buy liquor in quantities, drinking to excess, which led to frequent accidents, some of which were fatal.

372. You say that they hung about the hotels drunk. Could you have given evidence, as an eye-witness, that drunkenness was permitted at these hotels?—Continually—frequently, I should say.

373. Did you make any special complaints with regard to accidents from drunkenness to the police?—Yes, to the police and to the general authorities.

374. Who do you mean by authorities?—The Commissioner of Police and the Minister of Justice.

375. When was this?—During the time I was in Rotorua.

376. How long ago?—I have been down here a little over two years. It would be a matter extending over five or ten years—a considerable time.

377. Have you any special instance in your mind when you complained to the Commissioner of Police?—On one occasion, in Rotorua. I frequently complained of the inactivity of the then constable.

378. *Colonel Pitt.*] Did you complain to the Commissioner of Police at Rotorua or in writing?—No, to the department in Wellington, which led to the constable being removed. The nature of my complaint was that there was continual sly-grog selling of which I could not help but be cognisant, and, as far as I know, no action was taken to bring the offenders to book. I think I supplied names on one occasion when Colonel Hume was in Rotorua.

379. When was this?—I think it would be in 1895—somewhere about 1895 or 1894. It may have been a year or two previously. I had records of all these things, but, unfortunately, in moving down here I lost them. I can only trace one letter here. I called on Colonel Hume at the time in company with Bishop Stuart, and Archdeacon Samuel Williams. Colonel Hume received me courte-

ously, and promised me that if I furnished him with definite information they would endeavour to get the sly-grog selling followed up. Immediately subsequent to this I went and paid a visit to the Galatea and Te Whaiti districts, and went to a village called Te Houhi, about five miles to the east of Galatea. I found about two hundred Natives assembled at a scraping of bones, and all drinking freely.

380. Drinking what?—I suppose beer and spirits, and the whole place was in a horrible state from drunkenness. I might refer here to my diary, written at the time. Here is my entry on the 15th February, 1895: "Rode down to Houhi, where I stayed. A large gathering of Maoris. 15th—The Maoris drinking, so that I could do but little. On 16th February—Maoris excited and drinking. Could do very little besides a little conversation."

381. Was there any policeman there?—Not at that time.

382. Do you know if there is one there now?—There is one in the district. The next entry I have is on the 27th February—"Reading and making up and posting to Justice Department, and New Zealand Alliance, 'Rotorua as it still is.'" I might mention that I published two pamphlets. On my return from Rotorua I made a written statement to the police. I spoke to the Natives about destroying each other by selling liquor amongst themselves. I went to the policeman with the names of those selling, and of those who would act as evidence to the sale, and offered to appear to give the necessary information. I also wrote fully to the Police Department in Wellington. Nothing was done in the matter, although I frequently spoke of it. When speaking to the Maoris on the question, they simply laughed at me, and said the Government would not care what they did.

383. *Rev. Mr. Isitt.*] Did you complain to the Inspector of that episode?—I am under the impression that I reported it to the Inspector. There is another letter I wrote to the Minister of Justice, in which I complained about a similar matter. I just refer to one sentence: "I may mention that I hear on good authority that sly-grog selling still goes on in the Galatea district, although I have before given the names, date, and places of the occurrence. Unless the law is carried out, the Maoris and others in these parts will begin to think that it has altogether ceased to operate. Trusting that you will be able to give attention to the above matter," &c. This is dated 8th January, 1895.

384. *Colonel Pitt.*] Did you get a reply to the letter?—Yes.

385. Do you know the purport of it?—I do not.

386. *Mr. Poynton.*] Do you desire us to examine the correspondence in Wellington?—Yes.

387. *Rev. Mr. Isitt.*] Did you make any special complaint to the police in one case with regard to an inquest, or want of an inquest? Do you know any case in which they suppressed important facts which bore upon an inquest?—Yes, I do.

388. *Colonel Pitt.*] When, and where?—I cannot give the date, but there was a case of drinking in Rotorua in which a man in a state of intoxication got on his horse and rode violently through a crowd, knocking down a Native, who either died at once or very soon after.

389. Did you suggest that an inquest ought to have been held there?—An inquest was held; but I do not think the police did act as they should have acted in bringing the case home.

390. There were lots of eye-witnesses?—Nothing whatever was said that it was because the Maoris were being allowed to go on getting drunk in the hotels. On one occasion when the annual report was made to the Licensing Bench everything was stated as if the hotels were very well conducted. I felt bound to controvert the statement of the constable making the report.

391. Did you give evidence before the Licensing Bench?—Yes. The constable's reply was that I should make my complaints to headquarters, and he said, when I replied that I had done so, "A jolly lot of satisfaction you have got out of it."

392. What did the Licensing Bench do?—Paid no attention, as far as I could recollect. I made a complaint on another occasion, with regard to allowing obscene hakas to continually take place, and on the general want of police supervision in Rotorua. Inspector Emerson visited Rotorua and stayed there some three days, but was very careful to avoid me, although I was trying to find him. The gist of the reply to my complaints was to this effect: "No doubt, to a person understanding the Maori language the hakas would be obscene, but to those not ignorant of Maori life it was harmless. I made complaints with regard to Sunday trading—frequent complaints—as the road to the church where I was ministering lay past the hotel, and I continually saw drinking going on in the hotel as I passed it, without going into it."

393. Do you know whether they were lodgers or not who were drinking?—They were Maoris. To show how the hotelkeepers had been spoken about to the police, I had on one occasion to go into one of these hotels, and the hotelkeeper said to me: "Mr. Spencer, why are you always finding fault with us?" I said to him: "Answer me one question: Do you sell on Sundays or do you not?" He replied: "If my customers come to me six days in the week, I am not going to deprive them of refreshments on the Sunday." I said to him: "Do you know that that is an infringement of the law." He said: "I do not care for that."

394. *Rev. Mr. Isitt.*] Have you any more specific complaints to make?—In a pamphlet I published, I gave the names of nineteen Natives who met their deaths in Rotorua through drinking.

395. Do you mean to imply that if the police had enforced the law, these men might have been saved?—I wish to imply that drinking was carried on practically unchecked.

396. There was a bad accident: was there anything in connection with that episode with regard to the police?—In this way, that the police would not take any action to show that it was connected with drinking, although it was a clear case of it. I may state, in conclusion, that I have subsequently visited Rotorua, last April, and the Te Whaiti district, and I am glad to say that the police supervision seems to be effective now; that on inquiries I made they seem to have a very good constable in Te Whaiti, and sly-grog selling has been reduced to nothing; and the same applies to other districts.

397. Do you think the present condition of the law is responsible for the failure of the police to suppress any crime?—Yes, I could say a good deal in that way. One of the remarks made to me in reply from Wellington was that I must improve the moral state of the population in the place. I said the law was not enforced in the liquor trade, and it was said that it was impossible to carry it out. I was told that the police were practically powerless to check it. I stated that in places like Fiji and South Africa—where the police were, I supposed, supported in their work—there were severe penalties: in Fiji, £50 for supplying Natives with liquor.

398. *Mr. Poynton.*] Do you think, from your own knowledge, that drink has a specially injurious effect upon them?—Yes.

399. Do you think, in view of that fact, that the penalty for selling drink to the Natives should be more severe?—Yes.

400. Do you think that the Natives should not be allowed to have liquor at all, and that a law should be passed inflicting a penalty on persons selling to Natives, either men or women?—Yes; because I know of many deaths which have occurred directly and indirectly through it. The Maoris, when drinking, stop eating, and go on drinking until their money is all gone. In Te Whaiti district there were possibly eighteen to twenty deaths after every debauch.

401. Do you think it can be done?—Yes; it has been done in Fiji, where the penalty is from £50 to £100.

402. *Colonel Hume.*] You told us a good deal about your correspondence with Wellington, but nothing about the replies. Were these letters replied to?—Yes, I got a reply.

403. I was in Rotorua myself, was I not?—Yes.

404. I did not try to get out of your way?—I went and found you.

405. Did I not come to your house and call upon you?—Yes, you did.

406. I did not try and keep out of your way?—No.

407. What was my reply to you when you made statements about sly-grog selling going on?—It was, as far as I remember, as follows: that if I supplied the police with the necessary information they would take action in the matter.

408. Did you supply it—soon after?—Yes.

409. You are prepared to swear the police did not take any action on what you told them?—I made frequent inquiries, and, as far as I know, nothing was done, because I asked the police several times.

410. You say that this sly-grog selling has been stopped now, according to your last visit up country?—Yes.

411. What is your complaint—that they did not stop it quick enough?—That at that time the police were inactive.

412. Then, you say the constable was removed in consequence of his inactivity?—You told me so.

413. At the time I called on you?—Yes.

414. Did not the man who came afterwards improve matters?—Yes, to some extent. He had backbone in him and the other man had not.

415. You said you have passed hotels and seen drinking going on on Sundays?—Yes, on Sundays and other days.

416. Do you know that on that Sunday you spoke of they were not boarders that were drinking there?—Yes.

417. You went on to say that you knew the police suppressed or failed to report an occurrence which caused sudden deaths or accidents. Can you give us an instance of that?—Yes, in a drowning case that was directly attributable to that. I called on the police and on the Coroner.

418. Did you give any evidence?—I demanded an inquest.

419. In these other cases did you ever give evidence yourself?—I never had an opportunity afforded me, because there never was a case brought forward on which I was called upon to give evidence.

420. In reference to these hakas, do you know any law that stops the Natives from dancing a haka?—Indecent exposure.

421. Did they not dance them occasionally before His Excellency the Governor?—There are hakas and hakas. I speak of hakas got up in which women would be hired in a hall to perform these indecent hakas, in which not only the actions of the body are obscene, but the whole thing is indescribably filthy. These hakas are got up for immoral purposes.

422. You think the police should have stepped in and stopped the hakas altogether?—Yes, those hakas, certainly.

423. Are you prepared to state that in anything which you reported there was direct evidence which would lead to prosecution, and the police did not take action?—Yes.

424. Give us one case?—The drinking at Galatea, in which I supplied the occurrence, the name, date, and place.

425. Did you offer to give the name of the person selling the liquor?—Yes.

426. Who did you report that to?—The constable in Rotorua, and also to the department in Wellington.

427. *Mr. Tunbridge.*] You said something about penalties imposed for supplying liquor to Natives in South Africa?—I have a paper showing the penalties imposed in South Africa.

428. What paper is it?—It is the *Prohibitionist* of the 28th May last.

429. Does it apply to the Transvaal?—Johannesburg.

THOMAS GODFREY HAMMOND, of Patea, examined on oath.

430. *The Chairman.*] What are you?—Wesleyan missionary to the Maoris.

431. Where?—West coast of the North Island.

432. *Rev. Mr. Isitt.*] How long have you been a Maori missionary?—Twenty years.
433. How long on this coast?—Eleven years, or a little over.
434. Within your own knowledge, have events shown you that the liquor laws with regard to Maoris are not enforced?—Very many.
435. *Colonel Pitt.*] In places where there are police stationed?—There are policemen all over the coast.
436. *Rev. Mr. Isitt.*] In Patea, have you seen anything there?—Yes.
437. Have you seen anything to prove to you that the Maoris are allowed to get drunk in hotels, and congregate there when drinking?—Yes.
438. *Colonel Pitt.*] How long ago?—About three years ago.
- 438A. *Rev. Mr. Isitt.*] Used it to be habitual?—It was a common thing when they were paid their rents in the townships. I was mainly instrumental in getting the payments made in the settlements, and there is a change now for the better.
439. Did you draw Mr. Seddon's attention to the evil of paying them in the townships?—Yes, and he did all he could in the matter.
440. Was it chiefly owing to the evils of the liquor trade in the townships that you made that complaint?—Yes, solely on that account.
441. Was it the law-breaking on the part of the publicans that made you do that?—Yes. I saw the Natives go in drunk and come out drunk continually.
442. *Colonel Pitt.*] Did you see them supplied with liquor by the publicans?—We know, without the slightest doubt, that they got the drink on the premises. I could bring five hundred witnesses to prove that.
443. Has this occurred in other places besides Patea?—Yes.
444. Where?—I reported a matter on one occasion to the police in relation to Waitotara, to the police in charge at Patea—Sergeant Donovan then—and the next time I went to Waitotara I was first insulted by the publican's son-in-law, and then somewhat savagely accosted by the publican himself as to what I said. So the police had reported the matter, and I would like to know why I should be "given away."
445. Are there any other places you speak of besides Patea and Waitotara?—There have been shocking scenes of drunkenness at Kakaramea. I have often seen the Natives very drunk at Manutahi, and drunkenness was at one time very common at Hawera.
446. How long ago?—Just before the stopping of the payments of moneys in the townships. I saw one man arrested at Hawera; he was handcuffed behind his back, and the police hauled him along by the hands on the footpath, and I interfered.
447. *Rev. Mr. Isitt.*] Has this thing been so common as to leave no question in your mind that the police could have obtained conviction had they tried?—I consider the police in such matters have just allowed the thing largely to go. They are not worth their salt if they could not have found the thing out.
448. You live in Patea, I believe?—Yes.
449. Have you seen any cases of the laws being laxly administered when the Europeans were concerned?—No. I know of a good many things, but not from my own knowledge.
450. Do you know of anything of your own knowledge of that episode in which a man met with injury in a publichouse?—I know a man had his arm broken in a publichouse. There was never anything done about it.
451. Do you know by whom it was broken?—I do not, but it was town talk who did it. The publican did it.
452. *Colonel Hume.*] It was town talk he did it, but you cannot say the publican did it?—No, but everybody knows it. I want to make another statement, since I am called here. I have often seen the Maoris very drunk at Rahotu, and they have been very offensive to me when drunk. That place has been a scandal.
453. *Colonel Pitt.*] Is there a policeman there?—There is a policeman at Pungarehu. I reported a case—a row—outside the Central Hotel at Patea about three years ago. Nothing was done. I repeatedly called the attention of the police to Natives coming out of licensed houses.
454. Did you name them then?—Yes. I went one Sunday to Whenuakura. One Maori woman was standing in the doorway of the hotel, when another woman came out of the hotel with a child on her back in a state of intoxication and said, "I am not going to worship to-day, but I am going to get drunk in the publichouse." I reported this, and offered to bring witnesses. My information was refused.
455. *Mr. Poynton.*] You reported this to a policeman?—Yes.
456. How do you mean your information was refused?—They said there was nothing in it, and would not take any witnesses.
457. Was there any case: a woman saying she was going to get drunk? Could you show that she got the liquor?—She came out of the house intoxicated.
458. She might not have got the drink at that hotel?—There was only the one hotel there. I gave the complaint to the policemen, and no action was taken. I want to put in a letter from Colonel Hume, and one from Mr. Seddon. This is in reply to a letter in which I complained that Native women were still allowed to get drunk.
459. Wen was that?—The reply is dated 13th January, 1897, and from Colonel Hume, 15th January, 1897. I made a complaint to Mr. Seddon as to Native women getting drink in the settlement, and that complaint was signed by a Native chief. Mr. Seddon's reply says:—
- I am in receipt of your two communications of yesterday's date in reference to the sale of drink to Maori women in the West Coast districts, and I regret that this practice still prevails. However, I have forwarded your communication to the Minister of Justice, and feel sure that, attention having now been drawn to the matter, the proper remedy will be applied.
- Yours sincerely,
R. J. SEDDON.
- Rev. T. G. Hammond.

No attempt has been made to remedy that. The letter from Colonel Hume is as follows:—

SIR,—

Wellington, 15th January, 1897.

I have the honour, by direction of the Hon. the Minister of Justice, to acknowledge his receipt of your letter, and statements regarding beer being given to female Natives by some of the trading men at the Maori meetings, which was also signed by Oraumotu, and in reply to thank you for the trouble you have taken in this matter, and inform you that special instructions have now been issued to the police, in accordance with your request.

I have, &c.,

A. HUME, Commissioner.

The Rev. T. G. Hammond, Patea.

Liquor is still given away indiscriminately at the Maori feasts, and a certain Native at Waitotara has been drinking continuously for the last two years, to my knowledge.

460. Do you concur with Mr. Spencer that the consumption of drink has a specially bad effect on the Native race?—If they do not desist they will die out.

461. Do you think it would assist the police to have a penalty against supplying Natives with drink?—Very materially; but if the police do not do their duty better than I have known them to do, it is no good making any law. It would be a very good law, and a large percentage of the Natives would hail it with very considerable pleasure.

462. *Colonel Hume.*] You have told us a great deal of what happened years ago: do you agree with Mr. Spencer that improvement is going on?—Mr. Seddon's law, restricting drink from being given to Maori women, has been a very great blessing, as it keeps women away from the public-house. Prior to that they filled up the publichouses and were often drunk, and given to swearing.

463. This beer business, the subject of that letter, was it at some meeting?—Yes.

464. Was the law interfered with on that occasion?—The beer was given indiscriminately.

465. Is that against the law?—The law distinctly states that Maori women are not to get beer.

466. It was their own beer: you do not know where it came from; it was simply distributed at the meeting?—Yes; and the police could see this as well as I.

467. You have reported and stated that they had taken no action, or that you were not aware that they took any action?—I am not aware that they have taken any action to prohibit women getting drink.

468. They might have taken action for aught you know?—I do not know how they can take action without bringing a charge.

469. They could not charge without getting evidence?—There was evidence. If the police were here to meet that matter they could do it without the slightest difficulty.

470. As regards this row outside the Patea Hotel: you told the police?—Yes.

471. Did you give the names of anybody that might have been prosecuted?—I do not know whether I did or not, but the names were perfectly well known. I had a conversation with the police about it.

472. It was the talk of the town?—Quite so.

473. You say you saw a Native with his hands handcuffed behind him: what objection have you to that?—I have no objection to the handcuffing behind him, but I thought it was an improper thing for the police to drag him along the footpath in that way.

474. Are you prepared to say there is as much drinking now amongst the Natives and selling liquor in improper hours as there was three years ago?—I said nothing about improper hours. There is not nearly so much selling, and it is attributable to Mr. Seddon's law in relation to the women, and to the fact that the Natives are now paid in the settlements instead of the townships.

475. Then there is some use in making laws?—Considerable.

476. *Mr. Tunbridge.*] Can you say how the Maoris can be forbidden to give their own women drink?—The drink I saw was not in their houses.

477. You say it was at a meeting?—Yes.

478. Where there were casks of beer and the people were allowed to take what they wished?—Yes; and I have seen pakehas there getting drink on Sundays.

479. Do you think it is possible to prevent this indiscriminate drinking at Native meetings?—Yes, perfectly.

480. And politic?—Extremely so.

481. How many Natives do you suppose there are at these meetings?—Sometimes two or three hundred.

482. Native men; or men, women, and children?—Yes, all together.

483. In a very excited state?—Sometimes.

484. You would go so far as to march a number of police officers into the meeting and bring these men away?—No; I do not think any man would do that with any head on his shoulders.

485. What would you suggest?—That they should speak to the leading men, and when they found out the offenders bring them up.

486. *Mr. Poynton.*] There is nothing to prevent a Native buying a million gallons of beer?—Then it should be stopped.

487. *Mr. Tunbridge.*] The beer is generally given away?—Yes.

488. You think moral suasion should be used?—Yes.

489. What about your moral suasion?—We have done our best; but unless we are backed up by the law, there are Natives who care neither for God nor man.

490. That does not apply to the chiefs?—If the chiefs do not pay attention there is no moral power.

491. You have tried moral suasion?—I have been doing it until I got grey. A Maori respects moral suasion with force behind it.

492. But you do not advocate the police taking special measures to stop this by going in and bringing men away?—No, I do not.

493. It would be likely to bring about very serious consequences?—It would bring about very bad feeling, and perhaps defeat the ends aimed at.

494. It would bring about bloodshed?—No.
495. If you went to a meeting where they were very excited and, perhaps, arrested a chief, do you not think it would bring about bloodshed?—No man in his senses would do that. He would summon the head man.
496. That would not affect the meeting, because the summons would come on perhaps a month later?—No, but it would deal with the matter.
497. It would be the man who helped the woman to drink that would be responsible. Would there not be a difficulty in that?—I admit the difficulty, but it is not insurmountable. The matter has been dealt with here.
498. You mean where a licensee supplies drink?—No, where Natives have been supplied.
499. Not where there has been a great meeting of these Natives and where there has been feasting?—No, I am not aware of any case where it has been tried.
500. You recognise that there would be very considerable difficulty in getting sufficient evidence?—Yes, but I look to the police to cope with the difficulty; or else, what are they there for?
501. Even with the present strength?—Yes; there are plenty of police to see to this.
502. With only one man on night duty at Wanganui, and when you have other police affairs to attend to, to cope with a matter like this, probably where hundreds of Natives are assembled for feasting purposes, and requiring police to be provided from the towns to prevent women being supplied with drink?—If the police visited the Native meetings they could get the same information that I did, and they could summon their own witnesses before the Magistrate. That has never been done, and that is what I complain of.
503. Now, as to these Native meetings, what information did you get?—I saw the beer given indiscriminately to men and women.
504. You have great knowledge of the Natives?—Yes.
505. Can you supply the name of one Native man who, you say, supplied a Native woman at this meeting?—No, I could not mention the name, but I know the man who was going round with a bucket.
506. It is one thing to come here and speak of a matter, and quite another thing to swear to facts?—Yes; I have made general statements, and made them in a straight way.
507. May I take it that in future you will give the police the benefit of your help?—I shall be perfectly happy to do so.
508. Even to going before a Magistrate?—I shall use my discretion as to when I shall give evidence.
509. You come here and complain about the police not doing their duty: but may I take it from you that you consider your duty ends there?—I think I must be the best judge of what is wise for me to do in relation to my work. I consider my work of the first importance, and I am not going to take up a false position for any one. When I deem it wise to give direct evidence I shall do so, and there are times when I shall hold my tongue.
510. Then I cannot rely upon you as a probable witness in these cases?—Well, if the police are there, and see me there, and know that the law has been broken in my sight, I shall give evidence, but I am not going to trot round the country as an informer.
511. You spoke of one Native being "on the drunk" for two years in Waitotara?—Yes.
512. Do you remember the Stipendiary Magistrate making some strong remarks in condemning the arrest of the Native?—Yes, I was there.
513. You heard the remarks?—Yes.
514. Do you recognise that the police do not always get assistance in such cases?—I was there at the request of the Native who was charged with this offence, and he wished me to be present because one policeman brought the charge and another policeman was interpreting. I said, "I will go, and it will be all right," and on that account I went and watched the case. I was not altogether in sympathy with the Judge's verdict.
515. I am not asking you that. The constable did arrest the drunken Native. He endeavoured to get him to the lock-up, and was set on by other Natives?—The constable was censured because he did not bring the man up by summons. The Magistrate thought he was placing himself in a position which was not right.
516. He endeavoured to get the man home?—It was sworn in Court that they never gave up their efforts to take him home, and they came to take him out of their hands.
517. *Colonel Pitt.*] When did these cases of drunkenness and of supplying liquor to Natives at Patea occur?—The Natives drank very badly about three or four years ago, and it was to this that I more particularly referred. But the Natives could get drink at pretty well any time they liked during my residence there.
518. *Mr. Tunbridge.*] Does that apply to the present time?—There is quite enough of it now. I do not refer to the time when Mr. Day was constable. My remarks have nothing to do with the time when ex-Sergeant Day was in Patea.

Inspector McGOVERN, recalled.

519. *Rev. Mr. Isitt.*] Has any report been made to you about a broken arm having been received in a hotel?—No, not that I can remember now.
520. You have heard the evidence as to the existence of a certain door in the Albion Hotel, in December?—Yes.
521. Did you hear the sergeant say that practically it could have had no existence except for illicit purposes, and that that was his report to the Licensing Committee?—Words to that effect.
522. Did you hear a similar statement from the Chairman of the Licensing Committee?—Yes, I heard him to-day.
523. Should not that have been reported to you?—Yes, it was reported to me. After the

quarterly licensing meeting in March, Sergeant Ellison said there was no complaint, but at the annual meeting he would bring up the matter about that door. I should like to speak about the Inglewood hotels receiving an 11 o'clock extension. Inglewood has had an 11 o'clock license for years past.

PALMERSTON NORTH.

SATURDAY, 25TH JUNE, 1898.

EDWARD WILSON, examined on oath.

1. *The Chairman.*] We wish to examine you on the general efficiency of the Police Force in this locality. You are sergeant, of what rank?—First class.
2. When were you stationed here?—On the 23rd October, 1897.
3. When did you join the Force?—I joined the Armed Constabulary on the 15th August, 1871.
4. When were you transferred to the Police Force?—The first police work I did was in 1874, in the Taranaki District.
5. Does your police service date from then?—Taranaki was a peculiarly situated district. There were only four constables there, and the Armed Constabulary used to do police duty in the district.
6. When did you first draw pay from the Police Department?—In 1877, I think. I was transferred to a station called Manutahi, ten miles from Patea.
7. And from there to where?—New Plymouth, as district clerk, under Sub-Inspector Bullen.
8. And from New Plymouth, when you ceased to be clerk?—I was transferred to Wanganui as district clerk under Inspector James.
9. In what year?—1880.
10. And from there?—I was transferred to Christchurch in 1888. I was to get the position of district clerk, but did not.
11. In what position were you transferred there?—Third-class sergeant. I was promoted to the rank of third-class sergeant in 1883, when at Wanganui.
12. And you went to Christchurch as third-class sergeant in 1888?—Yes.
13. How long were you there?—Only three months, when I was transferred to Akaroa.
14. In the same year?—Yes, and within three years and three months I was transferred back— at the end of 1891 or the beginning of 1892—to Christchurch.
15. Still holding the rank of third-class sergeant?—Yes.
16. And after that?—In January, 1894, I think, I was promoted to the rank of second-class sergeant, while at Christchurch.
17. And when did you leave Christchurch?—I was doing street duty in Christchurch for nearly six years, and was transferred to this place on the 23rd October, 1897.
18. Then you have not held the position of clerk since you were at Wanganui under Inspector James?—No.
19. Since that time you have been engaged at police and general duty?—Yes.
20. What number of men have you under your control here in Palmerston proper?—There are three foot-constables, one mounted constable, and one detective.
21. What class detective?—Fourth class.
22. And the mounted constable?—Second class.
23. And the three foot-men?—One first-class and two third-class constables. At Terrace End, a mile and a quarter from the present station in the town, there is another second-class constable stationed.
24. What length of service have these two third-class men in the town?—I think one has about five years, and the other a little more.
25. Neither of them is a recent appointment?—No.
26. What other stations have you in your sub-district?—Ashhurst, nine miles away.
28. With how many men?—One first-class constable.
29. What other stations?—Feilding, with two second-class constables.
30. What is the next station?—Foxton, with one third-class constable.
31. Is there any other station?—No.
32. Who is your Inspector?—Inspector Pender, in the Wellington District.
33. What have you to say with regard to the sufficiency of this force for the duties you have to perform—I mean the numerical sufficiency?—I think I should have at least one man more.
34. Where?—At Palmerston North.
35. What do you want him for?—All the prisoners that are arrested here have to be sent away to Wanganui and Wellington, and there is a man a good deal of his time on escort duty; and I would like to have a second man on night duty, owing to the number of vagrants who seem to visit Palmerston North.
36. At present you have only one man on night duty?—Only one man.
37. And feel the necessity for another?—Yes; I think there is necessity for another. These vagrants are sent out of the Wellington, Wairarapa, Napier, and Wanganui districts; they get notice to leave those places and invariably come here. There is another reason why I want another man, and it is a reason which I think will commend itself to you: There is a very large number of people who pass through at the railway-station. Trains from Wellington, Napier, Wairarapa, and Wanganui are continually arriving and leaving, and it is necessary to have a man on duty there nearly the whole of the time.

38. Now, with respect to those men you have—are they efficient, physically equal to the work required of them, and competent for any work they are called upon to perform?—I have got one very old man. He is a very careful and painstaking man; but really, speaking the truth, he is almost past work now. Then, I have another man who is not very strong, owing to an accident he had lately. All the men are good, active men.

39. Are the two you refer to in the town?—Yes.

40. *Colonel Pitt.*] What was the nature of the accident to the man you referred to?—The constable was chasing some larrikins in a right-of-way when he came in contact with a clothes-line, and he says it has affected his sight.

41. *The Chairman.*] With regard to the state of the town, you say you have an influx 'of the vagrant element at times?—Yes, that is the great trouble here. Only last week there were two women ordered out of Wellington who came here and stopped a few days, when we got them to leave. In fact, there were four of them.

42. That is the result of ordering them out of one town—they go to another and get ordered off again?—Yes.

43. Have you much actual crime here?—There is a fair amount. I think there was rather more than last year. There were 208 cases in eight months.

44. You will please prepare a crime return up to the 30th of April last?—Yes, sir.

45. How many hotels have you within the district controlled by the one man at the far end of the town and the five men here?—There are seventeen hotels, including that at Terrace End.

46. Can you give us the population of the town?—According to the last census there were about six thousand.

47. Have you been successful in dealing with undetected crime?—There is very little here.

48. How do the hotels of the town generally observe the liquor-laws?—Fairly well. There are only two hotels within the last eight months I have had occasion to report, and in both these cases the licensees have been got out of the hotels.

49. So the hotels are well conducted?—Yes.

50. Have there been any prosecutions?—No, the hotels were reported to the Licensing Committee, and the Committee gave the licensees notice that they had better leave. It has had the effect of getting these undesirable people out of these hotels. There was another report against a hotel, but the Licensing Bench decided to give the licensee another chance.

51. You have had no prosecutions?—No.

52. Have you much street gambling?—No, I have not heard of any.

53. Do any of those institutions known as "tote" shops exist?—Well, it has lately come to my knowledge that such a place existed, and I have taken steps to put a stop to it. I may say the matter will be before the Court in a week or less.

54. There is no street betting?—No, I have never heard of any.

55. Is the town orderly and well-conducted in the matter of prostitution?—There is no brothel in the town that I know of at present. In the only brothel that I have been able to take action against, or which has come to my knowledge, since I have been in Palmerston North, the owner and occupier of the place has been brought up before the Court and fined, and has since left the district.

56. Have you anything in connection with your district which you would like to bring under our notice, with a view to greater efficiency, or as regards any grievance or trouble under which you think members of your Force suffer?—I do not think so; I do not know of any.

57. Have any complaints been made to you by any one outside the department as to the conduct of any individual member of the Force under your control which has not been inquired into departmentally?—No.

58. *Colonel Pitt.*] Have you considered the matter of a pension scheme?—Yes; I have read Commissioner Tunbridge's proposal very carefully, and I think that would be a very wise thing.

59. *The Chairman.*] What did you read it in?—In the *Evening Post*, in which, I understand, the context of it was followed pretty closely. I think any scheme that would offer any inducement to good men to join the Force in order to make a livelihood would heighten the Force altogether.

60. Do you think the men are prepared for a pension scheme on the understanding that it involves deductions from their pay and charges? Do they know that it means present sacrifice for a future benefit?—Yes.

61. Do you think they are prepared to accept that?—Yes.

62. *Colonel Pitt.*] You say you are not aware of any complaints on the part of members of the Police Force. Are they satisfied with the rate of pay?—I have frequently heard complaints generally throughout the colony that there was no promotion for years and years, and married men have grumbled in Christchurch and other places I have been in at having to pay for house-rent, which is very heavy.

63. *Mr. Poynton.*] How many married men have you here?—Two.

64. Do they get any house-allowance?—No.

65. *Colonel Pitt.*] Are the single men satisfied with the rate of pay?—The only single men I have get long-service pay.

66. Do you think, speaking generally, that the pay is sufficient?—I do not. I think there should be an increase in the pay in order to attract a better-educated class to the Force.

67. And the uniform?—I think the uniform should be provided.

68. What do you think as to the abolition of classes, both of non-commissioned officers and men?—I think payment by increment would be the better way.

69. *Mr. Poynton.*] Do you know anything about political influence to prevent transfers or to gain promotion?—No, I do not.

70. *The Chairman.*] Are your men living in barracks?—Two single men. The two married men live outside and pay rent, and the detective lives outside.

71. Do those in the barracks mess there?—No. One does, and the other has his meals outside.

72. Why do they both not mess in the barracks?—Well, the mounted man is out a great deal about the country.

73. Do you think it a good system for constables to mess in hotels?—No, I do not, but in some cases it is unavoidable.

74. Why?—Because they cannot get proper places to stop at.

75. Are there no hotels or boardinghouses where they could get their meals?—There are no suitable boardinghouses in the town. When I came here I could not get a place, and had to go to a hotel to have my meals.

76. Surely if there is accommodation for one man to mess in the barrack, there is accommodation for two?—I am referring to the mounted man, who has his horse to look after.

77. There is no other sergeant in your sub-district?—No.

78. *Colonel Pitt.*] Is there much sickness about among the men, necessitating absence from duty?—Yes, Constable Coulahan was away for a week since I have been here this year, and Constable Hattie was away for five weeks.

79. *Mr. Isitt.*] Do I understand that this man lives in hotels in Palmerston itself?—He has his meals there.

80. Do you mean to say you could not find any other accommodation than that?—He tells me so, and my own experience was that I could not find accommodation. There is a building in course of construction that will meet that difficulty.

81. Do you not consider it exceedingly undesirable that a constable should have to board at an hotel?—It depends upon the constable. If the man drinks it is undesirable, but not if he is a total abstainer.

82. Apart from that consideration, your duty is to watch the hotels?—Yes.

83. And it is a difficult part of your duty?—Yes.

84. Is not the trouble increased when friendly relations are established between a hotel-keeper and a policeman?—I do not think so.

85. You say you have had to report two hotels, and there were no prosecutions?—Yes.

86. And that the licensees had to leave?—Yes.

87. Under what sort of pressure?—Because the houses were reported as dirty, and were not kept up to the standard required by the Act.

88. It had nothing to do with distinct breaches of the Act?—No.

89. And nothing to do with trading after hours or Sunday trading?—No.

90. Was one licensee cautioned?—Yes.

91. With regard to what?—The dirty state of his premises.

92. Not with regard to what I have indicated?—No.

93. Is it within your knowledge that the Commercial Hotel changed hands recently?—No, it is not.

94. *Colonel Hume.*] You were transferred from Christchurch to Palmerston North?—Yes.

95. I think at Christchurch you were pretty active in looking after publichouses?—Yes, I was.

96. And you got some convictions?—I think, about thirty convictions in six years.

97. Did that tell against you in the Force in any way?—It did not; I do not think so.

98. Did any one try and prevent you carrying out your duty with regard to publichouses?—Both Inspector Broham and Inspector Pender were always most anxious that the licensing-laws should be carried out in their entirety, and gave me every assistance possible to do so. Inspector Broham was particularly keen on it.

99. Was your transfer from Christchurch to Palmerston any betterment to you?—Yes, certainly.

100. Then, if anybody said that you were removed from Christchurch to Palmerston because you saw the Licensing Act was properly carried out, and therefore you suffered some injustice by the removal, they would be stating what is not a fact?—Yes, they would. I may say that I asked for a transfer to the North Island.

101. You were asked just now whether you did not think it would be establishing friendly relationship between constables and hotelkeepers by constables taking their meals at hotels. I would like to ask you whether you do not think that a man who has his meals every day at a hotel, and who thereby gets into the confidence of the hotelkeeper, would be more likely to see any breach of the law going on?—Certainly he would. As I said, it depends on the nature of the man. If he is sober and a practical abstainer no harm would be done. It is only those who go on nipping there is any danger with.

102. *Mr. Tunbridge.*] With reference to your being prejudiced by your removal to Palmerston, you have received a class since being here, have you not?—Yes; and, of course, in Christchurch I had to pay a portion of the house-rent, and I had to pay for other things.

103. *The Chairman.*] When were you promoted to the first class?—On the 15th February of this year.

104. *Colonel Hume.*] When you got those convictions against the hotels, did you usually get the reward?—No; I never looked for a reward.

105. Never?—No. I got a reward for conviction of a man for sly-grog selling. I did not get any reward for ordinary prosecutions under the Licensing Act.

106. You have got on fairly well in the Force?—Yes, I have.

107. Have you ever used any political influence?—I do not think so. I am sure I have not used any political influence.

108. Do you think your friends have?—I do not know what my friends have done, but I never asked them to use any political influence for me.

109. *Rev. Mr. Isitt.*] You had thirty convictions in six years in Christchurch?—Yes; I had sixty cases, and I think about thirty convictions, under the licensing-laws as regards publichouses

110. Do you know that a great deal of satisfaction was expressed at your action by the Prohibitionists there?—I did not hear, or take any notice of it.

111. Yet, active as you were, is it not an actual fact you did not know what was going on at Coker's George Street bar?—I gave evidence at that inquiry.

112. Did you state in Court that you had not heard of what was going on at the George Street bar?—It is so long ago that, without having something to refresh my memory, I could not say.

113. Did you know that there was a good deal of evidence given by citizens as to the George Street bar?—Yes.

114. Did you say in open Court that you had not heard of those things?—I do not think so. I think I was almost the one policeman who did say the place was frequented by prostitutes.

115. You say that a constable boarding at a publichouse would be more likely to see breaches of the law than other men?—Yes.

116. But—not having reference to your own immediate men—would not the fact of a constable boarding at a publichouse have the effect of making a good many men shut their eyes?—I do not think so.

117. Were you ever asked at Christchurch to find out who the man was who said if he had a free hand he would obtain convictions?—I was never asked, and I think, if any one did say so, it was a bit of bombast.

118. Were you never asked by your superior officer to find out that man?—No.

119. You condemn the practice of a policeman going to take his meals at a publichouse?—I do.

120. If it could be avoided, you consider they should not go there?—Certainly. I understand from the man living at the house that he will shift when a certain boardinghouse is built, and it will be finished in a few weeks.

121. *The Chairman.*] I understand you wish to say something in reference to a cutting from the *New Zealand Times* of the 19th February last. I will read the extract: "The ex-Commissioner next brought up, at Mr. Taylor's request, reports with reference to a dispute at Akaroa between Sergeant Edward Wilson and Constable Thomas Whitty. It arose through the latter giving evidence contradictory to his superior officer at a meeting of the Licensing Court, and also bringing charges of erroneous book-keeping against Wilson. The result was that both men were removed from Akaroa." You say in a letter:—

Police Station, Palmerston North, 22nd February, 1898.

He annexed cutting from *New Zealand Times* of Saturday, 19th instant, I do not know whether Colonel Hume has been correctly reported in this paper, or whether, owing to lapse of time, he has forgotten the facts and the final termination of the case; but, as this version has gone forth to the public, I respectfully ask that I be allowed to place on record my side of the question, so that I may not be prejudiced by it. First, it is stated the dispute arose through the constable giving evidence contradictory to me at the Licensing Court, &c. This is not correct. The constable made his report because I would not allow him to peruse some papers between Inspector Pender and myself relating to the constable's application to marry. Second, that both of us were removed in consequence. The constable was removed at once, and I was left at Akaroa for about three months. I would also like to state that when Colonel Hume visited Christchurch about two months afterwards I went and saw him in Inspector Pender's office. Mr. Pender was present. I asked the reason of my removal from Akaroa, and if it was over the reports. I also stated that I was dissatisfied at not having the investigation asked for and being given an opportunity to clear myself. Colonel Hume informed me my removal was part of the general scheme to do away with sergeants at small places. This I thought correct, and accepted it, as Sergeant Scott (Oxford) and Sergeant Barlow (Rangiora) were transferred at the same time, and no sergeant has been at any of those places since—that no investigation was thought necessary, as the department was perfectly satisfied with my explanation. In his opinion, the only way I erred was in not suspending the constable. I doubt section 64 of the Police Regulations confers the power on a sergeant to suspend a constable for a trivial breach of the regulations; only officers (Inspectors) in charge of districts can do so. In conclusion, I would respectfully ask that the papers be looked up, and if the Commissioner deems it of sufficient importance, Colonel Hume might be shown this report and asked if my statement is not the correct one.

Do you wish to depose on oath to the facts contained in this document?—Yes.

122. *Colonel Pitt.*] There are two matters referred to in this report in the newspaper. One is that of the constable giving contradictory evidence to you at the meeting of the Licensing Court, and the other the constable bringing charges of erroneous book-keeping against you?—I do not know where that could come in—giving contradictory evidence against me. That is not really correct. As a matter of fact, I objected to the renewal of a license on the ground that the licensee had had three convictions within six months. Really, why the constable objected to me was because I would not show him some papers.

123. *The Chairman.*] I take this from you, that you make the statements of fact contained in this document upon oath?—Yes.

Colonel HUME examined on oath.

124. *Sergeant Wilson.*] You remember a man named Whitty, a constable stationed at Akaroa, reporting me?—Yes.

125. Will you just refer to the departmental papers. I think you will find, first of all, that there is a report by Constable Whitty against me?—Yes.

126. When that report was received by me in ordinary course I forwarded it to Inspector Pender, and asked that, before I gave any explanation on it, the whole matter should be investigated before a Magistrate?—I might state that there was a sergeant and a constable stationed at Akaroa, and the constable made some complaints about the sergeant getting some forage improperly. That was investigated, and it was found there was nothing in it. Then the Licensing Committee met, and the constable said that a house was well conducted which the sergeant stated he opposed the license of, on the ground that the house had been improperly conducted, that drunkenness had been allowed therein—that there had been three convictions during the year and

two indorsements on the license. The constable was removed, but before the sergeant was removed it had been decided to remove the sergeants from several small places, and Akaroa was one of them. I visited Christchurch, and the sergeant asked me about his being removed from Akaroa, and I told him that there was nothing in the dispute with the constable, but it had been decided to remove the sergeant from Akaroa. There was never any inquiry into the matter, as Inspector Pender did not consider it important enough. It was a dispute between the two. He called upon Sergeant Wilson to reply, and the reply was apparently considered satisfactory.

127. Then, as far as that charge goes, I left Akaroa with a perfectly good character; there was no stain with regard to that charge?—No, not the slightest. There has not been a stain on your character since you have been in the service, as far as I know.

128. With regard to my objection to the publichouse, was I not bound by law to object to a house that had had three convictions against it in six months?—I do not know that you were bound by law, but you were perfectly right.

129. *Colonel Pitt.*] The memorandum you submitted to the Defence Minister reads as though you recommended the removal of both sergeant and constable on account of the disputes between them?—Yes.

130. But there was another reason with reference to Akaroa being reduced as a station. I should like to have the explanation as to the removal?—It happened in this way: There was an Akaroa resident mixed up in this forage business, and also in reference to the publichouse row the Akaroa residents were interested to a certain extent, and I thought the simplest plan was to remove both the constable and the sergeant.

131. Did the removal of Sergeant Wilson imply any censure upon him in any way?—Certainly not; and he would have been removed in any case because the station was being reduced. I considered Sergeant Wilson's explanation satisfactory.

132. *Sergeant Wilson.*] In forwarding that report I asked for the fullest investigation?—Yes.

133. *Rev. Mr. Isitt.*] Mixed up with this trouble there was a dispute about a hotel?—Yes.

134. That the constable had not reported?—Yes. He gave evidence before the Licensing Bench. The sergeant objected to the renewal of the license, and gave his grounds for doing so, and the constable stated that the house was well conducted and one of the best in Akaroa.

135. And the sergeant reported the three convictions as his clear duty?—Yes.

136. You say it was the sergeant's duty to report that?—Yes.

137. But the residents of Akaroa interested themselves in that matter?—I did not say so. There is nothing on the papers to that effect.

138. Was it not an unfortunate coincidence to remove the man just after that report?—I do not think so.

139. Do you not know that the liquor trade claim that they have power to effect these removals?—Everybody claims that.

140. Do you not know that the Prohibitionists, rightly or wrongly, suspect this sort of thing?—They suspect all sort of things.

141. Did you not play into the hands of these people?—What I did was for the benefit of the service. I thought their removal was for the betterment of the service. When I wanted to remove a man I did not think of the liquor party or anybody else, but what was best purely in the interests of the service.

WELLINGTON.

MONDAY, 27TH JUNE, 1898.

HENRY JAMES CHECKETTS, examined on oath.

1. *The Chairman.*] What are you?—A greaser, in this country.
2. In what employ?—I am out of employment.
3. Where are you residing?—In Wellington.
4. *Mr. Taylor.*] How long have you been in Wellington?—I have been coming here about seven or eight years.
5. Do you mean coming as a fireman, or as an employé on a steamer, and so on?—Yes.
6. Have you worked on shore at any time?—Yes; I have worked at Waihi a year and up.
7. Have you worked in Wellington any time?—I have been four months employed in Wellington.
8. *The Chairman.*] Where?—At Dealy's hotel.
9. In what month?—The latter end of February until about a week ago.
10. *Mr. Taylor.*] When did you go to Dealy's: when did you frequent the house first?—The beginning of January—on the 1st.
11. Have you at any time since you have been in the colony, at any place, seen the police frequenting publichouses prior to the 4th February?—Yes.
12. In uniform?—Yes, in uniform and without.
13. Have you, in Wellington, seen policemen frequenting publichouses?—Yes.
14. In uniform?—Yes.
15. Without uniform?—Yes.
16. Have you seen them gambling there?—Yes.
17. Have you seen any policemen intoxicated in Wellington?—Yes.
18. In hotels?—Yes.
19. *The Chairman.*] In uniform?—Yes.
20. Do you know whether from the time you first went to Dealy's hotel it was known as a policeman's hotel?—Yes.

21. What do you mean by "a policeman's hotel"?—A man can go in at any time and take his liquor.

22. *The Chairman.*] Do you know of any time prior to the 4th February that a house was known as "a policeman's house"?—Yes.

23. *Mr. Taylor.*] Have you ever been instructed by a publican for whom you were working not to charge the police for their drinks?—Yes.

24. Was that by Dealy?—Yes.

25. Which Dealy?—Mr. James Dealy.

26. *Mr. Poynton.*] Was this prior to the 4th February?—I have been going to the house for six months.

27. *Mr. Taylor.*] You were there as a rouseabout?—Yes; and I was watching the house for Mr. Dealy.

28. Do you know whether at that time the police had a free run of the house?—Yes.

29. *The Chairman.*] What do you call this watching—walking up and down?—Doing sentry.

30. You did not receive any pay?—They gave me bed and food for five or six weeks.

31. *Mr. Taylor.*] In any part of the colony, at any time, have you seen Sunday trading going on freely?—Yes, plenty.

32. Had you charge of the bar at Dealy's before February?—No.

33. Did Dealy do much Sunday trading before the 4th February?—Yes; he did pretty fair.

34. What do you call "pretty fair"—£10?—I can vouch for that since, but not before.

35. Have you seen members of the Force shaking dice in hotels?—Not in uniform.

36. Have you seen them shaking dice in plain clothes?—Not since the 4th February.

37. Have you been threatened during the past day or two that if you came to the Commission you would be assaulted?—Yes.

38. More than once?—Well, once seriously.

39. *Mr. Poynton.*] Was this by publicans?—No.

40. *Mr. Taylor.*] Have you been offered money not to come here?—Not money; but I was offered work not to come here. It might not have been real, but I was offered it.

41. Do you know whether Mr. Dealy, the licensee of the Railway Hotel, is an ex-policeman?—Just lately I have learned it.

42. Do you know now that he is an ex-policeman?—Yes.

ARTHUR HUME, examined on oath.

43. *Witness.*] I produce the papers referring to Constable Thomas J. O'Brien, who stated that he lost his things in the wreck of the s.s. "Tasmania." I find that he sent in a claim for £60 18s. The goods consisted of his uniform, a violin and case valued at £10, an oil-painting valued at £3, an opal and frame, &c. He puts down the value of his mackintosh at £2 10s., whereas the regulation mackintosh is £1 14s. A sum of £16 has to come off for the violin, &c., and the balance can be put down for wearing-apparel. The Inspector has minuted the claim: "I am informed he has no claim on the Government, and he should have insured for the amount of the property described." Then the constable sent another letter on the subject, and the department replied that it could not accept any liability, and regretted that it could not recommend the payment of any compensation. The constable had been ordered to proceed by the "Tasmania" on transfer.

44. *The Chairman.*] Is he still in the Force?—Yes, at Napier.

45. *Colonel Pitt.*] When a constable is ordered for transfer and takes his household furniture with him, what is done about the insurance?—It is left entirely to him.

46. And if it is broken in transit?—I have had bills in for all sorts of things.

47. Are they never recognised?—No.

48. *The Chairman.*] In these cases they are not directed to carry their goods in any particular way—they have to find their own conveyance?—That is so.

49. *Colonel Pitt.*] Suppose his goods had been insured, would you have done anything?—No; it has nothing to do with the department. We are not responsible for anything he takes with him.

50. What about his uniform—he was bound to take that with him?—Yes; and wearing-apparel.

Ex-Sergeant Quinn.

51. *Colonel Pitt.*] What is the point about this man?—The papers show that a man named Hugh Johnston reported Sergeant Quinn for lying under a tree in front of the Hawera Courthouse on the 13th January, 1892, about twenty minutes to 1 in the afternoon, asleep and drunk. Inspector Pardy, who was then in charge of the district, held an inquiry into the matter, resulting in the finding that the sergeant was ill through being overcome by the heat of the day, together with the effluvia emanating from the Maoris in the crowded Courthouse, and was weak from sickness.

52. What was done in the matter?—By instructions, I replied that the Minister "considers the sergeant has exonerated himself from the charge, but considers that it is not creditable that a sergeant of police should be found asleep in a public place during the hours of duty." I minuted the paper: "I think the sergeant has cleared himself from the charge of drunkenness, but it is not creditable that a sergeant of police should be lying asleep in a public place during the forenoon." Annie F. Fairchild makes a complaint that Sergeant Quinn had disturbed her and her sister-in-law by knocking at her door at about 11.30 p.m. on Sunday, the 29th May. They were very frightened, and rushed out of the back door to a neighbour's for assistance. A man was then found lying down on one of the flower-beds. He got up and went away, and Mrs. Fairchild afterwards heard that it was Sergeant Quinn. On the following Wednesday Sergeant Quinn went to her house and asked her to say nothing about it, as he had been having a little jollification, had taken a drop too much, and had mistaken her house for his own. At the inquiry, in reply to Sergeant Quinn, she says, "I do not think you came to my house to annoy me, but that you mistook my house for your own."

53. *Colonel Pitt.*] What was the result of the inquiry?—Inspector Pardy reported that it had been brought to his notice on the 2nd June that Sergeant Quinn was drinking to excess, and had been guilty of causing a disturbance when drunk on Sunday night, the 29th ultimo, at the house of Mrs. Fairchild, a respectable resident of Hawera. He was returning home and mistook the house apparently. He adds, "From the neglected state in which I found his duties I am afraid the sergeant must have been drinking for several days, and, the evidence being clear that he was drunk on the 1st instant, I charged him with being drunk and unfit for duty on that day, to which he pleaded guilty. I am extremely sorry that Sergeant Quinn should have so committed himself, as until recently he was very steady and attentive to his duties." I replied on the 21st June, 1892, by telegram: "Sergeant Quinn's services are dispensed with. Please pay him up to and for to-day and discharge him." Then there is a petition from the Mayor and residents of Hawera on his behalf, stating that he had been in the service for twenty-one years, eighteen months of which he had been in Hawera, had been of unblemished character, was a married man and the father of eight children, who were absolutely dependent on him for their support.

54. Is the petition for reinstatement?—Yes. I wrote to the Defence Minister: "It is clearly proved that Sergeant Quinn was drunk and tried to enter Mrs. Fairchild's house in mistake for his own on the 29th ultimo, about 11.30 p.m., and frightened the inmates of the house very much, especially as they were all females. He was again unfit for duty and drunk on the 1st instant, and the Inspector reports that from the neglected state in which he found his duties he thinks the sergeant must have been drinking for some days, and as lately as last February he was cautioned for being asleep in a public place—viz., in front of the Courthouse at 12.40 p.m., which was also probably caused by drink. I consider him unfit for further service in the Force, but as he has been over twenty years in the Force I recommend his services be dispensed with instead of his being dismissed." Indorsed, "Accordingly.—R. J. SEDDON.—20/6/92."

55. Was that after the petition or before?—That was before the petition.

56. What was the result of the petition?—I referred that to the Defence Minister. I asked for reconsideration, and said the case might be met by reduction to third class and the fine of £1. That is after the petition.

57. *The Chairman.*] What class sergeant was he?—Second class, and was reduced to a third-class constable. On the 1st August, 1892, there was another letter from the Justices of the Peace and members of the legal profession connected with the Hawera Court, suggesting that Quinn should be reinstated at an early date and given charge of a station.

58. Was he serving under any officer at the time that was forwarded to the department, and did it come through any officer?—No; this is written to the Defence Minister direct. That was answered to the effect that this constable's future career rests entirely in his own hands, and depends upon his behaviour. On the 2nd March, 1893, I sent the following telegram to Inspector Thomson: "Please forward a report on the conduct and efficiency of Constable P. Quinn since his reduction in August last." That was sent to Sergeant Slattery, and he says, "I respectfully beg to report that the constable arrived here on transfer on the 5th August, 1892, and during that period up to date I found him to be a steady, sober, and attentive constable to his duties." Sergeant Slattery was then in charge of Palmerston North, and reported to Inspector Thomson. I sent to Inspector Thomson the following on the 24th March, 1893: "Third-class Constable Patrick Quinn, No. 99, is promoted to second-class constable from the 1st instant." Then there was a letter from Mr. A. R. Guinness, dated 1st August, 1893:—

DEAR SIR,—

I wish to draw your attention to the case of Constable Quinn, who is now stationed at Palmerston North. I have known him while he was a detective and also sergeant in charge of Greymouth. I regret to hear that, for some dereliction of duty over a year ago, he was reduced to the position of a third-class constable, and he still holds that rank. I think this is very severe treatment to a man who has a good record of twenty-two years' service. Under these circumstances I hope you will be able to promote him to be a first-class constable, and that he will be again placed in charge of a police-station. I might also point out that Constable Quinn has a large family (eight children, I believe) to maintain, and his friends inform me that on his present salary, it is almost impossible for him to pay rent and keep himself and family.

The Hon. R. J. Seddon, Premier, &c.

Yours truly,

A. R. GUINNESS.

That letter is noted: "COLONEL HUME,—I think at the end of the year's probation Quinn should be raised to the rank of first-class constable, and be given a station.—R.J.S. 2/8/93." On the 28th September, 1893, he was promoted to first-class constable.

59. When was he reduced?—On the 22nd June, 1892, to third-class constable; promoted to second-class constable in March, 1893; and raised to first-class constable in September of the same year.

60. *Mr. Taylor.*] Have you any recollection of what outside influence interfered with you?—No.

61. Was his promotion from second to third class due to the petition of the Justices of the Peace?—I recommended the promotion. I probably spoke to Inspector Thomson as to how Quinn was going on.

62. Do you know Sergeant Slattery?—Yes.

63. Did you follow his recommendation?—No, not on that.

64. Was it not on Sergeant Slattery's recommendation?—Slattery reported to his superior officer.

65. You did not promote Quinn on Sergeant Slattery's recommendation?—No; I am sure of that.

66. *Colonel Pitt.*] Did Inspector Thomson note on Sergeant Slattery's report?—No. He merely says, "Forwarded for the information of the Commissioner."

67. *Mr. Taylor.*] Did you not oppose this man's reinstatement?—Yes, I said I thought he was unfit for the service at first.

68. *The Chairman.*] When he was dismissed?—Yes.

69. Did you oppose his reappointment?—No.

70. *Mr. Taylor.*] Would you, without instructions from Ministers, have reappointed this man?—I do not say I would reappoint: I would have recommended him. I did recommend him.

71. Would you, in the interests of the service, have recommended that man if you had been perfectly uncontrolled in administering the department?—I cannot say what I recommended it on. The chances are that I had been told something about it. The man had twenty-two years' service and a large family—although that would not have influenced me.

72. *The Chairman.*] You see nothing inconsistent in your conduct in recommending his appointment, after having stated twelve months before that he was not fit for the service?—No. I must have got more information.

73. *Mr. Taylor.*] Why did you consider Quinn's conduct was discreditable in being found asleep at 1 o'clock in the day at Hawera, if his condition was the result of sickness and not of drunkenness?—Because I thought he should have gone to his own house.

74. Well, after his dismissal, who did you first receive application from for the reconsideration of his case?—I should say this petition from the Hawera residents was the first. It seems to be the first on the file:—

SIR,—

We, the undersigned inhabitants of Hawera and surrounding districts, have heard with regret of the summary dismissal of Sergeant Quinn, of Hawera, from the Police Force of the colony. This officer has been in the service, we understand, for nearly twenty-one years, of which eighteen months have been spent in Hawera. During the whole of this time, and up to the recent occurrences, we understand that he has borne an unblemished character in the Force. With regard to the regrettable circumstances which have led up to the inquiry resulting in his dismissal, whilst we admit that you, Sir, are better qualified than we are to judge impartially, we think, nevertheless, that looking at the long service and previous good record of this officer it would not be detrimental to the best interests of the service to allow him a chance of retrieving his good name; and we respectfully ask that you will reinstate Sergeant Quinn, and, if you think fit, move him to some other part of the colony. We feel satisfied, from what we know and from what we have heard of this officer, that anything in the nature of recent events will not occur again if our request be granted, and that Sergeant Quinn will be found in the future a good and valuable officer. If it would not be considered out of place, we would venture to remind you that Sergeant Quinn is a married man, and the father of a family of eight children, who are absolutely dependent upon him for their support.

We have, &c.,

(Signed by sixty-five residents.)

Colonel Hume, Commissioner of Police, Wellington.

75. *The Chairman.*] When was it received?—There is no date given. It was replied to on the 5th July, 1892:—

GENTLEMEN,—

I have the honour to acknowledge the receipt of your favour of the instant, bringing under my notice the case of P. Quinn, late sergeant of police at Hawera, and to inform you in reply that the Hon. the Defence Minister has been pleased to reconsider the matter of this man's irregularities, and to decide that, under the circumstances stated in your memorial, he has been pleased to cancel the former punishment, and to decide that the man Quinn shall be fined £1, and reduced to the rank and pay of a third-class constable, and be removed from Hawera. Constable Quinn is accordingly transferred to Lyttelton, and will be succeeded at Hawera by first-class Sergeant Slattery from Nelson.

I have, &c.,

A. HUME,

Commissioner.

His Worship the Mayor of Hawera,
and those gentlemen who signed the memorial.

76. *Mr. Taylor.*] In the interval is there a letter from Mr. Martin Kennedy, of Wanganui?—Yes, June 29th. It was written to the Hon. the Premier:—

SIR,—

Mr. Quinn, late sergeant of police, called on me this morning and related his sad position.

I knew Mr. Quinn for upwards of ten years on the coast, and always knew him to be a most exemplary officer, and was therefore astonished to learn he had been dismissed from the service, and especially for the reason of such dismissal.

I have perused the petition addressed to Colonel Hume on his behalf from the Mayor and business-people of Hawera, the unanimous voice of the people there, including lawyers and J.P.'s, and I entirely concur in their views, and trust Mr. Quinn will be given an opportunity of retrieving his character and supporting his large family and sickly wife. I also have the honour to enclose a separate letter from two friends in Wanganui on his behalf.

Yours, &c.,

MARTIN KENNEDY.

The Hon. the Premier.

77. Have you a letter from Messrs. Mahony and Kennedy, of Wanganui?—Yes. The Premier evidently sent me the letters:—

DEAR SIR,—

Wanganui, 28th June, 1892.

We, the undersigned, would respectfully bring to your notice the case of Sergeant P. Quinn, late of the Hawera Police Force. He has been dismissed for neglect of duty, this being his first offence after twenty-one years' service in the Police Force, his conduct having been exceptionally good up to the present. The case is all the harder, as he has a sick wife and eight children to provide for. Taking all these things into consideration, we would ask you as a special favour to have the case reconsidered, in view of reinstating him, whereby you will greatly oblige.

Yours, &c.,

J. MAHONY,

WM. KENNEDY.

The Hon. John Ballance.

NOTE.—Referred to the Defence Minister.—J.B.

When I got those letters the case had already been reconsidered. I indorsed the letter from Wanganui as follows:—

The Secretary, to the Hon. the Premier.

This man's case has already been considered by the Hon. Mr. Seddon, and he has been retained in the Force as a third-class constable and posted to Lyttelton. His offence was drunkenness, and not neglect of duty as stated by Messrs. Mahony and Kennedy.

A. HUME.—7/7/92.

I sent the following reply to Mr. Martin Kennedy:—

SIR,—

13th July, 1892.

I have the honour, by direction of the Hon. the Premier, to acknowledge his receipt of your letter of the 29th ultimo, giving cover to a letter from Messrs. Mahony and Kennedy, of Wanganui, referring to the case of P. Quinn, late a sergeant in the New Zealand Police Force, and to inform you, in reply, that this man's case has been reconsidered by the Hon. the Defence Minister, with the result that, instead of his services being dispensed with, he has been fined £1 and reduced to the rank and pay of a third-class constable.

I have, &c.,

A. HUME, Commissioner.

Martin Kennedy, Esq., Wellington.

78. The next application is made on the 1st August, 1892?—Yes; seven Justices of the Peace and solicitors sign it:—

SIR,—

Hawera, 1st August, 1892.

We, the undersigned Justices and members of the legal profession connected with the Hawera Courts, desire to approach you regarding the case of (the late) Sergeant Quinn, now reduced to the rank of third-class constable. We wish to suggest that Constable Quinn should be entrusted at an early date with the charge of a station, as, notwithstanding his recent misfortune, he has been a zealous officer, and will, we have no doubt, justify by his attention to duty any confidence reposed in him of the character suggested.

Our sympathy for Mr. Quinn and his large family must serve as our excuse for obtruding our opinion upon the department.

We have, &c.,

R. H. NOLAN, J. P.

JAS. LIVINGSTON, J. P.

A. A. FANTHAM, J. P.

JAS. DAVIDSON, J. P.

C. W. MAJOR, J. P.

R. D. WALSH, Solicitor.

CHAS. M. MATTHEWS, Solicitor.

The Hon. the Defence Minister, Government Buildings, Wellington.

To that I replied as follows:—

GENTLEMEN,—

Wellington, 10th August, 1892.

I have the honour, by direction of the Hon. the Defence Minister, to acknowledge his receipt of your letter of the 1st instant, inviting his attention to the case of Constable Quinn, lately reduced from the rank of sergeant, and to inform you in reply that this constable's future career rests entirely in his own hands; and his advancement will depend on his character, conduct, and the manner in which he performs his duty, and the amount of satisfaction he gives his superior officers under whom he may be serving.

A. HUME, Commissioner.

79. He was promoted on the 24th March, 1893, and on the receipt of Mr. Guinness's letter he was further promoted to the first-class?—No. He had been on a year's probation.

80. *Colonel Pitt.*] Mr. Guinness's letter is dated the 1st August, 1893, and Quinn was made a first-class constable in September, 1893?—From the 1st October, 1893. His services were dispensed with on the 21st June, 1892.

81. *The Chairman.*] And he was reappointed to the Force in August, 1892?—On the 22nd September, 1892. He was never out of the service.

82. *Mr. Taylor.*] He was paid off?—But then his discharge was cancelled.

83. Inspector Pardy actually paid him his wages. In a telegram he says to you, "Sergeant Quinn discharged on the 21st, and paid up to that date in accordance with your telegram," and so?—Yes. His discharge was cancelled, and he was reduced to third-class constable on the 22nd June, 1892.

84. *The Chairman.*] To be clear, I want the date on which he was dismissed for being drunk at the woman's house?—His services were dispensed with on the 21st June, 1892, and he was a third-class constable next day. On the 7th July, 1892, I wrote to the Secretary of the Premier: "This man's case has already been reconsidered by the Hon. Mr. Seddon, and he has been retained in the Force as third-class constable and posted to Lyttelton. His offence was drunkenness, and not neglect of duty, as stated by Messrs. Mahony and Kennedy."

85. *Colonel Pitt.*] He was really one day out of the Force according to the papers?—On the 5th July, 1892, I telegraphed to Inspector Pardy, "Sergeant Quinn's discharge is cancelled. He is fined £1, and reduced to rank of third-class constable, and transferred to Lyttelton. Pay him as third-class constable from the 22nd to end of last month."

ARTHUR HUME, further examined.

86. *Witness.*] With regard to Bentley's evidence given in Auckland, about prisoners exercising in the police-station yard, I produce the following circular there referred to:—

Lock-up Prisoners, &c.

(Circular No. 1097.)

It is notified for general information and guidance that prisoners, when detained in the lockup, are to be allowed as much fresh air and exercise as practicable, and they should be permitted to have two hours' exercise in the forenoon and the same amount in the afternoon, daily. The blankets in use in the lockup should be washed at least four times in each year.—A. HUME, Commissioner.

Wellington, 11th February, 1897.

87. *Mr. Poynton.*] What was the rule prior to that?—A prisoner had escaped from the gaol yards at that time. Prior to that, the rule had been in force that they were to get the four hours' exercise. A prisoner escaped; and word was sent to me by an anonymous letter, stating that prisoners were locked up for a day and a night without exercise. Alley's escape was reported on the 3rd January, 1896.

88. *The Chairman.*] This circular is dated the 11th February, 1897. Was it during that twelve months the rule existed that they were not allowed to take exercise?—I think the place was under repair, and that led to it. Any way, I heard nothing about it until just then.

89. *Witness:* I produce the papers connected with District-constable Dunne, of Katikati. The matter referred to was an application for increase of pay, through Inspector Emerson, dated the 2nd June, 1890. Mr. Gudgeon writes, "I will increase Dunne's salary to £25 per annum, to date from the 1st June, at present, and further consider him next year if possible. 10th June, 1890." Then, on the 6th July, 1891, he wrote again through Inspector Emerson:—

Police-station, Waterford, 6th July, 1891.

DISTRICT-CONSTABLE Dunne respectfully makes application for an increase to salary, and begs to point out that large demands are made upon his time by the duties of a district constable in a scattered district like this, where there is generally a large number of disorderly Native visitors, there being a flour-mill where Natives bring wheat from all surrounding districts, the district also being a gumfield, as well as possessing a European population of four hundred. Would also respectfully call attention to the fact of district being maintained in a most orderly manner ever since my appointment, more than three years ago. The late Commissioner, Major Gudgeon, on the recommendation of Inspector Emerson, gave a small increase last year and promised to further consider me this year; and having been more than three years district-constable, besides serving nearly five years in H.M. 59th Regiment, I respectfully ask that the Commissioner's promise may be fulfilled.—CHAS. T. DUNNE, District Constable.

Inspector Emerson indorses this: "Forwarded for your information. I think this district constable should be satisfied at his present allowance, as he has very little to do, and he has the police quarters to live in.—4/8/91." On the 17th June, 1896, Inspector Emerson writes to me: "District Constable Dunne, of Katikati, receives £25 per annum and free quarters. When duty takes him away from the township he also claims 6s. per day compensation for loss of time, in addition to his travelling expenses, 6s., and horse-hire 5s.: altogether amounting to 17s. per day. As there are now two other district constables under my command, will you please inform me whether the payment of this 6s. as compensation for loss of time is customary? I can find no authority for paying same, and the payment of Dunne's claim may be taken as a precedent by the other district constables." I indorsed this: "The 6s. per diem for loss of time cannot be granted to district constables, and is therefore disallowed."

90. The figures are correct: the amount he claims is undisputed?—Yes; and he has received replies to his communications. In his last communication he applies to be taken on permanently in the Force, and the reply is that he is too short and too old.

91. Is the amount of time—150 days in the year, in addition to the other matters—an exceptional time for district constables to be engaged?—Yes, for genuine work the whole time in police duty it would be.

92. You saw the returns?—Yes. There is no way of checking it, as far as I can see.

ALEXANDER HATTIE, examined on oath.

93. *The Chairman.*] What are you?—Third-class constable.

94. Stationed at present in Palmerston North?—Yes.

95. You wish to make some reference to evidence given by Charles Slight before us on the 26th February last?—I wish to reply to his statement that I formed one of a combination for the purpose of getting him out of the Manners Street Station. I deny ever having been one of a combination for that or any other purpose.

96. You deny that absolutely?—I deny it absolutely; and to prove it, I may state that after he lost the station I was asked if I would like to take charge of it, and declined. Slight and I were always on ordinarily friendly terms. I wish also to reply to his statement or implication that I feigned sickness for the purpose of obtaining compensation when retiring from the Police Force. I deny ever having made any such statement to him. Had I made such a statement it would have been false, as the medical certificate from Dr. Leatham, of New Plymouth, to the Police Department, on which I retired, will prove.

97. Do you remember what the illness was, according to the certificate?—Seriously ill, and suffering from peritonitis.

98. *Colonel Pitt.*] How long were you ill with it?—I think altogether seriously ill about ten days from the time I took ill first. From the time I lay up until I retired it would be about thirty-three days. I was in delicate health a good time previously.

99. That is not consistent with peritonitis. You say it was peritonitis?—Yes.

100. *The Chairman.*] You say you did not sham sickness?—Yes. It was a loss to me, retiring.

101. *Mr. Taylor.*] You wrote a letter from Chelmsford House, Wellington, 27th February, 1891, as follows: "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." Do you remember writing that letter?—I do not know that I wrote that letter.

102. It came from the original documents, and came from the police reports?—I cannot say I remember writing the letter. I do not deny it. Possibly I did. I do not remember the contents of the letter.

103. *Colonel Pitt.*] Do you not remember applying to Mr. Seddon for re-employment?—Yes.

104. *Mr. Taylor.*] Did you see him?—I did.

105. You were well recommended; give us the name?—Am I compelled to answer that question?

106. *The Chairman.*] Yes?—Mr. McGuire, M.H.R.

107. *Mr. Taylor.*] Was that the only one?—Afterwards Mr. E. M. Smith saw him.

108. Any one else?—No.

109. Did you refund your compensation?—I did not.

110. Were you asked to refund it?—Yes, I was.

111. Who asked you?—Mr. Seddon.

112. What did you say?—Mr. Seddon said I would have to refund the compensation on reinstatement. I was not reinstated.

113. Then, how do you come to be in the Force?—I was not reinstated; I rejoined. Reinstatement means former rank in the Force, which would mean to me being about senior third-class constable, with a shilling a day long-service pay.

114. And did you not get your long-service pay when you rejoined?—No, I went in at the bottom of the ladder with 7s. a day.

115. Did you arrange it with him that you were not to refund your compensation?—No, I did not arrange anything with him. I was not taken on in the Force for six or seven months longer.

116. The next thing is a memorandum from Colonel Hume 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?"—The compensation was never referred afterwards.

117. Supposing you retired now, what claim have you for compensation?—None at all; not the slightest.

118. Supposing you were dismissed?—Just the same position.

119. Supposing you were dismissed, would you not forfeit all claim for compensation?—Yes. I have no claim whatever for compensation.

120. Do you not think you had an advantage to the tune of £139?—No, I do not. I am not entitled now to any compensation; and the Government has gained by it, because I have less pay.

121. On what other occasions did you get Mr. McGuire or Mr. Smith, or any other public men, to look after your interests?—I asked Mr. Smith to get me transferred to Wanganui or New Plymouth on the first vacancy.

122. Have you ever been ordered for transfer during the time you have been in the Force?—I have.

123. Have you always gone?—I have always gone, unless I have got permission to remain where I was.

124. What permission did you get?—As in the present instance.

125. Have you been ordered from your present station?—Yes.

126. When was that?—About ten days ago.

127. And has the order been cancelled?—Yes.

128. Who interfered on your behalf?—Nobody. I did not use any influence, or attempt it either. I appealed directly to the Commissioner.

129. Is there a feeling now, so far as you are concerned, that it is the Commissioner you have to apply to, instead of politicians, if you want matters looked after?—I cannot say as to that.

130. Has your opinion altered during the past few months as to what methods you have to employ?—I think if you put matters in their proper light to the Commissioner he would put them right.

131. Would you have appealed to the Commissioner four years ago, or to Mr. Smith or Mr. McGuire? Do you think Commissioner Hume has as much power as the Minister had?—I cannot express an opinion on that matter at all.

132. Did you go to see Colonel Hume about the reinstatement?—I did.

133. And he would not reinstate you?—He did not say so to me, but he was directed afterwards by the Defence Minister that I was not in a fit state of health to be reinstated.

134. And then you went to these other men outside?—I asked the members I have mentioned to speak in my behalf.

135. *Mr. Tunbridge.*] You were reported by the Inspector about a year ago as an officer fit to have charge of a station?—I cannot say.

136. About ten days ago you were ordered to take charge of Collingwood Station?—Yes.

137. The officer in charge of the Collingwood Station is Clerk of the Court and Warden's Clerk, is he not?—I understand so.

138. Did you, on hearing that you were transferred, send a report to your Inspector asking that your transfer might be reconsidered, as you feared you were not capable of carrying out the duties of Clerk of the Court?—Yes.

139. Owing to injury you suffered to your eyesight during the execution of your duty?—Yes.

140. And was it on that account I cancelled your transfer?—Yes.

WILLIAM CAMPBELL, examined on oath.

141. *Mr. Taylor.*] Do you remember giving evidence before the Commission on a previous occasion?—I do.

142. Do you remember stating in answer to a question having reference to "tote" shops that you had prepared a report?—I do.

143. You were asked a question as to the existence of "tote" shops, and the date of the last prosecution in Wellington, and your reply was, "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"?—That is to say, to my knowledge at that time.

144. Have you had anything to do with raiding "tote" shops since?—In raiding offices kept by book-makers.

145. Are they "tote" shops?—That has to be proved yet.

146. The cases are before the Court?—Not yet.

147. Have you any more knowledge as to the existence of the "tote" business in Wellington now than when you were previously examined?—I have knowledge of two offices that I was not aware of before. One is in charge of a man named Shannon, which was raided on a recent occasion. He represents newspapers in Christchurch, and I thought his office was carried on for that purpose only; but, on further inquiries, I found that it was used for book-makers as well.

148. You only knew two, in Grey Street, before?—Yes.

149. You know of more now?—There are two other places which have been raided.

150. About how many years have you been in Wellington?—Nineteen years.

151. Do you think you display as much knowledge as you should after living so many years here?—If a man combines other business with that of a book-maker it is a difficult matter to find out anything.

152. Do you know the majority of men carrying on betting business here?—I know betting men by repute.

153. Do you know any reputed "tote" shops?—There is this office which was kept by Shannon, who is not a book-maker. He rents the office.

154. Do you know Llewellyn, a book-maker?—No.
 155. Do you know a man named Bob McNab?—I do.
 156. Where is he?—In Christchurch, and has been for two or three months.
 157. Would you be surprised to learn that he is in Wellington now?—I should be.
 158. Do you know anyone named Paterson?—I know two named Paterson.
 159. Has he got any clerks?—He might have.
 160. Do you know if a man named O'Neill is his clerk?—No.
 161. Do you know anybody named Phil Nathan?—Yes, he is a book-maker.
 162. Do you know Simmons?—Yes, his place was raided.
 163. Or Jeorgeson—was his place raided?—Yes.
 164. And Teddy Yuile—do you know him?—Yes; he is supposed to be connected with Shannon, whose office was raided.
 165. Do you think he is a "tote" better?—I cannot say.
 166. Do you know a man named Ross—is he a clerk for "tote" betters?—Not to my knowledge. He was formerly a purser in the Union Company's service.
 167. And Shipton?—Yes; he has had charge of billiard tables.
 168. And Lewis?—Yes.
 169. Is he a spierler?—I do not know.
 170. Do you not make it your business to know all about these men?—Yes, certainly; it is part of my duty.
 171. And do you know that you have practically told me that you know nothing about them?—I am here to state facts.
 172. Do you know ex-Sergeant Manning?—Yes.
 173. What is he doing now?—He is supposed to do a little book-making.
 174. Would you rank him as a book-maker or spierler?—I do not know, I am sure. I never knew him to be doing anything wrong.
 175. Do you know Buchanan?—I did know him. He has left here some considerable time.
 176. Do you know a man named Mike Higgins?—Yes.
 177. Is he a "tote" better?—I do not think so.
 178. Do you know whether he and his wife have been removed from a course for taking the odds?—I do not know.

TUESDAY, 28TH JUNE, 1898.

ARTHUR HUME, further examined.

1. I produce the following letter from Messrs. Wilkinson, Ellis, McDonnell, Johnson, and Edwards, Justices of the Peace, resident at Otorohanga, in the King-country:—

SIR,—

Otorohanga, Waikato, 25th June, 1896.

We, the undersigned Justices of the Peace resident at Otorohanga, within the County of Kawhia, otherwise known as the King-country, desire to draw your attention to the deplorable state of affairs existing in this district, owing to the virtually unchecked sale of intoxicating liquors.

This evil has been gradually growing until it has now attained such dimensions that it is absolutely necessary that stringent measures be taken to check it.

The police authorities are aware of the extent of the evil complained of, but have taken no effective steps to prevent it. That is the reason why we consider it our duty to represent to you the state of affairs here, and request you to see that suitable arrangements are made to enforce the law in the future.

Of the two European townships in this district—viz., Otorohanga and Te Kuiti—the latter is a great deal worse in respect to drunkenness and other offences than the former. The reason for this we believe to be the larger number of people engaged there in sly-grog selling, and the want of a local policeman. We believe we are well within the mark when we say that there are often a score of people drunk and disorderly in that township, and fights and other disturbances are of frequent occurrence. This state of affairs leads to gross immorality, as the drink is supplied indiscriminately to men and women, and drunken Maori women and girls are a common sight there; and the results generally, so far as regards the Maori population, are most deplorable.

As you are most likely aware, the Maoris living in this district asked some years ago to have the sale of intoxicating liquor absolutely prohibited, which request was granted, and this has been the law for a number of years past, and, so long as it remains the law, we think it should be strictly enforced.

We are all of us old residents in this district, and we are of opinion that there has never been a determined effort to stamp out or even to check the selling of intoxicating liquor here, and we are strongly of opinion that more effective measures could and should be taken to stop this evil.

The few convictions that have been obtained have mostly been those known as "first convictions," entailing only a nominal fine, and, as a rule, they have not been followed up by other convictions that would entail a heavier penalty, the result being that the same people in most instances still carry on the business.

We have referred especially to Te Kuiti, because drunkenness and disorderly conduct have been more frequent there than elsewhere: but there are many other places in this district where the business of sly-grog selling is carried on, and Otorohanga, which in the past has been fairly free from the worst features of this debasing traffic, has lately become quite notorious on account of the number of people engaged in sly-grog selling; so much so, that not only has the laxity in enforcing the law emboldened Europeans to enter and continue in the business, but even the Maoris have lately engaged in it, and openly sell liquor, not only here but also in many of their settlements in this district.

We would also bring under your notice the very great need of a lockup here. It has been urgently required several times lately, and covered railway-trucks in the station-yard have, when available, had to be used when it has been absolutely necessary to arrest and confine drunken and disorderly persons.

We would also suggest that a constable be stationed at Te Kuiti, where there is a lockup and police quarters. Here we have a resident policeman, but no lockup.

1. We would summarise our wishes as follows: That effective steps be taken to at least largely check sly-grog selling in this district. 2. That a lockup be erected at Otorohanga with as little delay as possible. 3. That a police constable be stationed at Te Kuiti.

We have, &c.,

GEO. T. WILKINSON. CHAS. J. JOHNSON.
 J. W. ELLIS. J. H. EDWARDS.
 P. McDONNELL.

The Hon. the Minister of Justice, Wellington.

2. Colonel Pitt.] That letter seems to be in the handwriting of Mr. Wilkinson?—Yes, and is signed by him first.

3. *Rev. Mr. Isitt.*] Have you the reply to that letter?—The reply is dated 3rd July, 1896:—

GENTLEMEN,—

I have the honour, by direction of the Minister of Justice, to acknowledge his receipt of your letter of the 25th ultimo *re* the unchecked sale of intoxicating liquors in the King-country, and in reply to inform you that Inspector Hickson has been directed to at once inquire into the complaints made and take such steps as he may deem necessary to put a stop to the irregularities complained of. I am to add that a lockup for Otorohanga has been sanctioned, and will be put in hand at once, and the question of stationing a constable at Te Kuiti is receiving consideration.

I have, &c.,

A. HUME, Commissioner.

G. T. Wilkinson, Esq., J. W. Ellis, Esq., P. McDonnell, Esq., Chas. J. Johnson, Esq., J. H. Edwards, Esq.

4. Have you a second letter, written by the same gentleman?—Yes; the letter is dated as follows:—

Otorohanga, 9th June, 1897.

SIR,—

We, the undersigned Justices of the Peace resident in the King-country, would again respectfully draw your attention to the virtually unchecked sale of intoxicating liquors in this district.

Some twelve months ago we wrote you fully on the subject, and we would be glad if you would refer to our previous communication, as all we then stated can be said with equal truth now.

We are well aware that some steps were taken to try and check the traffic shortly after we represented the deplorable state of affairs to you, but that they were not effective is shown by the present position; and we can only repeat what we stated in our former letter, "that we are of opinion that there has never been a determined attempt to stamp out, or even check, this trade." We made this statement deliberately then, and we now repeat it, and we cannot help but feel that it reflects seriously on the police authorities that the law should be so openly and generally defied; and we feel sure that there are men in the ranks of the police who, with adequate support from headquarters, could at least keep the trade within very small limits.

The liquors are brought openly into the district by train, and if the Government have power to prevent its being so sent, and use their powers, we think the traffic would receive a heavy blow.

In our first letter we also pointed out the urgent necessity for a lockup in Otorohanga, and as you informed us it would be erected at once, we expected to have had it finished long ago, especially as the timber has been lying here for many months. We would again urge that this work be gone on with at once. A large Native Land Court starts here early next month, and such a building is sure to be required.

Our remarks refer to the district generally, and not to Otorohanga in particular.

We trust that you will have effective steps taken to stop this scandal, and that we shall not again have to trouble you.

We have, &c.,

J. W. ELLIS.

P. McDONNELL.

GEO. T. WILKINSON.

CHAS. J. JOHNSON.

The Hon. the Minister of Justice, Wellington.

5. *The Chairman.*] Are those the same signatures as in the previous letter?—All but Mr. Edwards, and one of these was one of those breaking the law.

6. Was that before?—We did not get the date, but I think it was prior.

7. *Colonel Pitt.*] Was that letter replied to?—Yes:—

Wellington, 23rd June, 1897.

GENTLEMEN,—

I have the honour, by direction of the Minister of Justice, to acknowledge his receipt of your letter of the 9th instant *re* sly-grog selling in the King-country, to thank you for the same, and in reply to inform you that, owing to a difficulty in obtaining a site for a lockup at Otorohanga, there has been a delay in putting up the building, but it is believed that difficulty has now been overcome, and, if such is the case, the building will be put up without further delay. I am also to state that the Minister is taking active and decided steps to minimise as far as possible the sale of intoxicating liquors in the King-country.

I have, &c.,

A. HUME, Commissioner.

J. N. Ellis, Esq., J.P., G. T. Wilkinson, Esq., J.P., G. McDonnell, Esq., J.P., C. J. Johnson, Esq., J.P.

I may state that the delay in putting up the lockup was because the site was a Native lease, and the person would not let us put it up. We afterwards got permission and put one up. To show, however, that steps had been taken, the wood was on the ground.

8. When was Sergeant Cullen sent there?—In 1897. I had spoken to Detective Herbert in June, 1897, when on his way to the King-country. He remained up there, and went with Sergeant Cullen in August.

9. *Rev. Mr. Isitt.*] Have you the number of convictions for sly-grog selling in the King-country up to the 20th June, 1896?—There is a note here to the Commissioner: "Two of the recently appointed constables were for about a month trying to obtain evidence of sly-grog selling at Te Kuiti and neighbourhood. They were unable to purchase any liquor themselves, but got some Natives to buy some for them. The cases were taken into Court, and then the Natives denied having bought the liquor, hence the cases were dismissed. One case has been adjourned, and on that there may be a conviction. Please see report attached hereto.—J. Hickson, Inspector."

10. *The Chairman.*] What month was that?—That is dated 31/8/96.

11. *Rev. Mr. Isitt.*] That is after. I mean prior to their letter?—There were two informations laid in 1896.

12. I want those prior to the 25th June, 1896?—There were three convictions and two withdrawals prior to the 12th June.

13. Did you note that the evidence showed that this sly-grog selling had been going on for years prior to this?—The statements showed it, but I do not think the evidence did. It was all "thought" and hearsay, as far as I can see.

14. Did not the evidence of the constable show it?—I do not think so.

15. When this letter had been received directly attributing the sly-grog selling to police inactivity, did this letter from the department mean that the whole thing had been left to Inspector Hickson without any further action being taken by the department?—I should think so. I went up shortly afterwards myself with Inspector Hickson.

16. The action of the two constables referred to was what the Justices of the Peace called "the first big effort"?—I suppose so.

17. That was the effort which resulted in such a dismal failure?—I do not think it was a dismal failure.

18. The Justices of the Peace thought so?—Yes, they thought so.

19. Did not Inspector Hickson say in his evidence it was common talk?—Yes, but common talk is nothing. I should like to read Constable Stanyer's statement:

I beg to state that on Monday, the 13th instant, two members of the Police Force, known to me by sight only, arrived by train at Otorohanga. I have not had an opportunity to speak to them privately, there always being some one on the alert, it being the same with all strangers that arrive here. They are watched very close for a time. They appear to be making themselves very popular with every one, and I think after a short time they will not have much trouble to proceed with the work. I suppose they are sent for. Some people think they are policemen and others think they are not; but I think the policeman will soon die out if they continue the same as they have started. I heard one of them singing songs on the road the other day to a number of Natives, and they are beginning to put faith in them. They left Otorohanga for Te Kuiti on Thursday evening, the 16th instant.

J. Hickson, Esq., Inspector of Police, Auckland.

C. STANYER, Constable No. 567.

So they did not seem to give themselves away.

20. They were there three weeks and got one conviction?—Yes.

21. You notice that in their second letter of the 9th June the Justices of the Peace say virtually the evil was unchecked?—That is natural, when they did it themselves.

22. Did they do it themselves; that is bringing a charge against the four of them?—Well, one admitted having taken drink.

23. One only connived at it, and you blame the four. Do you know that a complaint was lodged by a Maori named Hori Ropiha with the Minister in Wellington, on the 4th July, 1895?—There is nothing on this file about a Native. It may be on the Native file, but is not here.

24. Do you know that the Defence Minister said that the Natives should be treated as European children, and that liquor should not be sold to them? It magnifies the neglect of the police in the King-country?—I may state that I never heard the Defence Minister say that. My instructions were to suppress the sale of liquor in the King-country. Those are the instructions I had from every Defence Minister and Minister of Justice I had anything to do with.

25. And, side by side with that, you had it from the Justices of the Peace in the district that it was not being suppressed, a year after?—Yes, and they were breaking the law themselves in some instances.

26. *Mr. Poynton.*] Do you think it would assist the police very much if they had a provision in the Act to prevent the introduction of liquor into the King-country?—Certainly.

27. *Mr. Tumbidge.*] You say "they," the Justices; was it admitted in evidence by one of the Justices in Auckland that he did go to a party at a house and all drank sly-grog?—Yes.

28. Do you also know that the two sisters-in-law of the principal complainant were convicted of sly-grog selling?—I knew they were relatives, but not that they were sisters-in-law.

29. *Rev. Mr. Isitt.*] I would like to see the correspondence with reference to the Rev. Mr. Spencer, from Rotorua, and especially with regard to matters in the Galatea district?—The correspondence begins on the 20th September, 1889.

30. I do not think it was so far back as that?—The last letter appears to be in 1893. There is a very long correspondence about the liquor laws being broken at Rotorua, but I cannot see anything else.

31. If you have not a letter from Mr. Spencer, have you a report from the police officer in regard to that letter?—No.

32. Was a complaint made by the Rev. Mr. Spencer as to drunkenness and obscenity at Rotorua in March, 1892, and which was referred to Inspector Emerson to report upon?—The letter is dated 19th March, 1892.

33. It was referred to Inspector Emerson to report upon?—Yes.

34. Did Mr. Spencer, on the 24th January, 1893, complain that persons obtained Maori children of tender years for the purpose of immorality?—Yes.

35. Was the reply of Colonel Hume to the effect that the way to remedy it was for the parents to lay informations?—I will read the letters:—

SIR,—

The Parsonage, Rotorua, 24th January, 1893.

Would you kindly advise me in a matter of importance. As you are aware from my former letters that a great deal of immorality goes on in this place, Maori parents complain that persons get hold of their girls—even those of tender age—and by bribing them get an advantage over them; and they ask, Is there no law to reach such procurers and seducers? What reply could you give me to this question? Does a man or a woman who seeks to obtain a woman or girl by offering her a bribe for immoral purposes render himself liable to the power of the law? And what is the best way of reaching such persons? A reply will greatly oblige. I trust you will be able to supply the constable here with an efficient Maori constable, so that the vice of this place—induced, alas! to a great extent by some of the tourists, and those who seek to meet their beastly desires—may be brought to at least a hiding of its face.

I notice that the Maoris, especially the young, play a great deal of pitch-and-toss for money, and this in the public thoroughfare. Is this allowable?

I beg to remain, &c.,

Colonel Hume, Commissioner of Police.

FRED. H. SPENCER, Resident Chaplain, Rotorua.

P.S.—An efficient detective, unknown to any one here, and spending a good month in merely taking stock, would, I think, do a lot of good in bringing to justice those who care for no one so long as they can make money.

SIR,—

Wellington, 30th January, 1893.

I have the honour to acknowledge the receipt of your letter of the 24th instant, and to inform you in reply that under the provisions of "The Offences against the Person Act, 1867," clause 46, any person who by false pretences, false representations, or other fraudulent means, procures any woman or girl under the age of twenty-one years to have illicit carnal connection with any person, shall be liable to be imprisoned for a term not exceeding two years, and the Offences against the Person Act of 1889 lays down that any one who unlawfully and carnally knows any girl being of or above the age of twelve and under the age of fourteen years shall be liable to penal servitude for any term not exceeding five years; and the way is for the parents to lay an information. The matter of a new Native constable for Rotorua is under consideration. No doubt, if you draw the attention of the local constable to the fact of pitch-and-toss being played in the streets at Rotorua, he will at once take the necessary steps to put a stop to it. Your suggestion as to sending a detective to Rotorua is not feasible. I have tried it elsewhere, but it invariably leaks out before he has been twenty-four hours in the place what he is, and the object of his sojourn.

I have, &c.,

Rev. F. H. Spencer, Rotorua.

A. HUME, Commissioner.

36. I ask you if that is a tactful reply to the statement that parents complain that persons got hold of their girls of tender age—that the Maori parents should lay an information?—Yes, or else I should not have said so.

37. You said in Auckland that you received resolutions in and after October, 1896: did you not receive complaints from the Rev. Mr. Gittos prior to May, 1896, contained in a letter from Inspector Hickson, quoting from the Rev. Mr. Gittos?—Yes. It is not dated 18th May, it is dated 13th May. It is a private letter. I made no use of it, except extracting part of it.

38. Did you receive a statement from the Rev. Mr. Gittos?—I did not say I received a letter from the Rev. Mr. Gittos.

39. Did you receive information from the Rev. Mr. Gittos as to sly-grog selling in the King-country and the results prior to the 13th May?—I wrote to Inspector Hickson—he did not know who the information was from—and directed him to see the Rev. Mr. Gittos himself.

40. On the 22nd July, 1896, did you receive a copy of a resolution from R. French and others in Auckland, drawing attention to sly-grog selling in the King-country and urging its suppression?—Yes.

41. Did you receive a letter dated 12th September, 1897, from Mr. Wilkinson and Mr. Ellis, Justices of the Peace, after Sergeant Cullen's raid, complaining that matters were still as before?—Yes. They wrote to Inspector Hickson as follows:—"DEAR SIR,—We thank you for the steps that have been taken to stop the sly-grog traffic in this district, but we would ask you not to stop at what you have done, as the trade is still being almost as briskly pushed as ever, and yesterday and to-day (Sunday) the town has been very noisy, and a great deal of drinking going on. Constable Stanyer has been away the last two days on other business, and is still away, which partly accounts for the open way the drink has been sold." This was forwarded to Constable Stanyer for inquiry and report.

42. And on the 25th October, 1897, another letter from Messrs. Wilkinson and Ellis to you?—No, it is to Inspector Hickson.

43. Still containing the same line of complaint?—Yes, on the same subject.

44. *The Chairman.*] Has any further action been taken since the date of these letters?—Yes. The letter is questioning the correctness of Constable Stanyer's statement to the Inspector that the sly-grog-selling had been practically stamped out.

45. *Rev. Mr. Isitt.*] Is it in June that public allegations were made that liquor was being sent up by certain wholesale firms in Auckland?—I do not know what you mean by public allegations.

46. Had you no communication on the 8th June with Inspector Hickson on that question?—Supposing I had, what would that show? Here is a mere communication from me to Inspector Hickson.

47. Have you letters of the 8th and 17th June from yourself to Inspector Hickson, and from Inspector Hickson to yourself?—Yes, they are as follows:—

Memorandum to Inspector Hickson, Auckland.

At a public meeting held at Waimate recently, a resolution was passed as follows: "This meeting bears with amazement and regret of the audacious attempts of the Auckland brewers and liquor merchants to force the liquor traffic upon the Natives of the King-country, in contravention of the prohibitory law already promulgated in respect to that part of the colony." It seems to me that you might make private and quiet inquiries as to what brewers and liquor merchants are forwarding a stock of liquors to the King country.

A. HUME, Commissioner.

Then, on the 17th June, the following reply was received:—

The Commissioner of Police, Wellington.

Police Office, Auckland, 17th June, 1897.

In reply to your memorandum, No. 367, of the 8th instant (attached), I beg to inform you I have ascertained on reliable authority that nearly all the liquor sent into the King-country is supplied by Messrs. Hancock & Co., brewers, and Messrs. L. D. Nathan & Co., wine and spirit merchants, Auckland. The former firm supplies nearly all the beer, and the latter the greater portion of the spirits. There is a licensed publican named P. Lynch, at Te Awamutu, who supplies liquor in smaller quantities to customers in the King-country.

I am of opinion that the consumption of liquor in the King-country is much smaller now than it was a few years ago. With regard to "the prohibitory law already promulgated in respect to that part of the colony" referred to at the public meeting held at Waimate: I presume this refers to section 33 of "The Alcoholic Liquors Sale Control Act Amendment Act, 1895," but as the electors of Waikato Licensing District, in which the King-country is situated, have not "duly determined in manner prescribed by the Licensing Acts that no license be granted therein," I cannot see that the prohibitory law under the section quoted above is in force at present.

I am aware that some of the Prohibition party in Auckland are of opinion that section 33 is in full force in the district referred to, and that the persons who send liquor there, as well as the railway officials who deliver it to the consignees, are liable to prosecution. A deputation of Prohibitionists waited on me some time ago urging their views as above, but I pointed out that the section is not operative, as no vote has been taken to prohibit the sale of liquor in the district.

J. HICKSON, Inspector.

There was somebody—I think it was one of those Justices of the Peace who gave evidence in Auckland—wished to impress upon the Commission that if a more active and more senior man than Stanyer was at Otorohanga there might be more convictions; consequently, if they put their heads together and wanted to get Stanyer out of it all they had to do was to keep on writing and harping on the same string.

48. *The Chairman.*] Since the receipt of the letter of the 25th October, 1897, there have been how many prosecutions at Otorohanga?—There have been six prosecutions at Otorohanga. I wish to make a statement. Sergeant Black in Napier stated that he had traced me into a publichouse on Sunday afternoon.

49. *Colonel Pitt.*] He did not say he traced you. He did not say who was there. He said he found you in one in Wellington?—That is perfectly correct. I went into that hotel to see a gentleman named Captain Prentice, and I saw a female in the passage when I got in. I asked her if this gentleman was there, and she told me she did not know, but would go and see. Just at that moment, while I was standing in the passage, the sergeant came in. He said, "I beg your pardon." I said, "Quite right, go on, and do your duty." I waited in the passage until the

female came back and told me that Captain Prentice was not in. I left the hotel then, and I suppose I was not in there more than two or three minutes altogether. I never had any liquor.

50. This information was not volunteered by Sergeant Black?—No; it was brought out in examination by Mr. Taylor. I would like to put in here a return of the number of men taken from the Artillery and appointed to the Prisons Department, and show the characters they bear. It affects the inquiry of the Commission, because I am blamed because the men have not given satisfaction. They were not specially picked. There are twenty-seven altogether, from the 1st May, 1888, to the 28th February, 1897, and only one has turned out badly.

51. You recognised in your later reports that the practice was not a success?—It broke down because we could not get the men. I maintain that it depends more upon the officers and non-commissioned officers than upon the men themselves how they turn out, because there is no picking out of the men. I would like to say that the hotel Sergeant Black saw me in was the Commercial Hotel, and is now named the Western, and the incident referred to happened about seven years ago.

COLONEL HUME, further examined.

52. I was asked for particulars with regard to Constable Donovan's transfer from Coromandel to Tolago Bay. I find it was submitted to the Premier on the 2nd February, 1897, and approved the next day. No special reason is recorded.

53. *Colonel Pitt.*] Is there nothing on the file to show why?—No.

54. Have you any recollection of it?—No; there were a great many others transferred at the same time. They had been standing over for some time.

55. Is there any subsequent correspondence relating to it?—No.

56. *The Chairman.*] Do you know of any telegram having been sent to Mr. Stehr in respect of the removal of Constable Donovan?—No, Sir. I know that no such telegram was sent through my department.

57. Do you know whether you had an interview with reference to the man prior to his removal?—I saw him at Coromandel.

58. Do you remember the nature of the interview?—Yes.

59. Did he complain at all?—He complained about his quarters, and about the work, and pointed out to me how the Warden's Court work had increased.

Ex-Constable Watty.

60. I was asked what compensation Constable Watty got. He received £48 1s. 11d., and had been in the Force since January, 1892. He was retired for direct disobedience to Regulation 26—that is, getting into debt by borrowing money and incurring debts to persons in the district. My memorandum to the Minister of Justice is as follows: "I have the honour to bring under your notice the conduct of No. 618, Third-class Constable Watty, at present stationed at Pahiatua, who is in the habit of borrowing money from the inhabitants of the district where he is stationed. He was removed from Palmerston North to Pahiatua in February, 1895, for borrowing money, and he is now doing the same thing at Pahiatua. He appears quite unable to live within his means, and as this borrowing is detrimental to the proper performance of his police duties and discreditable to the Force, I recommend his services be dispensed with, and that he be granted the usual compensation. He has been in the Force since the 7th January, 1892."

61. *The Chairman.*] What is the date of the compensation?—14th July, 1896.

62. Was his conduct such as to make him liable to dismissal—borrowing money from brothel-keepers?—No, not under that Regulation 26.

63. *Mr. Taylor.*] Is there no application for compensation from this man, or anything to show how it was led up to?—No.

64. *Colonel Pitt.*] You recommended his compensation?—Yes.

Ex-Constable Pascoe.

65. *Mr. Taylor.*] Have you any letter from the Hon. John McKenzie referring to ex-Constable Pascoe's transfer from Methven, Canterbury, about January, 1897?—No, I do not see any.

66. *Mr. Poynton.*] Was he transferred from Methven?—He has got a history. He was shot, first of all, at Clinton, and then he was shifted from Cfinton to Methven. His books were not properly kept there; and he was reported for drinking, and dismissed by Mr. Commissioner Tunbridge. He was dismissed on the 14th January, 1898.

Constable Whelan.

67. *Mr. Taylor.*] There is the question of Constable Whelan. When was he ordered for transfer?—2nd February, 1897, and approved on the 3rd.

68. Where was he to go from and to?—Tauranga to Port Awanui.

69. When did you receive Mr. Tole's telegram?—12th February.

70. Is your reply to that there?—No, I am sorry I cannot oblige you.

71. Did he go to Port Awanui?—Yes, he did for a short time, but it was found the house was not suitable.

72. Turn up the transfers for the 8th March: Is Whelan on that?—Yes, ordered to Clive. I am not quite sure whether he did go to Port Awanui.

73. Did he go from Tauranga to Clive?—No; he never went to Clive at all. He was ordered to go, but did not go.

74. Do you think he went to Clive at all?—No, I am sure he did not.

75. What was the reason he did not go to Clive?—Because it would have been a reduction. I do not think there is a Clerk of the Court at Clive.

76. Did he point that out to you, or did some outsider?—I think Inspector Emerson pointed it out.

77. Is there another transfer-sheet of the 6th May?—Yes. I think there was some delay, and that the move he made was from Tauranga to Waihi.

78. Is Constable Cullinane on the transfer-sheet of the 6th May?—Yes.

79. Where was he ordered from?—To Paeroa.

80. Was the order cancelled?—Yes.

81. *The Chairman.*] Where was he transferred from?—From Auckland to Paeroa, on the 5th June, 1897.

82. *Mr. Taylor.*] Why was the order cancelled?—Constable Cullinane wrote from Auckland on the 15th May as follows: "I respectfully report that, on Wednesday, the 10th instant, I went to Paeroa to try and get a house to live in. In company with Constable F. Beattie, we went all over Paeroa to try and get a house to live in, but could not do so, and there is no possibility of getting one. We also searched for rooms, but could not get any. As I would have to keep my wife in Auckland, and live in a boardinghouse myself at Paeroa, and I am not able to afford to do so, I respectfully ask that I be not transferred there." On the 7th May, the following telegram was sent by the Hon. T. Thompson to Inspector Hickson: "Please withhold Constable Cullinane's transfer Paeroa until you hear further from Commissioner, who is at present absent from Wellington."

83. Was the occasion of the Minister sending that telegram some communication had with the Minister?—No. I sent a telegram to Inspector Hickson.

84. Have you the transfers of the 17th July, 1897?—Yes.

85. Is he on that list again?—No, it is taken out.

86. He was on the list originally ordered from Ponsonby?—I do not know what you mean by "originally."

87. Did he go from Auckland to Ponsonby?—No, because it is not approved.

88. Is he still at Auckland?—You must ask the Commissioner about that.

89. *Mr. Tunbridge.*—Yes, he is.

90. *The Chairman.*] Neither of these orders has been carried out, for reasons given?—No.

91. *Mr. Taylor.*] Now, as to the transfer-sheet of the 2nd February: Are Sergeants Kiely and O'Malley ordered for transfer there?—Yes.

92. Is there not a memorandum from the Minister of Justice to yourself?—Yes.

93. Ordering the transfers of these sergeants? Is there not an ordinary form of recommendation from yourself to the Minister?—Yes; "The following transfers are recommended." But they have to be approved.

94. Were these transfers carried out?—Yes.

95. Have you a telegram to Inspector Pender connected with Sergeant O'Malley's transfer?—Yes: "Please direct Sergeant O'Malley to return from Blenheim at once, and proceed to Masterton without delay and relieve Sergeant Kiely, who will get to Blenheim as soon as possible.—A HUME, Commissioner."

96. What is the date of that telegram?—The 2nd February, 1897.

97. Was not Sergeant O'Malley ordered to Blenheim on the 1st February?—He was there temporarily to take charge, as Sergeant Möller became insane. Sergeant O'Malley was over there, and I wanted to keep him there.

98. Have you the particulars of O'Leary's case?—I have a report of the 24th May from Inspector Broham, as to Constable O'Leary being off his beat.

99. What was he reported for in 1896?—For not going to his beat on the 14th May, 1896.

100. Is there anything else?—Sergeant Wilson reports that on the 13th May, 1896, Constable O'Leary was on No. 1 beat from 5 to 9 p.m. drunk.

101. Was that charge proved?—It was denied by the constable, who, I think, put in a medical certificate. Inspector Broham reported that this constable was "addicted to drink, and is untruthful and unreliable." I considered the charge against Constable O'Leary fully proved.

102. Is that the last report?—Yes. He was transferred to Greymouth.

103. Did Inspector Broham recommend his dismissal?—No; that is all he says.

104. Did you telegraph to Inspector Broham about it at all?—No; I was in Christchurch.

105. When there, did you inquire about the man?—I saw the man, and wrote a minute up to the Minister: "I have suspended Constable O'Leary for being drunk on duty when coming off beat at 9 p.m. on the 13th instant. This constable has been sixteen years in the service, and has a bad defaulters' sheet, having no less than six entries in 1894. You will also see that Inspector Broham reports that he is addicted to drink, untruthful, and unreliable, and I therefore recommend he be got rid of. As he has such long service, he might be asked to resign, and in the event of his not doing so his services might be dispensed with. Please see Police Regulation No. 62.—A. HUME, Commissioner.—Christchurch Police Office, 23/5/96." "Transfer to Greymouth, and stop pay for the time he has been suspended from duty; also warn him that should he be found again indulging his propensity for drink he will certainly be dismissed.—T. THOMPSON.—1/6/96."

106. When in Christchurch on that date did you stay at Coker's?—No.

107. Were you at Coker's that trip?—No.

108. *The Chairman.*] You recommended that O'Leary be got rid of or allowed to resign?—Yes.

109. Is there anything between the date of your memorandum to the Minister and the instructions from the Minister to transfer him?—No. I happened to be in Christchurch, and suspended O'Leary and reported it to the Minister. That minute could not have got to Wellington before the 25th. This the Minister answers on the 1st June, ordering the transfer.

110. What was the instruction you received from the Minister on the 1st June?—To transfer him to Greymouth and stop his pay for the time he was suspended; also, warn him that if he again indulges he will be dismissed. On the 26th the clerk telegraphs to me at Christchurch: "Correspondence *re* O'Leary only received this morning. Minister out of town; will not be back till to-morrow night. Will put papers before him on his return."
111. *Mr. Taylor.*] Do you know Mr. Loughrey?—Yes, well.
112. Do you know Mr. Hamerton, the Public Trustee?—No.
113. Do you remember meeting Mr. Loughrey in Coker's Hotel when there?—No. I did not go to that part of the town.
114. Do you not remember discussing O'Leary's case with him?—I cannot say I do.
115. If Mr. Loughrey says that it was the result of his interview with you that O'Leary was sent to Greymouth, would he be wrong?—I think he would, as far as my memory serves me. There are my recommendations and the Minister's decision to speak for themselves.
116. Supposing you sent a subsequent note to the Minister, where would it be?—It would be on the file. I do not remember the conversation, and I am quite certain I was not in Coker's Hotel. If you had said the Café de Paris, it might be possible.
117. Do you remember saying that in the Café?—No.
118. Do you know whether Constable Moore's transfer was cancelled by order of a Minister?—We had a man too many at Ashburton, and I either put it down in a memorandum or said verbally to the Minister, "I am going to take Moore away, because he is a junior man. I have a man too many there." Next day I discovered that there was an Ashburton man there—a man named Jackson—and I thought it would be better to get him out of that than Moore.
119. Do you know Mr. O'Connell, of Masterton?—Yes, I have known him some eighteen years.
120. Has he interviewed you on behalf of any man ordered for transfer?—No, he has not.
121. Has he never seen you about a police matter?—He has seen me about a police matter, but I do not think he has ever presumed on his position to ask me about transferring a man. He was a particularly careful man, and did not presume on our acquaintance in any way.
122. Would you be surprised to learn that a policeman had said in this town, "Go to O'Connell if you want anything fixed"?—Not at all surprised. If you are seen walking with a man twice, many are bound to think that he can influence you.
123. Did he not, in March, 1897, appeal to you in connection with Constable Jeffries's removal from Picton?—No, he certainly did not.
124. Do you recognise that as being a copy of a letter you wrote to him?—I may have written that to him; I will not say I did not. There is nothing about Constable Jeffries in that but I decline to say unless the original is produced.
125. *The Chairman.*] He did not discuss the Jeffries case with you?—No, sir.
126. Who is O'Connell?—He keeps the Club Hotel, Masterton.
127. *Mr. Taylor.*] Has he never interfered with any constable's transfer or promotion?—He may have referred to a constable being transferred, but never intervened. He might have asked, "Are you going to transfer so-and-so?"
128. You did not discuss the reason why with him?—No; he knows that, and would not try it. He was principal warder at Lyttelton Gaol, but left the service ten years ago.
129. *The Chairman.*] Then, the intimacy between you would justify him in asking about facts, but not discussing them?—Yes, quite so. I have advised him on several private matters.

JOHN BENNETT TUNBRIDGE, examined on oath.

130. *The Chairman.*] Have you in your experience formed any opinion as to the relative advantages of municipal and colonial Police Forces? I have. My experience is that a Police Force under a local body is not advantageous—that is to say, such local bodies as exist here in New Zealand. The larger towns and cities in England have their own Police Forces, but the same condition of affairs does not exist there as exists out here. In England there is very little interference on the part of the local bodies with the officers they appoint to administer the Police Force under their control. Out here, from what I have seen, there is—I do not say an inclination, but it appears to be a recognised rule for even the highest authority to be appealed to on the most trivial matters.

131. Is not that because the highest authorities are dealing with trivial matters?—Well, that is what I notice here. I am of opinion that if the local bodies had the control of the police performing duty within their particular jurisdiction, the police would be subjected to many more outside influences in respect of carrying out their duties than has been alleged against the police of the colony as a whole throughout this Commission.

132. Subject to more interference?—Very much more, in my opinion. To have an efficient Police Force you must make that Force as independent as possible. When I say independent, I mean independent of all outside influences. Unless it is absolutely independent of these influences it is impossible that the law can be carried out impartially. There is another reason I have found, but that applies in a measure to England, where it acts prejudicially. Where a district is divided into several police authorities, frequent delay occurs through jealousies and etiquette in communicating with those various authorities. In a particular county there may be two or three large boroughs in addition to the county Force. That would mean two or three borough Forces and the county Force. Owing to the divided authority delays occur which are all to the benefit of the criminal. For instance, the Justices of a borough may issue a warrant that has no power outside the precincts of their borough.

133. There is distinction here?—But there is division of authority, owing to the head of one Force having to communicate with the head of another a distance away, and the criminal frequently escapes owing to the delay in setting the police of the other district in motion. If separate Police

Forces were instituted in the colony there would be the probability of similar delay arising. There is also the question of economy or cost. As many authorities as are set up, so will it be necessary to create so many heads of police with their attendant staffs; whereas, under the present system there is only one headquarters to keep up.

134. *Mr. Poynton.*] You are familiar with the evolution of the English Police Forces?—Yes.

135. You know that previously to Peel's time the police were almost wholly under parish control?—Yes.

136. And that very grave abuses led to this system being abolished?—Yes. At the present time, even down to the last County Councils Act, that was abused. Many of the smaller boroughs were merged into the counties, and the tendency is to centralise. The County Council Act merged all boroughs of less than 10,000 inhabitants into the county. It was a general County Council Act for England, and for police purposes all boroughs under 10,000 of a population were merged into the counties.

137. The son or friend of the local authority—the mayor or anybody else in authority—did just as he pleased; could break windows, and so on, practically with impunity?—Practically—friends of the Town Council. The members of the Corporation were the direct employers of the Police Force.

138. And consequently the police were dependent upon them for their pay?—Yes; the police were simply creatures of ruling power.

139. And the same thing would happen here if the present system were abolished?—There would be a tendency to that, of course. The larger the community the less likelihood is there of particular individuals having their own way.

140. *The Chairman.*] The large cities, such as Dunedin, Christchurch, Wellington, and Auckland would each have their Police Force?—Undoubtedly.

141. You have some knowledge of our provincial system?—I have heard what has been done in the past.

142. And from your knowledge of the police system you think difficulties must arise?—Certainly. The provincial Forces as they existed here years ago, some of them, were probably more efficient than the colonial Force has been since it was made a colonial Force, and for this reason: that it was probably three times as expensive. You have evidence here before you that Canterbury, which is now ruled by one Inspector, had in the provincial days a Superintendent, with, I think, four Inspectors and a Sub-Inspector, while the whole of that province is governed at the present day by one Inspector.

ARTHUR HUME, examined on oath.

143. *Witness:* I should like to say that since I have been Commissioner, from the correspondence I have had with borough authorities and municipal authorities, it is perfectly clear to me that if the police were under municipal control many of them would be employed in duties not appertaining to city police constables, such as traffic inspectors, preventing places of amusement being overcrowded, looking after the licenses of billiard-rooms, and duties of that description. I have had a great deal of correspondence on this matter, and have strenuously opposed the police performing these duties.

144. *Mr. Poynton.*] You are of opinion that municipal control would seriously interfere with the efficiency of the Force?—Yes, I quite agree with what Commissioner Tunbridge stated on that point.

DANIEL HANNAN, recalled.

145. *The Chairman.*] Are you now an ex-sergeant?—Yes; I have been called upon to resign since giving my last evidence.

146. You wish to refer to the evidence of Miss Conway, given at Nelson?—Yes, in that she said it was a business transaction between the two of us. So far that is perfectly correct, but when she came to be cross-examined she said there was no one present. Now, as a matter of fact, as already stated, she had sent for Mr. Gibson.

147. At what time?—At the time the understanding was arrived at or the bargain was made between us. She sent for Mr. Gibson, solicitor, at Hokitika, and he stopped there that night. He was sent for to be consulted about the sale.

148. Who sent for Mr. Gibson?—Miss Conway. He was present at the time, and heard the bargain, and, as I have already told you, he was a friend of hers—a considerable friend. He spent the night there, and brought her to town in the trap with him in the morning.

149. What do you mean? Were you present?—He took her to Hokitika the next morning.

150. What is the particular passage to which you refer where she says that no one was present when the bargain was made: she admitted the bargain?—She says, in reply to Mr. Tunbridge's question, "Did you ever tell him that you would not deal with Henne?" "Never." Well, I can assure you on oath that she said she would rather starve than sell it to him.

151. *Colonel Pitt.*] Can you point out in the evidence where she says there was no one present? She denied that you asked her to consult any one?—Yes, she denied that.

152. *The Chairman.*] Is there anything else you want to contradict her in?—About the price. She says she might have got a very much better price. I can prove that she got the full price for it.

153. *Colonel Pitt.*] Do you mean to say he would not have given more?—He would not.

154. Why did he give £160 for the billiard-table and the glasses?—Because he was afraid I would get some one else to run in opposition to him.

155. Do you mean to say Henne would not have given her £160?—I do.

156. He gave £160 for a part of it. That being so, would he not have given her more for the place plus the land and the buildings?—I believe he would not unless I put somebody else in. She told me in the beginning that she would not sell it to him.

157. You say now that she said she could not have got more. Why do you say she could not?—Because it was not worth it.
158. Did you get more?—Yes, I got £13 out of it.
159. And retained the land and the buildings?—It is of no earthly value.
160. What other part of the evidence do you want to contradict?—I was going to refer to other hotels in the district. Before there was any railway the place was offered for £300—that is the best hotel in the place—and it was ultimately sold for £350. I was going to show that she got the full value of the property.
161. *Mr. Poynton.*] You cannot persuade us of that when you got more for part?—Then, she says I was a friend of hers, and she looked upon me as a friend. I do not know why she said so, because I had to summon her uncle on several occasions.
162. Was that on your own motion?—On my own motion.
163. Did he owe you any money?—No; there was never any transaction between us.
164. *The Chairman.*] How long was that before this transaction?—Some years. She was perfectly satisfied with the bargain until she was prompted to kick up about it.
165. *Mr. Poynton.*] She said she had no ill-feeling about it, and had no complaint to make; she came unwillingly, and gave her evidence unwillingly?—Then, in that case, I do not know why I was called upon any more than any public individual to give up my position. I never had any interest in the license. The place was closed the very day she left.
166. *Colonel Pitt.*] Did she come to you about the business first?—She spoke to me first.
167. Where?—At her own door.
168. Did you go to the door first about this to see her?—I had not the slightest intention of seeing her about it.
169. *The Chairman.*] Assuming that she spoke to you first, did not Henne speak to you?—No. It was months before the girl desired to get out of the place. She could not possibly make a living out of it, and was anxious to get away to some place that would suit her better. Every one in the neighbourhood knew about it.
170. Can you give me the date when you first spoke to her?—No, I could not. As already told you, I advised her to remain and try to get the license transferred to one of her friends, and she said it would not pay her. I certainly did not force her into a bargain by any means, or anybody else. They were all free agents, and to leave any impression on any one's mind that they were forced into it is an absurdity. I think she said after she signed the first document she thought she could not help herself.
171. *Mr. Tunbridge.*] You say that Miss Conway had no right to look upon you as a friend?—No.
172. Were you not on friendly terms with her and her deceased mother?—I do not think so.
173. Was not your wife present at the time of her mother's death?—She was sent for.
174. Is it usual to call in people who are not friendly at the time of death?—I do not know. All I know is that she was sent for and was there, and that they had to shut the doors to keep her daughter out.
175. You say Miss Conway at the time of her mother's death would not sell the property?—Yes.
176. But there were others who had an equal right over the property?—I suppose she knew by the will a considerable time before that.
177. Were there not other daughters?—Yes. That is the daughter that was kept out.
178. Do you suppose that Miss Conway thought she would have the free disposal of the property when her mother died?—Yes.
179. You say you went to Miss Conway before Henne came to you?—Yes.
180. How long had Mrs. Conway been dead before you paid Miss Conway a deposit—more than a fortnight?—More than that; two or three weeks.
181. Almost immediately on probate being obtained?—I suppose it would be two or three weeks after the death.
182. But probate was to be obtained?—Yes; I suppose Mr. Murdock was employed to get probate.
183. You saw Mr. Henne, and he offered £150 for the goodwill, surrender of the license, and billiard-room?—The first offer Henne made me was £100.
184. Did you hear Henne swear he offered you £150?—Yes.
185. Did you cross-examine him on that?—No; my solicitor ought to have done so.
186. He subsequently offered you £150 for the goodwill, surrender of the license, and the billiard-table?—Yes, all that was in it.
187. Miss Conway had previously told you, had she not, that she would take £180 for the whole property?—Yes.
188. Did you go back to her and say you could not get more than £130 or £135 for it?—I told her from the first day I spoke to her that it was my own money going into it.
189. *The Chairman.*] Is it not a fact that Henne's and your payment to Miss Conway were made the same day?—There was a day or two between.
190. *Mr. Tunbridge.*] Mr. Henne had spoken to you before you paid Miss Conway anything?—Yes.
191. When you paid Miss Conway £20 did you not know that Henne was going to give you £160 for the goodwill, surrender of the license, and billiard-table?—Not when I paid the deposit.
192. That you swear?—Yes, that I swear.
193. What did you intend to do with the property when you paid that deposit of £20?—To give it to my sister-in-law.

194. Then you altered your mind within a day to this extent, that instead of giving it to your sister-in-law you would give it to Henne?—Yes.

195. That all occurred within a day?—My sister-in-law lives in Hokitika.

196. What caused you to alter your mind in a day?—Because my sister-in-law had changed her mind about it.

197. Did you go round to Hokitika to see your sister-in-law and talk the matter over?—No, she was staying with us.

198. And all this occurred in one day?—Yes.

199. And it was the day after that you received the £20 from Henne, was it?—Yes.

200. Do you say Miss Conway did not suggest to you that Henne was a probable purchaser of the property?—She certainly never did.

201. Then she has stated what is untrue?—Certainly, as in many respects. She told me that she would rather starve in the place than sell to him.

202. Then, it is untrue that she suggested to you Henne as a probable purchaser, and that you replied to her that you knew Henne had not the means to buy it?—I could not possibly say that.

203. That is perfectly untrue—a pure invention?—Undoubtedly.

204. Can you suggest why she should invent that?—I cannot. Why did she not go to him if she thought that?

205. Do you think it likely she would go to him after you told her he would not buy it?—There was nothing to prevent her going to ask him.

206. *Colonel Pitt.*] Would it not prevent her going to him if she thought you were acting for her?—I do not think she thought that.

207. *Mr. Tunbridge.*] Do you not think she had reason to suppose you were acting for her and trying to do good for her?—I do not think so, distinctly. She was told it was being bought for my sister-in-law.

208. *Colonel Pitt.*] Where is Gibson now?—I believe he is in West Australia.

209. Why did you not tell us this before?—I had not time to bring all the evidence I had, as I had to be in Greymouth next day.

210. *Mr. Tunbridge.*] You know it is against the spirit of the licensing laws that a police constable should be interested in hotel property?—As far as I know, there is nothing to prevent a police officer acquiring property in licensed premises. It says he cannot get a transfer for any license.

211. Does it not state that a Licensing Committee shall not grant a transfer or new license to any house in which a police officer has an interest?—Yes, that is right.

212. Does that not mean that a police officer shall have no interest in a licensed property?—I did not want an interest.

213. You were trafficking in licensed property?—I did not want it. I did not want a transfer, and I did not get it. She said she was not accustomed to business transactions, and I think in her evidence she says she has been transacting the business of her parents for many years. She was a very keen business woman—as keen as any woman in that part of the country.

214. Did you not endeavour to keep Miss Conway from coming before the Commission?—No, I did not.

215. Did not some of your friends try to prevent her from coming before the Commission?—I do not know.

216. Do you not know that she received a letter offering her money not to come before the Commission?—I have heard of it since, but I did not know it.

217. You have heard that one of your friends wrote offering her money not to come before the Commission?—I did; but I have not spoken to or asked anyone to do so. There is a new and larger house on the premises now than when I bought it, and she can have it for the same money—for the £135.

218. *The Chairman.*] But you cannot give her back the billiard-table, the license, and everything else?—She certainly could get a license to-morrow, I believe.

WELLINGTON, FRIDAY, 1ST JULY, 1898.

HENRY JAMES CHECKETTS, recalled.

1. *Mr. Taylor.*] When did you see me first?—On last Saturday evening, about 4 o'clock.

2. At my house?—At your house. I had been to the House three times for you—this House.

3. And the day before you called there?—Yes.

4. When did you meet Mr. Isitt first?—I think it was on Monday morning. I am not positive.

5. When I asked you if you had any money, did you not tell me you did not want money?—Yes.

6. Have I given you any money for any purpose?—No.

7. When did you meet Mr. Isitt?—Last Monday morning. I do not think I saw him before in my existence.

8. *The Chairman.*] What led to your coming here as a witness?—I told Mr. Taylor I had something to say before the Police Commission.

9. And Mr. Taylor wished you to come?—Yes.

10. Did you have any conversation with Mr. Isitt between the Monday and your appearing before the Commission?—I never saw him in my life before the Monday morning.

11. But did you have any conversation between Monday and the time of your appearing before the Commission?—No.

12. *Mr. Taylor.*] Did you not ask me to call you before the Commission?—Yes, and you did so.

13. You had no summons from the Commission?—No, sir.

JOHN BENNETT TUNBRIDGE, further examined.

14. *Witness*: I produce the return of promotions made since the 31st December, 1890.

COLONEL HUME, further examined.

15. *Witness*: I produce the papers connected with Constable John Ryan's transfer. This has reference to the statement made by Mr. Northcroft that he knew that Constable Ryan's transfer was made on political grounds. The first is a report from Inspector Kiely, in charge of the district, dated Hamilton, 5th May, 1887. It states that the district would be more economically administered by the removal of Constable Ryan. On that Constable Ryan was removed, and transferred to Eketahuna. Then there is a telegram dated the 6th June, 1887, from Major Gudgeon to Inspector Kiely: "Re Constable Ryan, transferred to East Coast.—Not to be done at present." Then there is some correspondence with the Justice Department in reference to the Clerk of the Court at Te Awamutu: "No steps need be taken in this matter, since Constable Ryan will not be removed just now," from Major Gudgeon to the Under-Secretary. The next is a memorandum from Major Gudgeon to Inspector Kiely, 15th September, 1887: "Constable Ryan will be transferred to Wanganui not later than 28th instant." On the 23rd September, 1887, the Hon. J. Ballance telegraphs to Major Gudgeon: "Following telegram received from J. B. Teesdale: 'Please leave Ryan here; we do not want him removed. Please reply.—J. B. TEESDALE.' Perhaps it would be better to leave him there, and not to disturb matters during elections."

16. *The Chairman*.] Who is Mr. Teesdale: not one of the candidates?—As far as I know, I believe he was a Government officer. On the 23rd September, 1887: "Have instructed Gudgeon to stop Ryan for a time." On the 26th September, 1887, Major Gudgeon telegraphs to Inspector Kiely: "Ryan will go to Napier, not Wanganui." On the 27th September, 1887, Major Gudgeon wires to Inspector Kiely: "Send Constable Ryan to Napier as directed. He is wanted to replace a man just removed." Then, on the 28th September, 1887, Major Gudgeon wires to Inspector Kiely: "If Constable Ryan does not leave when ordered, suspend him at once; but you may, if you like, give him time to sell his things." On the 28th September Inspector Kiely wires to the Commissioner of Police, Wellington: "I have placed Constable Jones in charge of Te Awamutu, and Constable Ryan says he has not received instructions as Clerk of the Court to leave." On the 28th September Major Gudgeon wires to Inspector Kiely: "Under-Secretary approves constable occupying room in Courthouse. I want you to see there is no delay in case of Constable Ryan, and if he does not sell his things within ensuing week he must leave without doing so."

17. *The Chairman*.] When did he get away?—"Constable Ryan left Te Awamutu yesterday, en route for Napier"—that is, 4th October, 1887.

18. *Mr. Isitt*.] Have you not shown that this man was ordered to Eketahuna and did not go, and was ordered to Wanganui and did not go?—The papers show everything.

19. *The Chairman*.] On what date was he first ordered for Eketahuna?—Some date prior to the 13th May. It seems that a telegram of 6th June says:—"Letter re transfer of Constable Ryan by to-day's post. Not to be done at present." So he was ordered by that day's post, as far as I can see.

Constable Michael Cox.

20. *Mr. Taylor*.] When did Constable Cox join the Force?—On the 2nd February, 1880.

21. When was he charged with being in the Oriental Hotel?—On the 23rd July, 1894.

22. What is the nature of the charge?—Absent from his beat, and entering the Oriental Hotel.

23. And the result of it?—Admonished.

24. Is the report from the Inspector there after the evidence?—There is the forwarding letter from Inspector Pender, dated 2nd August, 1894. There is a note to Inspector Pender as follows: "It does not seem to me at all clear that Constable Cox was half an hour in the Oriental Hotel. It is also clear that he did not go there with the intention of getting drink, though he should not, of course, have left his beat. As he has been over fourteen years in the service, and has never had an entry in his sheet, he will be admonished and directed to be more careful in future.—A. HUME, Commissioner.—3rd August, 1894."

25. Is there a negro giving evidence in the case?—There is a man named Weekes, who was night-porter of the hotel. He states that he saw Constable Cox passing the hotel, and told him he was suffering from cramp in the stomach. The constable went into the hotel afterwards to show him how to fix hot plates on his stomach, stayed there some time in the kitchen, and on going out again was seen by Constable McCarthy, who reported the matter.

26. Did anybody see you about this matter outside?—No, not that I know of.

27. Did Mr. E. M. Smith see you about it?—No, I do not remember.

28. Did the Rev. Father Devoy see you about him?—No.

29. Did he never see you about any policeman?—I would not say that.

30. You swear positively he did not see you about this man?—Yes.

Constable Walter Bond Young.

31. *Witness*.] I produce the papers relating to third-class Constable Bond Young. This letter is dated 2nd August, 1894, and addressed to Mr. O'Regan, M.H.R.:—

DEAR SIR,—

With reference to the application of third-class Constable Walter Bond Young for reinstatement in his former rank of first-class constable, or in lieu thereof compensation for loss of rank, I have the honour to inform you that I have carefully examined all the papers in connection with this matter, and find that on the 27th August, 1886, this constable was permitted to resign his position in the Police Force, probably to avoid dismissal in consequence of his having been insubordinate to the sergeant-major in the presence of Inspector Buckley, to which charge he pleaded guilty. He afterwards asked for an inquiry, which was refused by the Hon. Mr. Ballance. It also appears that Constable Young had, in the previous year, 1885, been fined for a similar offence—viz., insubordination

to another sergeant-major. On the 18th May, 1887, the matter appears to have been brought to the notice of the then Commissioner, Major Gudgeon, by several members of the House, and after a careful inquiry into the case Major Gudgeon recommended that, though the constable certainly deserved punishment, still he thought he had been harshly treated, and recommended that he again be taken into the Force, but specially stipulates that it should not be as a first-class constable but as a third-class constable, which was approved by the Defence Minister, and he was appointed a third-class constable from the 23rd May, 1887. Now, considering that this constable has pleaded guilty to a charge of insubordination against the sergeant-major, that in consequence thereof he had resigned, and considering there was a similar offence recorded against him in the previous year, I fail to see that the constable has any just grounds of complaint, and if he had been brought back as a first-class constable, or given compensation for the loss of that rank, I have no hesitation in saying the discipline of the Force would have been imperilled; and a wrong would have been done to all those members of the Force over whose heads he would have been placed. I therefore regret I am unable to comply with this constable's request.

I have, &c.,

A. HUMÉ, Commissioner.

32. *Mr. Taylor.*] Where would Mr. O'Regan's letter be?—It is not here. Then there was Major Gudgeon's memorandum to the Defence Minister, dated 18th May, 1887, in which he says:—

I find from the records that Young was called upon to resign as having used insubordinate language to Sergeant-Major Ramsay. After a careful consideration of the whole case (which is a very long one), I find that Young was accused—(1) of having written letters to Sir G. Grey on police management, or having caused them to be written; (2) for leaving his beat at midnight and 5 a.m.; (3) using abusive language to Constable H. McLean; (4) for having told a man named Murphy that a Mrs. Smith's house was a brothel. Constable Hugh McLean was in each case the accuser, and was in each and every instance contradicted flatly by all the constables on the station and by other reliable witnesses. (Constable McLean has since been dismissed the Force for disgraceful conduct.) In the course of the inquiry it is said that Constable Young turned to Sergeant-Major Ramsay, and said, "This would not have happened had you done your duty." Now, this speech is not necessarily insubordinate, and might be merely a statement of fact, but no evidence is offered to show the circumstances under which it was used: merely the words are given, and Constable Young called upon to resign. I may say that on a previous occasion Young had been fined £1 for using similar words to Sergeant-Major Bevin. Whether they were justified in the latter case I know not, but Sergeant-Major Ramsay has been reported twice within two months for neglect of duty by Inspector Buckley, the same officer who recommended Young should be asked to resign. It appears to me that Young has been most harshly treated. No doubt he deserved punishment if Sergeant-Major Ramsay has not neglected his duty, and for this reason I would not recommend that he be reinstated as a first-class constable; but I think, under the circumstances, he might be taken back—viz., reinstated in the Force as a third-class constable. Young is a man of birth, intelligence, and education.

Then there is a pencilled memorandum: "To come in as a third-class constable, and be attached to Wellington District, pending vacancies.—W.E.G.—23/5/87."

33. Is there a report there in connection with charges against Sergeant-Major Ramsay, Constable Young, and Constable McLean—joint complaints? There was a row about some prostitute, and Young was connected with it?—No, I do not find anything here.

34. Were both Young and McLean dismissed?—No. McLean was transferred to St. Bathans.

35. You will find that Sergeant-Major Ramsay was transferred also?—There is not a word here about the sergeant-major.

Constable W. J. Rist.

36. *Witness.*—I produce the papers relating to Constable W. J. Rist.

37. *Mr. Taylor.*] Was he at Coromandel?—Yes, in October, 1891. He was at Mercury Bay in October, 1890. Proceedings were taken against him for fraudulently obtaining an interest in the Try Fluke Mine from a man named Constantine when under the influence of drink. He was transferred to Auckland City from Coromandel on the 29th December, 1890.

38. Who tried that case?—The Warden, on 16th December, 1890.

SIR,—

Police Office, Auckland, 24th December, 1890.

I have the honour to forward herewith the accompanying papers, viz.: (1.) A report from Constable Rist, dated the 8th instant, stating he was summoned by one John Constantine to appear at the Warden's Court, Coromandel, on the 16th instant, to answer a charge of fraudulently obtaining an interest in the Try Fluke Mine. (2.) A copy of the summons served upon the constable. (3.) A copy of the notes of evidence taken by me upon the hearing of the case at Coromandel on the 16th instant. (4.) A memo. sent the constable on the 18th instant requesting an explanation from him respecting his conduct; and (5.) Constable Rist's report in explanation.

The entire evidence shows clearly that the constable was a partner or dividing mate with Thomas Carroll, a publican at Coromandel, where the constable is stationed, but it also further shows that the charges preferred against the constable by Constantine were entirely unfounded. The case was dismissed with costs against the complainant. Constable Rist has been over seventeen years in the service, during which time he has borne an exemplary character, and no entry as yet appears in his defaulter's sheet. Having a large family, he has just added a room at his own expense to the station at Coromandel.

In most cases of this kind I would strongly urge that the constable be transferred to another station; but bearing in mind the excellent character the constable has hitherto borne and his length of service in the Force, perhaps the Commissioner may be pleased to consider whether, under the circumstances, a severe reprimand may not suffice. If it should be decided to remove the constable, I would ask that he may be transferred to Mercury Bay and appointed Clerk to the Bench there instead of Constable Walker, who I am desirous of bringing into the suburbs here, as I am in doubts as to his steadiness, and wish to keep him close to head-quarters.

In any case, I think it necessary to remove Constable Walker.

I am desirous of keeping Constable Rist on the Coromandel peninsula—either at Coromandel or Mercury Bay—as the country, being rough and mountainous, requires a smart active man accustomed to horses, to perform the duty of the place.

I have, &c.,

T. BROHAM, Inspector.

The case was dismissed with costs. Constable Rist was ordered to Auckland about the 29th or 30th September, 1890.

39. Was the order given for his removal?—Yes. It was dated 15th January, 1891. On the 8th October, 1891, I wrote to Inspector Broham instructing him to exchange places with Constables Donovan and Rist.

40. He goes back to Coromandel ten months after?—Then Inspector Broham writes that an exchange has been effected. The Hon. Mr. Cadman wanted Constable Rist sent to Mercury Bay, and minuted the papers as follows:—"The exchange intended was Constable Rist to Mercury Bay and Constable Dunne to Newmarket. I think that had better be carried out, and let Donovan remain in Coromandel."

41. *The Chairman.*] Was he sent back or ordered back?—He was ordered back, and went at the Hon. Mr. Cadman's request to Mercury Bay instead of Coromandel on the 19th October, 1891. Mr. Cadman was Minister of Justice then, and the telegram is from my clerk. The Hon. Mr. Seddon was Defence Minister, and the Hon. Mr. Cadman acted under instructions.

42. *Mr. Taylor.*] Notwithstanding Mr. Cadman's statement that Donovan was to remain at Coromandel: when did Constable Rist go back to Coromandel?—He never went back to Coromandel; he went to Mercury Bay.

43. I think the papers will confirm that he actually got back to Coromandel?—There is nothing to show that here.

44. Have you any record of a presentation being made to him on leaving Coromandel?—There is no record of it. They always have to ask permission, and I always put it on the file.

45. Would it be a breach of the regulations to accept a presentation without asking for permission?—Yes.

46. I suppose if you had not been interfered with by the Minister you would have carried out your original intention or opinion that the man ought to go to Auckland?—He did go to Auckland.

47. Only for a short time?—I do not think a man ought to be kept too long under an Inspector's eye.

48. *The Chairman.*] He was ten months at Auckland?—Yes. If I had not been acting under instructions I should not have sent him back to the district. Rist's defaulter's sheet [produced] shows that for being drunk and using abusive language at Mercury Bay he was fined £1 and reduced to the rank of a second-class constable, 8th June, 1891.

Constable Patton.

49. *Witness.*] I produce the paper relating to Constable William P. Patton, second-class constable.

50. *The Chairman.*] When did he join?—21st January, 1889.

51. Was he fined for drunkenness?—Yes, on the 14th October, 1889. He was fined 10s.

52. And after?—On the 13th December, 1889, for being found asleep while in charge of a lock-up, he was fined 2s. 6d.

53. Have you no charge against the man for losing a prisoner?—No.

54. There have been no complaints, so far as his sobriety is concerned, since?—No.

Constable Bowden.

55. *Witness.*] I produce the papers relating to Constable Charles Bowden.

56. *Mr. Taylor.*] He was at Lyell originally, and was shifted for falsifying Court documents?—He was transferred to the Wellington District on the 14th January, 1889. Then he came to Wellington, and was reported for being off his beat and was transferred to Masterton; he was then sent to Martinborough and afterwards to Pahiatua, and is there now. Constable Bowden had no report against him from the 31st January, 1880, until the 1st August, 1897. In 1880 he was on the West Coast—at Hokitika.

Constable Kelso.

57. *Mr. Tunbridge.*] I have not been able to trace any paper in relation to a promise of promotion to Constable Crawford, of Timaru; but here are Constable Kelso's papers.

58. *Colonel Hume.*] In regard to Kelso, a third-class constable, he asked me for promotion in October, 1890, but I do not recollect him saying anything about a promise of promotion. I told him to apply in writing. There was no mention of a promise by Mr. Gudgeon or any one else. I minuted the application as follows: "Inspector Goodhall.—Please inform Constable Kelso that there are a considerable number of third-class constables before him on the list for promotion, and I can see no special grounds for promoting the applicant over the heads of his seniors."

59. *The Chairman.*] Is there no written record of a promise?—No, sir.

60. *Rev. Mr. Isitt.*] Is it within your knowledge from official documents that two constables in Auckland were ordered to visit hotels into which a large number of people were seen to go after hours?—No, I do not think so.

61. Ordered by the department?—No, I have no recollection. The local Inspector may have made the order.

62. Have you any knowledge of the projected action of the police leaking out at any time?—No; it is not within my knowledge.

SATURDAY, 2ND JULY, 1898.

THOMAS CAHILL, medical practitioner, residing in Wellington, examined on oath.

1. *The Chairman.*] Dr. Cahill, have you had frequent opportunities of visiting the police-cells in the exercise of your profession?—Yes; I am police surgeon.

2. When occupied by prisoners, and at other times, probably?—Yes.

3. Will you kindly tell us anything you wish to say about them?—Well, the accommodation consists of three cells for male prisoners, the largest of which is 12 ft. by 12 ft. approximately. The others are, I think, about 9 ft. by 11 ft. There is a female cell about 12 ft. by 12 ft. This accommodation is wholly inadequate, and the cells are badly designed.

4. In respect of what?—Light and ventilation, and the absence of all sanitary arrangements.

5. The prisoners have access to outside sanitary arrangements?—They have in a way. The watchhouse-keeper has to be called, and he is often busy. Just to explain what may happen: Three or four prisoners are brought to the station; they have to be searched, and while they are being searched those in the cells may wish to go out, but have to wait. The police do everything

in their power to make prisoners comfortable, but owing to the arrangements being so bad they are greatly hampered. Who ever designed these cells had no idea of what was suitable.

6. Can you suggest how they could be made more convenient?—I think cells should be constructed so that the prisoners could be classified so as to prevent perhaps innocent persons from being compelled to live in close confinement for many hours with drunkards or habitual criminals. All prisoners should get at least as good treatment as convicted persons receive in gaol.

7. *Colonel Pitt.*] Are the cells often full?—I cannot say how often; I know they are sometimes. Yesterday morning I went down. There were three men in one cell; the stench was abominable where these three men had spent the night.

8. *The Chairman.*] You have actually suffered from nausea on entering the cells?—I have been quite ill. You cannot imagine a more filthy state than I have sometimes observed.

9. About the number of people in the cells—can you give any information on that?—I have seen four or five myself. I understand there have been as many as nine in a cell together.

10. Have you any opportunity of forming an opinion as to the cleanliness of the bedding?—There is no bedding at all.

11. *Colonel Pitt.*] Blankets?—There are a few mohair rugs. I fancy they are mohair; they may be wool.

12. Do you think they are sufficient to cover people?—I do not know, I have not examined prisoners all round. I have only examined special prisoners, and I have sometimes found them so cold that their lives had been endangered. I have had them removed into the office or watchhouse, where there is a fire. These arrangements are very inconvenient, but I have always found the police only too glad to do all they could for prisoners, and thus prevent what might prove to be a catastrophe or death occurring in the cells.

13. Do you think it is necessary for the sake of the health of the prisoners that they should be afforded any other resting-place than the floor?—I think that seats and suitable mattresses or hammocks should be provided.

14. *Colonel Pitt.*] These cells are fairly dark at present?—They are very dark indeed.

15. You consider it injurious to the health of a man or woman to be confined in a place if they have no sitting- or resting-place?—Yes.

16. *The Chairman.*] Our attention was called by a lady witness in Wanganui to the requirement of women prisoners. There being no sanitary arrangements, they are obliged to call upon a constable when they require attention?—There is a matron here: it is not so much of an evil where there is a matron.

17. *Colonel Pitt.*] Do you not think there should be an arrangement for having a light in the cell at night?—Certainly; there is no reason why there should not be a light all night, if required.

18. *The Chairman.*] The police have told us that prisoners might break the glass and with it commit suicide or injure themselves; and if the windows are protected by bars they might hang themselves, and they state that is why the cells are not better lighted?—Some policemen make all sorts of unreasonable objections. My proposal to get over the difficulty is that prisoners who are likely to injure themselves, who are incapable of looking after themselves, should be provided with separate cells, constantly in view of the watchhouse-keeper. That shuts out the suggestion of hanging and the objection to the glass. It is a mere matter of designing proper cells.

19. Can you make any suggestion as to sanitary arrangements?—I think that out of the cells there should be a doorway by which the inmates could walk into a yard at any time they liked. This yard should contain the necessary sanitary arrangements.

20. *Colonel Pitt.*] In the gaols there are hammock beds. Is there any objection to having them in the police cells?—No. Drunken persons and those who may injure themselves should have special cells. All who are arrested are not drunkards or lunatics.

21. *The Chairman.*] There is another matter with regard to medical treatment. One witness states that in some parts of Australia they keep certain medicines at hand to administer to persons who are locked up suffering from *delirium tremens*. Do you think that a good suggestion?—I think that it is very wrong. I will tell you why. You cannot give the same drug or the same dose to different individuals. One of them may have heart disease, or some other equally dangerous condition, in combination with the *delirium tremens*, and it would be very unsafe for an unskilled person to give those remedies.

22. With regard to padded cells for lunatics. Do you think that in the principal centres there should be padded cells?—Yes; it is difficult to prevent certain prisoners from hurting themselves without such a provision—I refer especially to lunatics, epileptics, and cases of *delirium tremens*.

23. As police surgeon do you receive any stipend?—No. I am only paid for each attendance when called on.

CORRIGENDA.

Page 437. After paragraph 209, for "The Chairman," read "Remarks by Chairman."

Page 510. After "Timaru," read "Saturday, 16th April, 1898."

Page 601. For "Friday, 23rd April," read "Friday, 22nd April."

Page 1007, No. 337. For "Frank Palmer," read "Jackson Palmer."

APPENDIX.

CORRESPONDENCE, LETTERS, ETC.

T. E. TAYLOR, Esq., M.H.R., to the CHAIRMAN, Police Commission.

DEAR SIR,—

Cashel Street, Christchurch, 9th May, 1898.

I shall be glad to know whether you have taken any steps to secure the attendance before your Commission of Mrs. Simpson, in connection with the charge made by her of misconduct on the part of Sergeant O'Grady, of Oamaru, and when Mr. Hawkins, S.M., will be available for examination. Subpœnas were issued to both persons named.

I am, &c.,

H. S. Wardell, Esq., Chairman, Police Commission, Nelson.

T. E. TAYLOR.

The CHAIRMAN, Police Commission, to T. E. TAYLOR, Esq., M.H.R.

SIR,—

Blenheim, 14th May, 1898.

In reply to your letter of 9th May, I have to remind you that Mrs. Simpson's charge of misconduct on the part of Sergeant O'Grady was withdrawn. We understood you intended to bring her to Christchurch as a witness on the charge preferred by yourself.

If you had while the Commission was sitting at Christchurch made the inquiry you now make with respect to Mr. Hawkins, S.M., steps would have been taken to secure his attendance there, but we do not see our way to call him before us at Wellington.

I have, &c.,

H. S. WARDELL,
Chairman, Police Commission.

T. E. Taylor, Esq., M.H.R., Christchurch.

Mr. W. J. WINTER to the POLICE COMMISSIONERS.

GENTLEMEN,—

Wyndham, 7th April, 1898.

I observed with very much surprise and annoyance that certain evidence given by Constable Pratt before your honourable Commission, and reflecting in an unwarranted manner on my personal character, has been published in the *Otago Daily Times* and other papers. It seems to me to be very objectionable and unjust that a witness should give such evidence as would deprive a man of his good name and reputation, and that without any previous notice that such charges were to be made.

I have been in business in Wyndham for twenty-five years, doing business with the firms of Bruce and Co., of High Street, and of Butler Brothers, Rattray Street, Dunedin. I should like the managers of these firms (Mr. W. J. Croft and Mr. C. Moore respectively) to be called to speak of my character from their knowledge acquired during that period.

I should also like to give evidence myself at your convenience; and I desire that Constable Pratt be recalled and asked these questions: (1.) Did the police on any occasion more than once enter my place with a warrant to search it? (2.) How many houses did they search on the same occasion before coming to mine? I may here state, for the information of the Commission, that before searching my place on this solitary occasion the police searched the houses of _____, then of Mataura; _____, Wyndham; and _____, Wyndham: thus showing that it was a matter of guessing or spite that my place was searched at all. This is true, but I do not wish to have these other people's names published to their annoyance or prejudice.

What I reported Constable Pratt for was his making a statement to a resident here (who can be called if necessary) that he intended to search my trap for stolen property when going home from business at night. Constable Pratt's evidence is wrong where he states that I refused to appear to substantiate my report against him. It was represented to me by Mr. Inspector Buckley that the constable was to be removed, and that it would only injure the constable to press the matter. I was satisfied on being assured a more efficient officer would replace Constable Pratt.

I have, &c.,

Messrs. H. S. Wardell, J. W. Poynton, and Colonel Pitt,
members of the Police Commission sitting at Dunedin.

W. J. WINTER,
Saddler, Wyndham.

THE SECRETARY,—

Inform the writer that if he appears before the Commission at Christchurch to give evidence in denial of statements of Constable Pratt affecting his character he will be heard—his personal evidence only—and his evidence will be recorded, and probably appear in the newspaper reports, but the Commission are not responsible for what appears in the newspapers.

13/3/98.

Accordingly.—E. W. K. 15/4/98.

H. S. WARDELL.

Inspector BUCKLEY to the CHAIRMAN, Police Commission.

SIR,—

Hook, Waimate, South Canterbury, 7th May, 1898.

I have only just now had shown me the *Otago Witness* of the 14th April, in which a report is given of the proceedings before the Commission at Dunedin, where Constable Pratt is reported of

accusing me of partiality in carrying out my duties through masonic influence, which I deny. Constable Griffiths is also reported of charging me with making a false entry in his defaulter's sheet. This I also deny. If I had been brought face to face with these men I think that I would have put a different complexion on the matter.

I would respectfully ask the Commission to examine Sergeant Wright, now in Wellington, who was clerk in the office at Invercargill the greater part of the time I was there, as to my partiality in the performance of my duties, either in the department or outside, through masonic or other influence. Also, if the Commission would examine Sergeant Slattery* in connection with Constable Griffiths's charge it would confer a favour on me, as I do not like to be charged undeservedly. Sergeant Wright may know something of Constable Griffiths's charge, also he may have been in Invercargill at the time. I would also like that Inspector Pender be examined as to my partiality and general conduct in carrying out my duty, &c.

I would like to appear and give evidence before the Commission, but I am given to understand it is now sitting in the North Island, and my circumstances would not admit of my incurring the expense of going there. Had I known of these charges when the Commission was sitting in Timaru I would have attended and requested to be allowed to give evidence.

Trusting that the Commission will kindly grant my request in examining the above named,
A. BUCKLEY,
Ex-Inspector of Police.

The Chairman, Police Commission, Wellington.

THE SECRETARY,—

Acknowledge receipt, and inform writer that Inspector Pender and Sergeant Wright will be examined at Wellington as requested.

Accordingly.—E. W. K. 16/5/98.

H. S. W.

* NOTE.—Sergeant Slattery recently deceased.—E.W.K. 16/5/98.

LETTER from Constable CARR, enclosing Extract from *Hawke's Bay Herald* containing Report of Mr. Northcroft's, S.M., Evidence before the Commission at Auckland.

SIR,—

Police-station, Waipawa, 21st June, 1898.

I have the honour to state, briefly, that in 1877 I was then a sergeant in the Armed Constabulary at Wairoa, near Napier, and attached to the Magistrate's Court as interpreter. I was then, in same year, transferred from the Armed Constabulary into the Justice Department as Clerk of Court at Wairoa—a Civil Service appointment. In 1880 the appointment was abolished, and I therefore come under section 3 of "The Civil Service Reform Act Amendment Act, 1887."

I did inform Mr. Northcroft that I intended some day to apply for reinstatement as a Clerk of Court, but I am certain I never said anything to him about political influence. I do not think he knew that I came under the above Act. It will not be necessary for me to use political influence, even if I had any: my case stands on its own merits. I am married to a sister of the Hon. Mr. James Carroll, but it does not follow that he will do anything for me, nor is it my intention to ask him.

I have, &c.,

HENRY H. CARR,

First-class Constable, No. 383, and Clerk of Court at Waipawa.

The Secretary, Police Commission.

[Enclosure.]

[Extracts from the *Hawke's Bay Herald*, 21st June, 1898.]

Evidence of Mr. NORTHCROFT, S.M.

(By Telegraph.)

Auckland, Monday.

The removal of a constable named Ryan was stopped because his removal might affect the election in his particular district, and the same thing had occurred at Patea, where Constable Carr had told him he hoped to be transferred to the Civil Service through political influence. Constables had repeatedly told him that they would use So-and-so. At last general elections in Auckland a constable had told him that they had been working for a particular individual. He would disfranchise the whole Force. He would go further and disfranchise every one receiving Government money.

Mr. Isitt: Have you believed that other influence besides political influence has been brought to bear upon the Force?

Mr. Northcroft said that in the country districts constables often had to consider who had the greatest political influence in those particular districts.

In answer to further questions, Mr. Northcroft said Constable Carr, of Patea, told him he had considerable political influence, and was expecting by help of it to be transferred to the Civil Service as a Clerk of Court. That was about three months ago.

Mr. Tunbridge at this stage explained that no application for Carr's removal had ever been made to him.

Miss E. MOORE to the CHAIRMAN, Police Commission.

Napier Terrace, Napier, 26th February, 1898.

SIR,—

The honour of my father, the late Inspector Moore, having been disparaged in the columns of the public Press through the omissions and false statements in Colonel Hume's evidence, I desire, in justice, to bring the true facts of the case under your notice. My father, when Inspector of Otago, was retired in 1891. This excited great indignation in Otago, where my father was known

as a thoroughly hard-working and conscientious officer. A parliamentary Committee inquired into the matter, and, as my father was then only fifty-five, and had never received anything but commendation from his superior officers during his long service, it was decided that he should be reappointed. I hold the Commissioner's letter and the Defence Minister's telegram informing him of this reappointment; the former makes no mention whatever of compensation, and I certainly read the latter that compensation was to be refunded on reappointment as Inspector. It reads: "It has been decided that 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.—R. J. SEDDON."

That there was no "distinct understanding," and that my father understood he would not be asked to refund his well-earned compensation until he had been done full justice to, is clearly shown by the above, and by the following correspondence:—

On the 8th February, 1892, Colonel Hume wrote asking how my father proposed to refund the money. My father replied on the 19th February, 1892, asking that the refund might not be asked for until he had regained his former rank. On the 19th March, 1892, this was refused; but my father again wrote on the 9th April, 1892, urging a reconsideration of the matter, as he understood from the telegram that compensation was to be refunded on reappointment to Inspectorship.

On the 16th May, 1892, Colonel Hume wrote, at direction of the Defence Minister, saying that my father had broken faith, and that refusal to comply would mean bar to promotion. He concluded by asking what, under the circumstances, my father proposed to do. To this my father replied on the 31st May, 1892, showing that he had never broken faith with any man. Seeing what was meant by the cruel threat he made a proposal. To this he received no reply. Colonel Hume, in his evidence, omitted to say that he never in any way replied to this proposal, thus leaving my father open to the cruel charge of breach of faith, and also leaving him to expect promotion on first vacancy, as he had not barred this by "refusing to comply." If my father were guilty of such a breach of faith, why was his position not taken from him? Because he was in the right, and they knew it, though they tried to persecute him into refunding the money before it was due by fulfilment of the department's promise. Colonel Hume has stated in evidence that my father was sixty-five years old at time of reappointment. This is a direct untruth, for he was fifty-five. The treatment which my father met with after a most meritorious service, and the degradation to which Colonel Hume subjected him on every possible occasion, slowly killed him. He was placed lowest on the seniority-list of sergeant-majors published in the *New Zealand Police Gazette*, 1894. He appealed against this degradation and unfairness, but received no satisfaction. When a vacancy for Inspector did occur the promise to my father was overlooked, and the position given to Sergeant Pratt, while my father, who had been Inspector in a province like Otago, was sent to serve under him. The absurdity and cruelty of the position are apparent to all. Though my father was seriously ill when *en route* to Westport, and had to spend a week in Wellington to obtain medical attendance, Colonel Hume refused to grant him anything but steerage passage.

I cannot be present at the Commission, but I write these facts, in the hope that the cruel and wicked statements which have been given in the public Press may be refuted.

I am, &c.,

The Chairman, Police Commission, Wellington.

ELIZABETH MOORE.

LETTER from W. E. GUDGEON, Esq., Judge Native Land Court, *re* Sale of Grog in the King-country.

SIR,—

Otorohanga, 13th June, 1898.

With reference to your telegram of to-day's date, I have the honour to state that though I have been at Otorohanga for the past twelve months I know of no single instance in which the Licensing Act has been violated either with the knowledge or connivance of the police.

I have seen several instances of drunkenness during the period of my residence at this place, but I cannot say that I think the Ngatimaniopoto are a drunken tribe, and it is very much to their credit that they are not, for the state of affairs in the King-country for some years has been such as to induce many Maoris not only to keep spirits of the worst quality in their houses for sale, but also to hawk it about in bottles. This latter class of traffic has been put down by the constable in charge, but the sly-grog traffic in their own houses will continue so long as the Maoris find that they can make money by the traffic.

It may be said that the police ought to have done more than has been done, but if this be said, then very great injustice is done to the police, for although the Ngatimaniopoto are a law-abiding people they are to a man against the police on the question of sale of spirituous liquors. Not only the Maoris, but the Europeans also are against the police on this point, and therefore the latter are comparatively helpless.

As for the disgraceful scenes which I am told are said to have taken place within the district called the King-country, I have not only not seen these affairs but have never even heard of them. In fact, I have never seen anything worse than may be seen at any time in any town in New Zealand. It is from the fact that I had not seen any of these horrors that I telegraphed to you that I had no evidence to give. My experience of the constable in this district is that he is a determined, useful man, and not without tact—a man not at all likely to allow any Maori to break the law with impunity.

I have, &c.,

H. S. Wardell, Chairman, Police Commission.

W. E. GUDGEON,
Judge, Native Land Court.

CORRESPONDENCE from JUSTICES of the PEACE in King-country in reference to Evidence given by Inspector HICKSON.

SIR,—

Otorohanga, 21st June, 1897.

We, the undersigned, Justices of the Peace residing at Otorohanga, have the honour to address your Commission in connection with evidence (presumably on oath) given by Police Inspector Hickson, of Auckland, on Friday, the 17th instant, and reported in the *New Zealand Herald* of the 18th instant.

Inspector Hickson is there reported to have said that he informed the Justices at Otorohanga by letter that two swagmen were being sent to Otorohanga to detect sly-grog selling, and insinuating that we gave that information to the public.

We desire to have put on record in the minutes of your Commission our denial that any communication, either by letter, telegram, or otherwise, was ever received by us, either collectively or individually, from Inspector Hickson at any time whatever as to his being about to send any persons into the King-country for the purpose mentioned. We would further ask that your Commission request Inspector Hickson to produce for your information, and as the proof of his statement, the press-copy of the letter referred to by him in his evidence above mentioned, and, in justice to ourselves, we would respectfully ask that your Commission should insist that a copy of the said letter be produced by him. If he fails to produce the letter we cannot avoid coming to the conclusion that he wilfully made a gross misstatement with a view to discredit us because of statements that we had made reflecting on his administration.

We are strongly of opinion that if Inspector Hickson had such a damaging charge to make against us it should have been brought out whilst we were before the Commission, and so have given us a chance to refute it. We attach hereto the cutting from the *New Zealand Herald* of the 18th instant containing the evidence of Inspector Hickson herein referred to.

We are sending a copy of this letter to Inspector Hickson, in order that he may be aware of the steps we are taking in the matter.

We have, &c.,

GEO. T. WILKINSON.

J. W. ELLIS.

CHAS. J. JOHNSON.

P. McDONNELL.

The Chairman, Police Commission, Auckland.

SIR,—

Otorohanga, 5th July, 1898.

Referring to our letter to you of the 21st ultimo (a copy of which we forwarded to Inspector Hickson), in which we declared as untrue certain statements made by Inspector Hickson before your Commission in Auckland on the 17th ultimo, when he swore that he had informed the Justices of Otorohanga by letter that he was sending two swagmen to Otorohanga to detect sly-grog selling, and insinuated that we had circulated the information as to their being about to arrive, we now forward, for the information of your Commission, a letter that we have received from Inspector Hickson, in which he says that he has looked into the matter, but has no record of any official letter on the subject having been sent to us, and accepts as true our statement that no communication whatever was made to us by him.

As Inspector Hickson's evidence complained of by us will not only appear in the minutes of your Commission, but also appeared in the *New Zealand Herald* of the 18th June last, we ask you to be good enough to also incorporate in the minutes of your Commission the enclosed letter from Inspector Hickson, in which he retracts his former statement and apologizes for having made it.

We have, &c.,

GEO. T. WILKINSON, J.P.

J. W. ELLIS, J.P.

CHAS. J. JOHNSON.

The Chairman, Police Commission, Wellington.

GENTLEMEN,—

District Police Office, Auckland, 29th June, 1898.

Your letter of the 21st instant to hand, in which you make denial of my statement that it may have been through the Justices that it leaked out that constables were to visit Otorohanga in connection with sly-grog selling. At the time I made the statement, in reply to a question, I was certainly of opinion that Justices had been notified of the police visit, and it then seemed to me probable that through inadvertence the matter had leaked out. In justice to yourselves I desire to state that I had no intention to cast a slur upon you, as will be seen by the evidence I gave, and, further, that I certainly believed at the time that the Justices had been informed of the intended visit of two policemen.

I have looked the matter up, and have no record of any official letter being sent, and certainly accept as true your statement that no communication whatever was made to you. I much regret that any offence should have been given you, where certainly none was intended, and request you to accept my apology in the matter. Your communication would have received an early reply, but delay arose through my absence in the country.

I have, &c.,

Messrs. Wilkinson, Ellis, McDonnell, and Johnson,
Justices of the Peace, Otorohanga.

J. HICKSON,

Inspector of Police.

EXHIBITS.

GROUP No. 1.

CIRCULARS, LETTERS OF INSTRUCTION, ETC.

EXHIBIT No. 1.

CIRCULAR ABOLISHING LONG-SERVICE PAY.

Circular No. 4/87.—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 these districts will not be affected by this regulation.

14th February, 1887.

W. E. GUDGEON,
Commissioner.

EXHIBIT No. 2.

CIRCULAR *re* FUEL AND LIGHT.

Circular No. 3/88.—From and after the 31st instant the issue of fuel and light to out-stations will cease absolutely. Office fires will be allowed at certain stations as heretofore, and, at any station where messes are established, fuel and light will be allowed at the rate of one ton of coal or two cords of firewood per annum for each man actually living in the barracks, or belonging permanently to the mess; and one candle per night, or the equivalent in oil, for every four of such men.

27th March, 1888.

W. E. GUDGEON,
Commissioner.

EXHIBIT No. 3.

CIRCULAR MEMORANDUM FOR INSPECTORS OF POLICE *re* COMMUNICATION TO SUBORDINATES.

No. 21/90.—The present system of communication to subordinates observed at headquarters is cumbersome and laborious, without any satisfactory results. The course adopted is as follows: The Inspector receives a communication from the Commissioner, say, the transfer of a constable: the Inspector minutes it to the sergeant-major, and the sergeant-major minutes it again to the constable concerned; the constable, having perused it, minutes it to the sergeant-major, and he again minutes it to the Inspector, who in turn forwards it to the Commissioner. In fact, so great has the evil become at some stations, that the sergeant-major requires a clerk to write his minutes.

It is therefore directed that in future the Inspectors shall have a fixed hour for seeing daily in their offices any of the subordinates who may have any applications to make, or any to whom the Inspector may have anything to communicate, say at 9.30 a.m., before any Court work commences; such subordinates will be interviewed by the Inspector in the presence of the sergeant-major, if possible; if not, the senior sergeant at the station. For example: Constable Smith wants a transfer. Constable Smith is called in, and he hands in a written application for it; the Inspector then puts such minute as he considers fit, and posts it to this office. In, say, a week's time, a reply is received. The Inspector's clerk warns the sergeant-major that Constable Smith will be required at the office that morning, and in due course Constable Smith is brought in and informed by the Inspector that his request for a transfer has been refused. The Inspector then minutes, "Constable Smith informed," and the paper is returned to this office and filed; and by this means two minutes by the sergeant-major and two by Constable Smith are dispensed with, and considerable time and trouble saved. The same rule is to be observed in making communications to the Detective Branch. For example: The Inspector receives a communication, and he sends for all or as many of the detectives as are available, and explains what is required, instead of giving his orders through the Chief Detective as is now done. The detective who obtains the information then interviews the Inspector in the presence of the Chief Detective, and reports result of his investigations.

This system, besides saving considerable correspondence, will, it is hoped, considerably lessen the friction which exists, to the detriment of the service, in many stations. Correspondence for sub-districts and out-stations will in future be forwarded direct from the Inspector's office, and not through the sergeant-major or senior sergeant as at present.

31st December, 1890.

A. HUME,
Commissioner.

EXHIBIT No. 4.

CIRCULARS *re* CONFIDENTIAL REPORTS.

Circular Memo. No. 5/92.—As some misconception seems to exist in reference to confidential reports against non-commissioned officers or constables, the Hon. the Defence Minister has been pleased to direct that in future no confidential report is to be forwarded to this office containing

charges against any member of the Force without such member having been made aware of such report, which is to be perused by him, and every facility given for a reply. He will, after perusal, mark it as noted and initialled.

In all cases the non-commissioned officer or constable whose conduct is called in question shall, upon application to the Inspector, have a right to a copy of any such report against him, and shall be entitled to reply to it, which reply will be forwarded to this office.

28th March, 1892.

A. HUME,
Commissioner.

EXHIBIT No. 5.

ENTRIES IN DEFAULTERS' SHEETS.

Circular No. 7/94.—It having been brought to the Commissioner's notice that constables are sometimes unaware of offences being recorded against them in their defaulters' sheets, it is notified for general information and guidance that in future, when fining, reprimanding, admonishing, or in any way punishing constables, Inspectors will carefully inform them whether such offences will be recorded or not.

21st April, 1894.

A. HUME,
Commissioner.

EXHIBIT NO. 6.

ALLOWANCE TO MEN ON DUTY.

Circular No. 4/96.—It is notified for general information that when members of the Force are employed on relieving duty at out-stations an allowance at the rate of £1 1s. per week will be made to married men and 10s. 6d. per week to single men. No allowance will be granted to members of the Force on special duty in the field, or undergoing the annual course of gun-drill, when camp equipage or barrack accommodation is provided by the Government and messes are established. As it is not intended that any profit shall be made out of travelling allowance, and as the Government does not in any case provide free rations, it is not considered that any pecuniary loss will ensue hereby. This circular will take effect on and after the 1st February proximo.

28th January, 1896.

A. HUME,
Commissioner.

EXHIBIT NO. 7.

POLICE ATTENDING FIRES.

Circular No. 8/96.—With reference to Police Regulation No. 214, in future only half the men off duty will be required to turn out in uniform on an alarm of fire at night, instead of all, as directed in the above regulation. The half of the strength off duty required to turn out will be duly warned to that effect, and they will be relieved and changed when the night-duty men are changed, when the other half will in like manner be warned that they are to turn out, until the next change in day and night duties.

27th February, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 8.

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 headquarter 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.

30th April, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 9.

COURT ORDERLIES.

Circular No. 15/96.—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.

18th May, 1896.

A. HUME,
Commissioner.

EXHIBIT No. 10.

LETTER SENT TO CANDIDATES FOR CONSTABLES.

In reference to your application for an appointment in the Police Force, I have to inform you that on presenting yourself to the Inspector of Police at _____, with a medical certificate, signed by Dr. _____ of _____, that you are of the required height, and otherwise fit for the service, you will be enrolled. On being appointed, you will be required to insure your life in the New Zealand Government Life Insurance Department for £200, payable at the age of 60, or at death, if prior, failing which your appointment will be cancelled. Your pay will be at the rate of £120 per annum, and will commence from the day you are sworn in. You will have to provide yourself with uniform, and quarters (if married), and will be required to find your own way to _____.

EXHIBIT No. 11.

INSTRUCTIONS WHEN COMPILING ANNUAL OFFENCES RETURN.

Circular No. 18/88.—Officers in charge of districts are requested, when compiling the annual offences returns, to include only those offences for which persons have been or are liable to be apprehended, and omit cases of the nature specified in the margin [Cattle wandering, breaches of county and other by-laws, Dog Registration Act, Licensing Act, Sheep Act, Rabbit Nuisance Act, Weights and measures, &c.] which can only be prosecuted by summonses. The omissions must be made for the last as well as the current year to arrive at correct comparisons for each district.

28th December, 1888.

W. E. GUDGEON,
Commissioner.

GROUP No. 2.

EXHIBIT No. 12.

RETURN showing NUMBER of PUBLICHOUSES, POLICE SUMMONSES, CHARGES, &c., for Year ended 30th April, 1898.

(1)	(2)	(3)	(4)	(5)		(6)	
Number of Publichouses in the District.	Number of Publichouses in the Sub-district.	Number of Police Summonses in the Sub-district during the Year ended 30th April, 1898.	Number of Charges preferred against Prisoners in the Sub-district during the Year ended 30th April, 1898. (Not including Summons cases.)	Number of Persons arrested for Drunkenness in the Sub-district during the Year ended 30th April, 1898. (Included in No. 4.)		Number of Persons arrested for Drunkenness in the Sub-district on Sundays, between 8 a.m. and 12 midnight, during the Year ended 30th April, 1898. (Included in No. 5.)	

Auckland, Waikato, and Bay of Islands District: Auckland Sub-district.

244	*72	284	1,558	M. 498	F. 152	M. 7	F. 2
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EXHIBIT No. 13.

Napier and East Coast District: Napier Sub-district.

120	†33	127	320	151	11	3	1
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EXHIBIT No. 14.

Wanganui and West Coast District: New Plymouth Sub-district.

82	6	99	†214	34			1
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EXHIBIT No. 15.

Wanganui Sub-district.

‡20	36	144	327	177			4
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EXHIBIT No. 16.

Wellington District: Palmerston North Sub-district.

34	16	96	339	161			6
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NOTE.—Cases at Palmerston North Station: Offenders, 255; summonses, 70; drunkenness, 134.

* Auckland, Ponsonby, Parnell, Newmarket, Surrey Hills, Freeman's Bay, Newton, Eden Terrace, and Devonport are included in this return; all charges and summonses at these stations being brought into and heard at Auckland.

† Napier, Taradale, Clive, and Spit are included in this return; all charges and summonses at these stations being brought into and heard at Napier.

‡ 101 of these were Natives, arrested for ploughing.

§ In Wanganui Station district.

EXHIBIT No. 17.

STATISTICS of the Blenheim Police Sub-district for the Year ending 30th April, 1898.

Boroughs—		Present Population.					
Blenheim	3,018
Picton	870
Havelock	365
Road Board Districts—							
Awatere	432
Omaka	1,617
Pelorus	1,407
Picton	866
Spring Creek	769
Wairau	874
Total				10,218

Licensed Houses.

Boroughs—								
Blenheim ... ..	...	...	...	...	...	...	...	8
Havelock ... ..	...	...	...	...	...	...	...	3
Picton ... ..	...	...	...	...	...	...	...	4
District outside of towns...	...	...	...	...	...	...	...	14
								—
								29
Number of charges as appearing in charge-book from 1st May, 1897, to April, 1898 ... ..	...	...	...	...	...	...	...	87
Number of charges as appearing in summons-book from 1st May, 1897, to 30th April, 1898 (police cases only) ... ..	...	...	...	...	...	...	...	45
Number of arrests of persons for drunkenness from 1st May, 1897, to 30th April, 1898 ... ..	...	...	...	...	...	...	...	48
Number of persons arrested upon charges of drunkenness between 8 a.m. and 12 p.m. on Sundays from 1st May, 1897, to 30th April, 1898 ... ..	...	...	...	...	...	...	...	4

EXHIBIT No. 18.

NUMBER of PERSONS ARRESTED in CITY of WELLINGTON for DRUNKENNESS on SUNDAYS for Six Months ending 28th February, 1898.

The number of persons arrested for drunkenness in the City of Wellington for the six months ending the 28th February last between the hours of 8 a.m. and midnight was thirty-three.

EXHIBIT No. 19.

RETURN of ARRESTS, &c., in CITY of WELLINGTON for Year ending 30th April, 1898.

- Total number of licensed houses, 51.
- Total number of arrests, 1,822.
- Total number summoned by police, 394.
- Total number arrested for drunkenness, 1,046.
- Number arrested for drunkenness on Sundays between 8 a.m. and midnight, 57.

EXHIBIT No. 20.

Number of persons arrested by Christchurch police for twelve months ending 31st December, 1897	1,021
Number of persons summoned for the same period	323

EXHIBIT No. 21.

CHRISTCHURCH STATION.—OFFENCES RETURN, showing the Crime from the Year ending 31st December, 1892, to the Year ending 31st December, 1897.

Offence.	Year.	Number of Offences reported.	Persons apprehended or summoned.				Total Number of Persons apprehended or summoned.	Increase.	Decrease.
			Summarily convicted.		Discharged.				
			M.	F.	M.	F.			
Drunkenness	1892	419	...	...	...	...	...	...
"	1893	410	282	120	7	1	410	9	
"	1894	357	251	100	5	1	357	53	
"	1895	448	251	197	...	...	448	91
"	1896	466	333	119	10	4	466	18	
"	1897	472	336	131	5	...	472	6	
Total ... ..	...	2,572	1,453	667	27	6	2,153	...

EXHIBIT No. 22.

RETURN of ARRESTS for DRUNKENNESS for the Three Months ending 31st March, 1898.

Under Twenty Years.		Between Twenty and Twenty-five Years.		Between Twenty-five and Thirty Years.		Between Thirty and Forty Years.		Over Forty Years.		Total.	
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1	Nil	6	3	13	11	33	9	63	15	116	38

EXHIBIT No. 23.

RETURN of the NUMBER of PERSONS CHARGED with DRUNKENNESS on SUNDAYS between 8 a.m. and 12 Midnight during the Year ending 31st March, 1898.

Year.	Month.	Number charged.	Year.	Month.	Number charged.
1897	April	Nil	1897	November ...	4
"	May	1	"	December ...	2
"	June	Nil	1898	January ...	4
"	July	3	"	February ...	3
"	August	2	"	March	3
"	September ...	14			—
"	October	10		Total	46

EXHIBIT No. 24.

NELSON.—RETURN for Year ending 30th April, 1898.

Total number of licensed houses in borough, 18.
 Number of licensed houses in sub-district, 30.
 Total number of arrests during year ending 30th April, 1898, 66.
 Total number summoned by police during year ending 30th April, 1898, 110.
 Total number arrested for drunkenness during the year ending 30th April, 1898, 27.
 Number of arrests for drunkenness on Sundays between 8 a.m. and 12 p.m., Nil.
 Population of sub-district (exclusive of out-station), 12,000.

EXHIBIT No. 25.

REEFTON.—RETURN for the Year ending 30th April, 1898.

Population of Buller County and Township, as per Census: Buller County, 4,833; Reefton Township, 2,424: total, 7,257.
 Total number of licensed houses in Reefton Township, 18.
 Number of licensed houses in sub-district, 30.
 Total number of arrests during year ending 30th April, 1898, 48.
 Total number summoned by police during year ending 30th April, 1898, 25.
 Total number arrested for drunkenness during year ending 30th April, 1898, 24.
 Number arrested for drunkenness on Sundays between 8 a.m. and midnight, 1.
 Population of sub-district (excluding the Lyell), 4,654.

EXHIBIT No. 26.

WESTPORT.—RETURN for Year ending 30th April, 1898.

Total number of licensed houses in borough, 17.
 Number of licensed houses in sub-district, 10.
 Total number of arrests during year ending 30th April, 1898, 88.
 Total number summoned by police during year ending 30th April, 1898, 33.
 Total number arrested for drunkenness during year ending 30th April, 1898, 61.
 Number arrested for drunkenness on Sunday between 8 a.m. and 12 p.m., 6.
 Population of sub-district (exclusive of out-stations), 4,200.

EXHIBIT No. 27.

RETURN of ARRESTS and SUMMONSES at GREYMOUTH STATION for Twelve Months ended 30th April, 1898.

Total number arrested, 65.
 Total number arrested for drunkenness: Males, 41; females, 8—49.
 Total number arrested for drunkenness on Sundays between 8 a.m. and 12 midnight: Males, 4; females, nil.

EXHIBIT No. 28.

NUMBER of LICENSED HOUSES in BOROUGH of HOKITIKA, and NUMBER of ARRESTS for DRUNKENNESS from APRIL, 1897, to APRIL, 1898.

Number of licensed houses in the Borough of Hokitika, 22; in the sub-district, 66.
 Number of prosecutions for breaches of the Licensing Act, nil.
 Number of arrests for drunkenness in the Borough of Hokitika from April, 1897, to April, 1898, 18.
 No arrests on Sundays.
 Number of summons cases by police during year ended 30th April, 1898, 3.

EXHIBIT NO. 29.

DUNEDIN.—NUMBER of PERSONS ARRESTED for all OFFENCES for the YEAR 1897, and the NUMBER of PERSONS LOCKED-UP for DRUNKENNESS on SUNDAYS between 8 a.m. and 12 Midnight during Six Months ending 28th February, 1898.

Police summonses, 218.

Private summonses, 487.

Arrests for all offences, 1,040.

Number of persons arrested for drunkenness on Sundays between 8 a.m. and 12 midnight for the six months ending 28th February, 1898, 16.

EXHIBIT NO. 30.

DUNEDIN.—NUMBER of OFFENCES for which Women were arrested during 1897.

188 females.*

*This number does not represent the number of women, as some of the same women were locked up several times during the year.

EXHIBIT No. 31.

RETURN of PRISONERS ARRESTED for DRUNKENNESS in DUNEDIN during the Five Years ending the 31st December, 1897.

Number of arrests : 1893, 379 ; 1894, 401 ; 1895, 439 ; 1896, 470 ; 1897, 637.

GROUP No. 3.

RETURN of PROSECUTIONS in connection with Breaches of the Licensing Act. NUMBER of CHILDREN COMMITTED to INDUSTRIAL SCHOOLS. REPORT of ALLEGED TOBACCO ROBBERIES, Auckland. NUMBER of PERSONS SUMMONED for keeping Brothels, Auckland. NUMBER of BURGLARIES, &c., 1st January, 1897, to 31st December, 1897, Auckland. PROSECUTIONS and CONVICTIONS under GAMING AND LOTTERIES ACT (for Colony), 1890 to 1897.

EXHIBIT No. 32.

RETURN showing the NUMBER of PROSECUTIONS for Breaches of the Licensing Act, at Auckland, from 1st January, 1896, to June, 1898.

Name of Licensee.	Name of Hotel.	Offence.	Decision.	Date.
Walter Stimpson ..	Queen's Ferry Hotel ..	Selling liquor after 10 p.m. ..	To be heard on 20th inst.	Adjourn'd.
G. B. Howard ..	United Service Hotel ..	Selling liquor on Sunday ..	Dismissed	13/1/96.
D. Thompson ..	Rising Sun Hotel ..	Selling liquor after closing-hours	"	20/4/96.
" ..	" ..	Ditto	"	20/4/96.
" ..	" ..	"	"	20/4/96.
" ..	" ..	"	"	20/4/96.
James Hunter ..	Alexander Hotel ..	Allowing billiards to be played after hours	Fined £2 and costs, and license indorsed	24/6/96.
S. W. Buck ..	Ponsonby Club Hotel ..	Selling liquor after hours ..	Fined £3 and costs ..	31/8/96.
M. H. Walsh ..	Albion Hotel ..	Selling liquor on Sunday ..	Dismissed	25/1/97.
W. R. Browne ..	Thistle Hotel ..	Employing a barmaid in the bar after 11 p.m.	"	10/2/97.
" ..	" ..	Keeping open for the sale of liquor after 10 p.m.	Withdrawn	10/2/97.
John Hand ..	Thames Hotel ..	Selling liquor after hours ..	Dismissed	29/3/97.
Samuel McPherson ..	Anchor Hotel ..	"	"	31/5/97.
Charles Clarke ..	Victoria Hotel ..	Employing a barmaid in the bar after 11 p.m.	Fined £3 and costs ..	21/7/97.
John Endean ..	Waitemata Hotel ..	Supplying a prohibited person with liquor	Dismissed	18/8/97.
Joseph Parkes ..	Carlton Club Hotel ..	Selling liquor on Sunday ..	"	15/10/97.
W. E. Ryan ..	Rising Sun Hotel ..	Failing to admit police without unnecessary delay	"	25/10/97.
Charles Reinhardt ..	City Hotel ..	Selling liquor on Sunday ..	"	21/1/98.
" ..	" ..	Attempting to bribe a police constable	Withdrawn	21/1/98.
Robert Fawcett ..	Family and Naval Hotel	Selling liquor to a child under thirteen years	Dismissed	15/2/98.
Samuel Tooman ..	Aurora Hotel ..	Sunday trading	Fined £5 1s. and costs ..	27/4/98.
Archibald Hill ..	Carpenters' Arms Hotel ..	"	Fined £2 and costs ..	27/4/98.
Andrew R. Dunn ..	Market Hotel ..	"	Dismissed	15/6/98.
Winnifred Kiely ..	Governor Browne Hotel	"	"	10/6/98.

EXHIBIT No. 33.

RETURN showing the NUMBER of PERSONS PROSECUTED for SLY-GROG SELLING in AUCKLAND DISTRICT for Two Years ending 30th April, 1898.

No.	Offender.	No. of Prosecutions.	Where Offence committed.
1	John Brister	1	Auckland.
2	Frank Towsey	1	"
3	Isaac Alcock	17	Great Barrier Island.
4	James Corrigan	3	Cabbage Bay.
5	Richard Burt	1	"
6	Frederick Bates	4	Kennedy's Bay.
7	Daniel Lewis	1	"
8	William John McKinley	2	Opetonui.
9	Albert Vettors	3	"
10	Charles Levitt	2	Wellsford.
11	William Levitt	2	"
12	Mrs. Woodcock	2	Wayby.
13	Thomas Lineham	2	Kaihu.
14	George Hyatt	6	Waitekauri.
15	P. Shine	2	Mangonui.
16	J. Evans	2	"
17	F. Russell	6	"
18	W. Evans	1	"
19	Ngakawa	2	"
20	Nopera	2	"
21	Meti Kaki	2	"
22	John Lohr	1	Otorohanga.
23	James Proctor	1	Te Kuiti.
24	Edward Perry	4	"
25	Charles E. Bennett	1	"
26	Annie Hetet	1	Otorohanga.
27	William Bond	7	Te Kuiti.
28	William Hughes	1	Otorohanga.
29	Kingi Mama Uruahi	4	"
30	Wiremu	3	"
31	Te Ngohe Tiarohu	3	"
32	Ngohe Ngohe	2	"
33	Turo	3	"
34	Tunhainoa	3	"
35	Ratima	2	"
36	Ranangi	1	"
37	Hoponi	2	"
38	Warren	2	"
39	Te Kerenga	2	"
40	Te Waaka Tumakemaki	2	"
41	Tuku	2	"
42	Maehi	2	"
43	Tepta te Neroa	2	"
44	Hori Hakaro	1	"
45	Halu Kopu	2	"
46	Remoana	2	"
47	Carrie Martin	11	"
48	John Hetit	4	"
49	Frances Reynolds	1	"
50	Kinai	2	"
51	Tukehe Tutahanga	1	"
51A	James Cribb	2	"
52	Tire	2	"
53	Whina	1	"
54	John Paterson	1	Kawhia.
55	Tane Wetere	1	"
56	Tai	1	"
57	Ratahi	1	"
58	Rangi Kamana	1	"
59	Rewi Weteni	1	"
60	Rawhiti	1	"
61	T. O. Turnbull	1	"

Eighty prosecutions against thirty-three offenders in King-country. In all, 152 prosecutions against sixty-one offenders.

EXHIBIT No. 34.

RETURN showing NUMBER of PROSECUTIONS for SLY-GROG SELLING in AUCKLAND DISTRICT for Two Years ending the 30th April, 1898.

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
1	John Brister	Auckland ...	29 June, 1896	Dismissed.
2	Isaac Alcock	Great Barrier Island	13 Nov., 1897	Fined £15 and costs 7s.
3	"	Ditto ...	22 Oct., "	Fined £2 and costs £1 12s.
4	"	" ...	11 Nov., "	Fined £15 and costs 7s.
5	"	" ...	14 " "	Withdrawn.
6	"	" ...	13 " "	"
7	"	" ...	11 " "	"
8	"	" ...	22 Oct., "	"
9	"	" ...	14 Nov., "	"
10	"	" ...	13 " "	"
11	"	" ...	14 " "	"
12	"	" ...	13 " "	"
13	"	" ...	14 Dec., "	"
14	"	" ...	13 Nov., "	"
15	"	" ...	13 " "	"
16	"	" ...	14 Dec., "	"
17	"	" ...	14 Nov., "	"
18	"	" ...	13 " "	"
19	James Corrigan	Cabbage Bay	19 Feb., "	Fined £5 and costs.
20	Mrs. James Corrigan	"	20 " "	"
21	Richard Burt	"	21 " "	Withdrawn.
22	Frederick Bates	Kennedy's Bay	19 " "	Fined £5 and costs.
23	"	"	22 " "	"
24	"	"	17 " "	"
25	"	"	18 " "	"
26	James Corrigan	Cabbage Bay	22 " "	Withdrawn.
27	Daniel Lewis	Kennedy's Bay	22 March, "	Dismissed.
28	William John McKinley	Opetonui ...	11 Dec., "	Fined £5 and costs.
29	"	" ...	11 " "	"
30	Albert Veters	" ...	17 April, 1898	Fined £10 and costs.
31	"	" ...	17 " "	Dismissed.
32	"	" ...	17 " "	"
33	Charles Levitt	Wellsford ...	8 July, 1897	"
34	"	" ...	13 " "	"
35	William Levitt	" ...	8 " "	Fined £10 and costs £3 1s.
36	Mrs. Woodcock	Wayby ...	10 " "	Dismissed.
37	"	" ...	10 " "	"
38	William Levitt	Wellsford ...	13 " "	"
39	Thomas Lineham	Kaihu ...	3 Aug., 1896	"
40	George Lineham	" ...	3 " "	"
41	George Hyatt	Waitekauri ...	22 April, 1898	Fined £5 and costs.
42	"	" ...	22 " "	"
43	"	" ...	22 " "	"
44	"	" ...	22 " "	"
45	"	" ...	22 " "	"
46	"	" ...	22 " "	"
47	P. Shine	Mangonui ...	10 March, 1896	Fined £1.
48	"	" ...	10 " "	Dismissed.
49	J. Evans	" ...	10 " "	Fined £1.
50	"	" ...	10 " "	Dismissed.
51	Frederick Russell	" ...	4 " 1897	Fined £5.
52	"	" ...	4 " "	"
53	"	" ...	4 " "	"
54	"	" ...	4 " "	Dismissed.
55	"	" ...	4 " "	"
56	"	" ...	4 " "	"
57	W. Evans	" ...	14 Feb., "	"
58	Ngakawa	" ...	8 April, 1896	Fined £5.
59	"	" ...	8 " "	Fined £10.
60	Nopera	" ...	8 " "	Fined £5.
61	"	" ...	8 " "	Fined £10.
62	Meti Kaki	" ...	6 " 1897	Fined £5.
63	"	" ...	6 " "	Fined £10.
64	John Lohr	Otorohanga ...	27 May, 1896	Fined £10 and costs £4 15s.
65	James Proctor	Te Kuiti ...	19 " "	Fined £10 and costs £5 10s.

SLY-GROG PROSECUTIONS—*continued.*

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
66	Edward Perry ...	Te Kuiti ...	12 June, 1896	Withdrawn.
67	Charles E. Bennett ...	" ...	12 " "	Fined £10 and costs £4 10s.
68	Annie Hetet ...	Otorohanga ...	30 May, "	Withdrawn.
69	William Bond ...	Te Kuiti ...	3 Aug., "	Dismissed.
70	William Hughes...	Otorohanga ...	7 " "	21 days' labour, and to pay costs £4 10s.
71	Kingi Mama Uruahi ...	" ...	6 " 1897	) 21 days, and to pay costs £2 2s.
72	" ...	" ...	6 " "	
73	" ...	" ...	6 " "	) Dismissed.
74	Wiremu " ...	" ...	6 " "	
75	" ...	" ...	6 " "	) 21 days, and to pay costs 10s.
76	" ...	" ...	6 " "	
77	Te Ngohe Tiarohu ...	" ...	6 " "	) 21 days on each charge, and to pay costs £4 11s.
78	" ...	" ...	6 " "	
79	" ...	" ...	6 " "	
80	Ngohe Ngohe ...	" ...	7 Sept., "	) 21 days on each charge, and to pay costs £5 17s.
81	" ...	" ...	7 " "	
82	Turo ...	" ...	11 Aug., "	) 21 days on each charge, and to pay costs £3 8s.
83	" ...	" ...	11 " "	
84	" ...	" ...	11 " "	Withdrawn.
85	Tunhainoa ...	" ...	11 " "	Fined £15 and costs.
86	" ...	" ...	11 " "	"
87	" ...	" ...	11 " "	Withdrawn.
88	Ratima ...	" ...	17 " "	) 21 days' labour on each charge, and to pay costs £3 12s.
89	" ...	" ...	17 " "	
90	Ranangi ...	" ...	11 " "	Fined £5 and costs.
91	Hoponi... ...	" ...	26 " "	Dismissed.
92	" ...	" ...	26 " "	"
93	Warren... ...	" ...	26 " "	) 21 days on each charge, and to pay costs £3 2s.
94	" ...	" ...	26 " "	
95	Te Kerenga ...	" ...	12 " "	Fined £5.
96	" ...	" ...	12 " "	Withdrawn.
97	Te Waaka Tumakemaki ...	" ...	13 " "	Fined £10 and costs £6 18s.
98	" ...	" ...	13 " "	"
99	Tuku ...	" ...	11 " "	"
100	" ...	" ...	11 " "	"
101	Maehi ...	" ...	7 Sept., "	Dismissed.
102	" ...	" ...	7 " "	"
103	Tepta te Neroa ...	" ...	7 " "	) 21 days on each charge, and to pay costs £5 5s.
104	" ...	" ...	7 " "	
105	Hori Hakaro ...	" ...	8 " "	14 days' hard labour, and to pay costs £3 9s.
106	Halu Kopu ...	" ...	14 Aug., "	Fined £8 and costs £8 8s.
107	" ...	" ...	14 " "	"
108	Remoana ...	" ...	14 " "	Withdrawn.
109	" ...	" ...	14 " "	"
110	Carrie Martin ...	Te Kuiti ...	21 " "	Fined £5 and costs £3.
111	" ...	" ...	21 " "	"
112	" ...	" ...	21 " "	"
113	" ...	" ...	21 " "	Withdrawn.
114	" ...	" ...	21 " "	"
115	" ...	" ...	21 " "	"
116	" ...	" ...	21 " "	"
117	" ...	" ...	21 " "	"
118	" ...	" ...	21 " "	"
119	" ...	" ...	21 " "	"
120	William Bond ...	" ...	22 " "	Fined £20 and costs.
121	" ...	" ...	22 " "	"
122	" ...	" ...	22 " "	"
123	" ...	" ...	22 " "	Withdrawn.
124	" ...	" ...	22 " "	"
125	" ...	" ...	22 " "	"
126	John Hetit ...	" ...	22 " "	Fined £15 and costs £12 18s.
127	" ...	" ...	22 " "	"
128	" ...	" ...	22 " "	"
129	John Hetit and C. Martin...	" ...	22 " "	Withdrawn.
130	Frances Reynolds ...	Otorohanga ...	23 July, "	Fined £5 and costs £3 1s.
131	Edmund Perry ...	Te Kuiti ...	13 Sept., "	Fined £12 and costs £8 4s. 6d.

SLY-GROG PROSECUTIONS—*continued.*

No.	Offender.	Where Offence committed.	Date of Offence.	Result.
132	Edmund Perry ...	Te Kuiti ...	13 Sept., 1897	Fined £12 and costs £8 4s. 6d.
133	" ...	" ...	13 " "	Withdrawn.
134	Kinai " ...	Otorohanga ...	13 Aug., "	} 21 days on each charge, and to pay costs £4 13s.
135	" ...	" ...	13 " "	
136	Hopone ...	" ...	26 " "	Fined £8 and costs £6 10s.
137	Tukehe Tutahanga ...	" ...	26 " "	Fined £20 and costs £2 17s.
138	James Cribb ...	" ...	4 Dec., "	Fined £20 and costs £10 8s. 7d.
139	" ...	" ...	4 " "	Withdrawn.
140	Tire " ...	" ...	5 " "	Fined £20 and costs £10 8s. 7d.
141	" ...	" ...	5 " "	Withdrawn.
142	Kingi Mama Uruahu ...	" ...	30 Nov., "	Fined £50 and costs £10 8s. 7d.
143	Whina ...	" ...	3 Dec., "	Dismissed.
144	John Paterson ...	Kawhia ...	15 March, "	Fined £7 and costs £2 17s.
145	Tane Wetere ...	" ...	17 " "	Fined £5 and costs 17s.
146	Tai ...	" ...	16 " "	"
147	Ratahi ...	" ...	15 " "	"
148	Rangi Kamana ...	" ...	17 " "	"
149	Rewi Weteni ...	" ...	14 " "	"
150	Rawhiti ...	" ...	14 " "	"
151	T. O. Turnbull ...	" ...	15 " "	Dismissed.
152	Frank Towsey ...	Auckland ...	13 April, 1898	"

Total amount of fines inflicted, £614.

Eleven offenders sentenced to terms of imprisonment without the option of a fine.

EXHIBIT No. 35.

RETURN of all PROSECUTIONS in NAPIER against Licensed Houses from the 1st January, 1892, to the 31st May, 1898.

Year.	Nature of Offence.	Decision.		
		Convicted.	Dismissed.	Withdrawn.
1892 ...	Selling liquor during prohibited hours ...	1	...	...
" ...	Exposing liquor for sale during prohibited hours ...	...	...	1
" ...	Suffering unlawful game to be played on licensed premises	1	...	1
" ...	Employing female in bar after 11 p.m. ...	1	...	...
1893 ...	Selling liquor during prohibited hours ...	...	2	...
1894 ...	Selling liquor to child under thirteen years of age ...	1	...	...
" ...	Permitting drunkenness on licensed premises	1	...	...
" ...	Failing to keep light burning over door of hotel	1	...	...
1895 ...	Nil.			
1896 ...	Allowing liquor to be consumed on licensed premises during prohibited hours	2	...	...
" ...	Selling liquor during prohibited hours	1	...	...
" ...	Suffering an unlawful game to be played on licensed premises	1	...	...
" ...	Permitting female to be employed in bar after 11 p.m. ...	1	...	...
1897 ...	Knowingly permitting prohibited person to be on licensed premises	1	...	...
" ...	Suffering unlawful game to be played on licensed premises	1	...	...
" ...	Permitting drunkenness on licensed premises...	...	1	...
1898 ...	Selling liquor during prohibited hours ...	1	1	...
" ...	Exposing liquor for sale during prohibited hours	2	1	1
" ...	Employing female in bar after 11 p.m. ...	...	1	2
	Totals ...	16	6	5

EXHIBIT No. 36.

RETURN of CASES for the ILLICIT SALE of LIQUORS in the CLUTHA DISTRICT.

Date.	Name.	Convicted.	Discharged.	Penalty.	Date.	Name.	Convicted.	Discharged.	Penalty.
BALCLUTHA STATION.									
				£					£
5/10/94	Jessie Moir	..	..	1	27/7/96	Mary Anderson	..	..	1
5/10/94	"	..	..	1	17/10/96	William Hay	..	1	40
5/10/94	William S. Moir	..	..	1	17/10/96	"	..	1	70
10/2/95	John S. Vial	..	1	10	17/10/96	John Anderson	..	1	..
10/2/95	Margaret Vial	..	..	1	17/10/96	Mary Anderson	..	1	..
10/2/95	Adam Paterson	..	1	10	15/7/97	John McCorley	..	1	..
10/2/95	Annie Paterson	..	..	1	15/7/97	Margaret McCorley	..	1	..
15/2/95	William S. Moir	..	1	10	15/7/97	"	..	1	..
15/2/95	Jessie Moir	..	..	1	19/7/97	John McCorley	..	1	..
13/9/95	William S. Moir	..	1	50	20/7/97	John Dunne	..	1	..
13/9/95	Jessie Moir	..	..	1	22/7/97	John James Dunne	..	1	..
13/11/95	William S. Moir	..	..	1	10/9/97	William Hay	..	1	50
13/11/95	Jessie Moir	..	..	1	1/11/97	Margaret Heney	..	1	5
12/11/95	John Dunne	..	..	1	2/11/97	"	..	1	..
13/11/95	"	..	..	1	2/11/97	John Heney	..	1	..
12/11/95	Margaret Dunne	..	..	1	2/11/97	James Duncan	..	1	..
12/11/95	"	..	..	1	4/11/97	Margaret Heney	..	1	..
24/4/96	William S. Moir	..	1	80	4/11/97	John Heney	..	1	5
24/4/96	Jessie Moir	..	..	1	4/11/97	Margaret Heney	..	1	..
24/7/96	William S. Moir	..	..	1	11/11/97	John Heney	..	1	40
24/7/96	Jessie Moir	..	..	1	12/11/97	Margaret Heney	..	1	..
27/7/96	John Anderson	..	1	50	12/11/97	John Heney	..	1	..
TAPANUI STATION.									
28/2/95	Charles F. Dunnett	..	1	10	14/11/95	Sarah Officer	..	..	1
28/2/95	"	..	..	1	14/11/95	John Lector	..	..	1
28/2/95	Thomas J. Collins	..	1	10	14/11/95	"	..	..	1
28/2/95	"	..	..	1	14/11/95	Charles F. Dunnett	..	1	25
28/2/95	William Simmonds	..	1	10	14/11/95	"	..	..	1
28/2/95	"	..	..	1	14/11/95	Mary Dunnett	..	..	1
28/2/95	Patrick McCann	..	1	10	18/11/95	Thomas J. Collins	..	..	1
14/11/95	Augustus Munyard	..	1	15	5/8/96	Patrick McCann	..	..	1
14/11/95	"	..	..	1	5/8/96	"	..	..	1
14/11/95	"	..	..	1	5/8/96	Augustus Munyard	..	..	1
14/11/95	Eliza M. Marshall	..	1	15	5/8/96	"	..	..	1
14/11/95	"	..	..	1	5/8/96	Thomas J. Collins	..	..	1
14/11/95	Patrick McCann	..	1	50	16/11/97	Patrick McCann	..	..	1
14/11/95	"	..	..	1	16/11/97	Eliza McCann	..	1	20
14/11/95	Mary Collins	..	..	1	16/11/97	Charles F. Dunnett	..	..	1
14/11/95	Thomas J. Collins	..	1	35	16/11/97	Mary Dunnett	..	..	1
14/11/95	Sarah Officer	..	1	15	16/11/97	Augustus Munyard	..	..	1
14/11/95	"	..	..	1			..	..	1

EXHIBIT No. 37.

GREYMOUTH.—RETURN of PROSECUTIONS under the LICENSING ACTS from 1st May, 1897, to 30th April, 1898.

Date.	Name of Licensee.	Name of Hotel.	Where situate.	Offence.	Decision.
11/12/97	John Shannahan	Union Hotel	Herbert Street	Permitting drunkenness on licensed premises	Fined £5. License indorsed.
16/12/97	James Brimble	Duke of Edinburgh Hotel	Hospital Street	Permitting drunkenness on licensed premises	Fined £5. License indorsed.
16/1/98	Timothy Crowe	Accommodation-house	Te Kingi	Selling liquor during prohibited hours	Fined £3 and costs. License indorsed.
1/4/98	John Giblin	Hamilton Hotel	Cobden	Permitting a prohibited person to be on licensed premises	Fined 5s. and costs. License not indorsed.
25/4/98	John W. McKenzie	Waverley Hotel	Hospital Street and Herbert Street	Supplying a person under 13 years with intoxicating liquor to be consumed off premises	Fined 5s. and costs. License not indorsed.
1/4/98	George W. Coburn*				

* Was summoned for entering a licensed house, being a prohibited person. Case not tried till 9th instant.

EXHIBIT No. 38.

RETURN of PROSECUTIONS under the LICENSING ACT in WELLINGTON CITY from the 1st August, 1890, to the 16th June, 1897.

Name.	Date of Hearing.	Offence.	Decision.
Annie Smith ...	7/7/91	Refusing to admit police ...	Fined £3 and costs.
" ...	7/7/91	Allowing billiards to be played after hours	Dismissed.
Annie Hay ...	3/7/91	Selling to prohibited person ...	"
Agnes Barker ...	10/7/91	Employing barmaid in bar after hours	Fined £5 and costs.
T. Seward ...	13/11/91	"	Fined £2 and costs.
" ...	13/11/91	Allowing " billiards to be played after hours	"
G. Ross ...	19/1/92	Keeping house open after hours ...	Dismissed.
" ...	12/1/92	Selling after hours ...	Withdrawn.
Annie Lewis ...	19/7/92	Sunday trading ...	Dismissed.
A. Greenwood ...	19/7/92	" ...	"
W. Tucker ...	19/7/92	" ...	Fined £5 and costs.
W. McClelland ...	19/7/92	" ...	Dismissed.
R. Tabor ...	26/8/92	Having more than one bar ...	Withdrawn.
H. Gilmer ...	26/8/92	" ...	"
A. Cohen ...	26/8/92	" ...	"
H. B. Price ...	26/8/92	" ...	Dismissed.
E. Wilson ...	26/8/92	" ...	"
M. Higgins ...	6/12/92	Sunday trading ...	"
A. A. Barker ...	13/1/93	Employing barmaid in bar after hours	"
A. Smith ...	13/1/93	Sunday trading ...	"
P. Twohill ...	28/2/93	Allowing billiards to be played after hours	Fined £3 and costs.
A. Hamilton ...	3/3/93	Selling after hours ...	Fined £5 and costs.
R. Tabor ...	24/3/93	" ...	Dismissed.
A. Greenwood ...	14/4/93	" ...	"
Kate Isaacs ...	13/6/93	Permitting quarrelsome conduct ...	"
J. O'Neill ...	21/6/93	Sunday trading ...	"
J. Crawford ...	21/6/93	" ...	"
B. Oxner ...	18/7/93	" ...	Fined £5 and costs.
" ...	18/7/93	Three " similar charges, same date	Withdrawn.
" ...	18/7/93	Permitting drunkenness ...	"
J. Briggs ...	11/8/93	Selling after hours ...	Fined £10 and costs.
" ...	11/8/93	" ...	Withdrawn.
J. Nankiville ...	19/9/93	Sunday trading ...	Fined £5 and costs.
" ...	19/9/93	" ...	Dismissed.
J. Daly ...	29/9/93	" ...	Fined £10 and costs.
W. Killery ...	29/9/93	" ...	Dismissed.
M. Butler ...	6/12/93	Selling to a child ...	To pay costs.
W. McClelland ...	22/12/93	Sunday trading ...	Dismissed.
J. Nankiville ...	12/1/94	Keeping house open after hours ...	"
J. Crawford ...	26/1/94	Sunday trading ...	"
W. McIntosh ...	17/4/94	Selling to a child ...	Fined £5 and costs.
J. Nash ...	15/5/94	" ...	Dismissed.
W. H. Saunders ...	5/6/94	Refusing to supply a traveller ...	"
" ...	5/6/94	" ...	Fined £5 and costs.
J. Nankiville ...	16/8/94	Selling " without a license ...	Dismissed.
B. Oxner ...	16/8/94	" ...	"
J. C. Pascoe ...	14/8/94	" ...	Fined £2 and costs.
J. McIntosh ...	14/8/94	Permitting unlicensed person to sell ...	Withdrawn.
W. Killery ...	23/11/94	Selling to drunken person ...	Dismissed.
J. O'Neill ...	1/3/95	Sunday trading ...	Fined £2 and costs.
A. Smith ...	6/5/95	Selling after hours ...	Dismissed.
" ...	6/5/95	" ...	"
W. Killery ...	19/7/95	Sunday trading ...	"
" ...	19/7/95	" ...	"
J. Theobald ...	7/10/95	" ...	Fined £2 and costs.
W. McClelland ...	2/12/95	" ...	Fined £5 and costs.
" ...	2/12/95	" ...	Dismissed.
A. J. Larkin ...	13/3/96	Allowing billiards to be played after hours	Fined £2 and costs.
" ...	13/3/96	Keeping house open after hours ...	Withdrawn
M. Higgins ...	27/3/96	Sunday trading ...	Dismissed.
" ...	27/3/96	" ...	"
A. Merlett ...	13/4/96	" ...	Withdrawn.
" ...	13/4/96	" ...	"
" ...	17/4/96	Selling " without license ...	Dismissed.
M. Higgins ...	17/4/96	Permitting unlicensed person to sell ...	Withdrawn.
A. Smith ...	19/6/96	Sunday trading ...	Dismissed.
" ...	19/6/96	Selling to drunken person ...	"

Name.	Date of Hearing.	Offence.	Decision.
G. Prictor ...	31/8/96.	Sunday trading	To pay costs, and license to be indorsed.
" ...	31/8/96	"	
B. Walker ...	25/1/97	Selling after hours	Dismissed.
D. McDonald ...	26/2/97	Permitting quarrelsome conduct	"
J. Crawford ...	19/7/97	Selling to a child	"
" ...	27/7/97	"	Fined £2 and costs.
F. J. Preston ...	19/7/97	"	Dismissed.
G. Y. Dennis ...	19/7/97	"	"
A. Brunette ...	30/7/97	Sunday trading	"
Number dismissed			42
" withdrawn			12
" convicted			21
Total			75

EXHIBIT No. 39.

CLUTHA DISTRICT.—RETURN OF OFFENCES AND CONVICTIONS.

From 1st January, 1891, to 30th June, 1894.

Offence.	Number reported.	Number convicted.	Number discharged.	Offence.	Number reported.	Number convicted.	Number discharged.
Abusive language ...	8	6	2	Malicious injury to property	6	6	...
Absconding from industrial school	1	1	...	Obstructing and resisting police	4	4	...
Assaults	16	11	5	Obscene and profane language	17	13	4
Breaches of the peace ...	19	15	4	Perjury	2	...	2
Breaches of Game Act ...	1	1	...	Permitting gaming with dice on licensed premises	1	...	1
Cattle-stealing	2	1	...	Rape	2	1	1
Cruelty to animals	9	4	5	Refusing to quit licensed premises	3	2	1
Disturbing a congregation	7	5	2	Sly-grog selling	2	1	1
Disorderly and riotous conduct	10	9	1	Shooting with intent ...	1	...	...
Discharging firearms in a public place	5	5	...	Stone-throwing	4	4	...
Drunkenness	152	146	6	Threatening language ...	3	3	...
False pretences	3	3	...	Thefts	23	15	8
Forgery	1	1	...	Vagrancy	3	...	3
Gaming offences	4	4	...	Wife- and child-desertion	1	...	1
Housebreaking	1	1	...	Totals	329	275	52
Horse-stealing	1	...	1				
Indecent exposure	2	1	1				
Licensing Act, Breaches of Lunacy	3	1	2				
	12	11	1				

From 1st July, 1894, to 31st December, 1897.

Abusive and threatening language	3	1	2	Murder, attempted ...	1	1	...
Arson	1	1	...	Obscene and profane language	16	8	8
Assaults	13	4	9	Obstructing bailiffs ...	4	...	4
Breaking into shops and dwellings	5	5	...	Obstructing railway guard	2	2	...
Breaches of the peace ...	7	6	1	Perjury (in connection with sly-grog)	1	...	1
Carnally knowing	1	...	1	Refusing to quit licensed premises	1	1	...
Cruelty to animals	1	1	...	Receiving stolen property	1	...	1
Distillation offences ...	1	1	...	Sly-grog selling	79	23	56
Disorderly and riotous conduct	3	1	2	Shooting with intent ...	1	...	1
Disturbing a congregation	1	1	...	Throwing missiles and stones	7	...	7
Drunkenness	8	6	2	Thefts	22	16	6
False pretences	3	3	...	Throwing offensive matter into a tank	3	3	...
Fisheries Act, Breaches of	5	5	...	Vagrancy	1	...	1
Furious riding	1	1	...	Working on Sundays ...	2	...	2
Gaming offences	3	3	...	Totals	217	107	110
Game, Illegally shooting...	1	1	...				
Illegally on premises ...	1	1	...				
Lunacy	4	2	2				
Malicious injury to property	14	10	4				

EXHIBIT No. 40.

RETURN showing the NUMBER of PROSECUTIONS and of CONVICTIONS for BREACHES of the LICENSING ACTS, covering the Years 1890 to 1897.

Year.	(1) Prosecutions against Publicans selling to Drunken Persons and permitting Drunkenness on their Premises.		(2) Allowing Prostitutes to frequent Licensed Premises.		(3) Breaches of Licensing Act after Hours on Week-days.		(4) Breaches of Licensing Act on Sundays.		(5) Sly-grog selling.		Totals.	
	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.
<i>Auckland and Bay of Islands District.</i>												
1890	2	...	...	...	4	1	9	5	9	3	24	9
1891	2	...	...	...	13	4	2	1	11	6	28	11
1892	1	...	...	...	9	3	4	2	3	1	17	6
1893	1	1	...	...	11	2	3	1	13	7	28	11
1894	...	...	...	...	7	5	5	2	4	2	16	9
1895	...	...	...	...	10	1	10	2	4	2	24	5
1896	2	...	...	...	11	7	12	2	20	9	45	18
1897	...	...	...	...	6	2	6	2	129	75	141	79
Totals	8	1	...	...	71	25	51	17	193	105	323	148
<i>Wanganui and West Coast District.</i>												
1890	1	...	...	...	2	...	2	1	...	...	5	1
1891	3	1	...	...	3	1	1	...	12	3	19	5
1892	5	1	...	...	3	1	...	...	12	7	20	9
1893	2	1	...	...	2	1	1	...	55	45	60	47
1894	...	...	...	...	2	...	2	1	13	10	17	11
1895	2	1	...	...	...	...	...	...	7	3	9	4
1896	1	1	...	...	3	2	5	1	13	9	22	13
1897	2	2	...	...	6	4	1	...	7	6	16	12
Totals	16	7	...	...	21	9	12	3	119	83	168	102
<i>Napier and East Coast District.</i>												
1890	3	1	...	...	3	2	2	...	...	...	8	3
1891	...	...	...	...	...	...	2	2	...	...	2	2
1892	3	3	...	...	3	3	3	3	5	3	14	12
1893	2	2	...	...	1	1	3	1	...	...	6	4
1894	1	1	...	...	1	...	2	1	2	2	6	4
1895	5	3	...	...	4	4	2	2	3	3	14	12
1896	1	1	...	...	3	3	2	1	4	3	10	8
1897	4	2	...	...	4	1	...	...	...	...	8	3
Totals	19	13	...	...	19	14	16	10	14	11	68	48
<i>Wellington and Marlborough District.</i>												
1890	...	...	...	...	2	1	2	2	2	...	6	3
1891	5	2	...	...	6	2	...	...	18	14	29	18
1892	1	...	...	...	12	2	...	...	18	11	31	13
1893	5	3	...	...	2	...	19	6	2	...	28	9
1894	3	1	...	...	7	4	3	2	5	2	18	9
1895	2	...	1	1	6	3	8	5	9	6	26	15
1896	8	6	...	...	12	3	16	8	13	7	49	24
1897	2	1	...	...	2	...	4	1	3	2	11	4
Totals	26	13	1	1	49	15	52	24	70	42	198	95
<i>Nelson and Westland District.</i>												
1890	1	1	...	...	7	4	1	...	33	22	42	27
1891	...	...	...	...	5	4	7	6	2	1	14	11
1892	1	1	...	...	5	2	4	3	9	3	19	9
1893	...	...	...	...	6	1	5	4	...	...	11	5
1894	1	1	...	...	3	3	5	...	3	1	12	5
1895	1	...	...	...	12	8	3	1	...	...	16	9
1896	...	...	...	...	3	...	1	1	3	3	7	4
1897	2	2	...	...	3	...	1	1	4	3	10	6
Totals	6	5	...	...	44	22	27	16	44	33	131	76

RETURN showing the NUMBER of PROSECUTIONS and of CONVICTIONS for BREACHES of the LICENSING ACTS—*continued.*

Year.	(1)		(2)		(3)		(4)		(5)		Totals.	
	Prosecutions against Publicans selling to Drunken Persons and permitting Drunkenness on their Premises.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.	Prosecutions.	Convictions.
<i>Canterbury and North Otago District.</i>												
1890	14	6	...	...	6	4	14	3	1	...	35	13
1891	4	4	...	...	8	2	22	6	5	...	39	12
1892	7	1	...	...	5	2	15	3	3	1	30	7
1893	6	4	...	...	9	3	14	7	5	3	34	17
1894	9	1	...	...	8	2	15	2	12	11	44	16
1895	14	5	...	...	3	1	32	14	8	3	57	23
1896	10	3	...	...	5	...	19	9	4	4	38	16
1897	7	1	...	...	5	...	19	8	7	6	38	15
Totals	71	25	...	...	49	14	150	52	45	28	315	119
<i>Dunedin and Southland District.</i>												
1890	3	1	...	...	13	7	7	5	17	8	40	21
1891	...	...	...	...	6	3	6	1	11	7	23	11
1892	2	2	1	...	2	...	3	2	8	2	16	6
1893	8	1	2	1	16	7	14	9	1	...	41	18
1894	7	1	...	...	6	3	9	3	17	12	39	19
1895	6	2	5	2	12	2	7	2	59	27	89	35
1896	5	3	...	...	7	2	4	2	29	11	45	18
1897	2	1	...	...	8	4	6	1	39	20	55	26
Totals	33	11	8	3	70	28	56	25	181	87	348	154

SUMMARY of PROSECUTIONS and CONVICTIONS for BREACHES of the LICENSING ACTS in the Colony during the Last Eight Years.

Year.	Prosecutions.	Convictions.
1890	160	77
1891	154	70
1892	147	62
1893	208	111
1894	152	73
1895	235	103
1896	215	101
1897	219	145

EXHIBIT No. 41.

RETURN showing the NUMBER of CHILDREN COMMITTED to INDUSTRIAL SCHOOLS under Section 16, "Industrial Schools Act, 1882," at AUCKLAND from 1st January, 1893, to 16th June, 1898.

Indigent children, 27; children found begging in public places, nil; children found wandering about the streets and sleeping in the open air, 9; children residing or associating with reputed prostitutes, 47: total, 83. Of these 83 cases, the police initiated proceedings in 65, and other persons in 18.

EXHIBIT No. 42.

REPORT of ALLEGED TOBACCO ROBBERIES in AUCKLAND from April, 1893, to 1898.

Forty-one cases; value of property stolen, £283 8s. 6d.

EXHIBIT No. 43.

RETURN showing NUMBER of PERSONS SUMMONED for KEEPING or CONDUCTING BROTHELS, BAWDY-HOUSES, or HOUSES of ILL-FAME since 15th January, 1893.

Names,* Date of Summons or Information, and Decision.

- 26th June, 1893—
 - Fined £2 and costs, or seven days.
 - Fined £5 and costs.
 - Fined £2 and costs.
 - Fined £1, or seven days.
- 3rd July, 1893—
 - Fined £2 and costs.
 - Fined £2 and costs.
 - Dismissed.
 - Fined £2 and costs.
 - Dismissed.
 - Fined £2 and costs.
 - Did not appear, warrant issued.
 - Fined £2 and costs.
 - Fined £2 and costs.
 - Fined £2 and costs.
 - Fined £2 and costs.
- 8th August, 1893—
 - Fined £3 and costs.
 - Fined £2 and costs.
- 3rd August, 1893—
 - Dismissed.
 - Fined £3 and costs.
 - Fined £1 and costs.
 - Fined £1 and costs.
- 4th August, 1893—
 - Fined £3 and costs.
 - Dismissed.
- 8th August, 1893—
 - Fined £3 and costs.
 - Dismissed.
- 16th August, 1893—
 - Did not appear, warrant issued.
 - Fined 1s., without costs.
- 25th August, 1893—
 - Dismissed.
- 19th September, 1894—
 - Withdrawn.
 - Withdrawn.
 - Six months' labour (at Supreme Court, 6th December, 1894).
- 21st September, 1894—
 - One month's labour (at Supreme Court, 6th December, 1894).
 - Withdrawn.
 - Bound over for six months (Supreme Court, 6th December, 1894).
 - Dismissed.
 - Bound over for six months (Supreme Court, 6th December, 1894).
- 28th September, 1894—
 - Three months' labour (Supreme Court, 6th December, 1894).
 - Discharged.
- 19th March, 1895—
 - Not dealt with.
- 26th March, 1895—
 - Fined £10 and costs.
- 26th September, 1895—
 - No decision entered up.
- 23rd November, 1895—
 - Fined £3 and costs.
 - Convicted and discharged.
 - Withdrawn.
- 7th December, 1895—
 - Fined £20 and costs.
- 8th January, 1896—
 - Fined £2 and costs.
 - Convicted and discharged.
- 12th February, 1896—
 - Fined £10 and costs.
 - Withdrawn by police.
 - Fined £5 and costs.
 - Withdrawn by police.
 - Withdrawn by police.
 - Fined £5 and costs.
- 24th April, 1896—
 - Fined £15 and costs.
 - Fined £15 and costs.
- 14th May, 1896—
 - Fined £20 and costs.
 - Withdrawn by police.
 - Withdrawn by police.
- 19th June, 1896—
 - Withdrawn by police.
 - Fined £20 and costs.
- 23rd June, 1896—
 - Dismissed.
- 27th June, 1896—
 - Convicted and discharged.
- 10th July, 1896—
 - Dismissed.
- 11th July, 1896—
 - Fined £5 and costs.
- 9th July, 1896—
 - Convicted and discharged.
- 28th July, 1896—
 - One month's hard labour.
 - One month's hard labour.
- 19th June, 1897—
 - Dismissed.
 - Dismissed.
- 27th September, 1897—
 - Information dismissed.
 - Information dismissed.
 - Information dismissed.
 - Information dismissed.
- 11th June, 1898—
 - For hearing on the 21st instant.

Totals: Twenty-three prosecutions in 1893; ten in 1894; seven in 1895; twenty-two in 1896; and six in 1897.

* Names not printed; indicated by —.

EXHIBIT No. 44.

RETURN showing NUMBER of PROSECUTIONS and CONVICTIONS under the Gaming and Lotteries Act from the 1st January, 1890, to the 31st December, 1897.

Year.	Prosecutions.	Convictions.
1890	54	38
1891	22	18
1892	49	22
1893	24	14
1894	29	25
1895	52	38
1896	42	33
1897	58	42

EXHIBIT No. 45.

RETURN showing the NUMBER of BURGLARIES, BREAKING into SHOPS and DWELLINGS, committed at Auckland from the 1st January, 1897, to the 31st December, 1897.

Number of offences reported, 129.

Committed for trial, 13.

Summarily convicted, 16.

Discharged, 7.

Total number apprehended, 36.

Number of convictions amongst those committed for trial, 12.

Most of these cases were breaking and entering, and the majority occurred in the months of May, June, July, and August, at which time the station was short-handed. Detective Crystal was transferred from Auckland to Napier in June, 1896. Detective Maddern was transferred to Auckland on the 22nd August, 1897. Detective Herbert was transferred to Auckland in October, 1897; therefore during the months that most of the offences took place there was only one detective (Detective Grace) doing duty in Auckland. Of the sixteen summarily convicted, thirteen were boys under the age of thirteen years, and were all committed to industrial schools.

GROUP 4.—GENERAL RETURNS.

EXHIBIT No. 46.

NUMBER of MEN in DISTRICT whether provided or not with Quarters.

Wellington District.

Fifty-eight sergeants and constables are provided with quarters.

Five sergeants (including sergeant-major) draw house-allowance.

One sergeant, four detectives, and twenty-five constables are not provided with quarters.

Total unprovided with quarters, 30.

EXHIBIT No. 47.

RETURN showing NUMBER of MEN unprovided with Police-quarters.

Rank.	Name.	Station.	Remarks.
<i>Auckland District.</i>			
First-class detective ...	Grace, M.	Auckland.	
Third-class detective ...	Maddern, W.	"	
Third-class constable ...	Crean, P.	"	
" "	Hodgson, R. T.	Eden Terrace.	
" "	Howell, E. T.	Ponsonby.	
" "	McIlveney, J.	Auckland.	
" "	Cullinane, T.	"	
" "	Douthett, A. G.	Newton.	
" "	Davis, A. R.	Auckland.	
" "	Hooker, A.	Devonport.	
" "	Hyde, A. H.	Auckland.	
" "	Johnson, E. M.	Newton.	
" "	Mathew, J. A.	Auckland.	
" "	Potter, A. A.	"	
" "	Rock, J.	Parnell.	
" "	Steevens, C. J.	Auckland.	
" "	Hendry, J. K.	"	
" "	Waterman, F. A.	"	
" "	Peat, W.	"	
" "	Fraser, J.	Coromandel.	
Second-class constable...	Addison, J.	Onehunga.	
Third-class constable ...	Connor, G.	Paeroa.	
" "	Flavell, S.	Thames.	
" "	McPhee, A.	"	
" "	Miller, W.	"	
<i>Wanganui and West Coast District.</i>			
Second-class sergeant ...	Stagpoole, M. D.	New Plymouth	Receives 10s per week in lieu of quarters
First-class constable ...	Roche, M.	"	
Second-class constable...	Grey, W.	"	
Third-class constable ...	Whitehouse, E. J.	Hawera.	
" "	Lanigan, R.	New Plymouth.	
" "	Russell, G. T.	"	

EXHIBIT No. 47—continued.

RETURN showing NUMBER of MEN unprovided with Police-quarters.

Rank.	Name.	Station.	Remarks.	
<i>Napier and East Coast District.</i>				
First-class constable ...	Norwood, S. P. ...	Napier ...	District Clerk. Receives allowance of 10s. per week, which does not cover cost of rent.	
First-class constable ...	O'Brien, M. ...	Napier.		
Second-class constable...	Clarke, H. ...	Gisborne.	Unmarried man. No barrack-accommodation at Hastings.	
" " ...	Gordon, A. F. ...	Napier.		
Third-class constable ...	Smith, J. ...	Gisborne.		
" " ...	Butler, W. J. ...	Hastings ...		
" " ...	Wainhouse, J. T. ...	Gisborne.		
" " ...	Hay, P. S. ...	Napier.		
" " ...	Bennett, H. J. ...	Wairoa.		
" " ...	Potter, W. D. ...	Hastings.		
" " ...	Cain, T. ...	Napier.		
" " ...	McKelvey, E. J. O'K. ...	"		
<i>Nelson and Westland District.</i>				
First-class constable ...	O'Brien, M. ...	Nelson.		
Second-class constable...	O'Leary, D. ...	Greymouth.		
" " ...	McGrath, P. ...	Nelson.		
Third-class constable ...	Cullinane, J. ...	"		
" " ...	Wildermoth, M. J. ...	Hokitika.		
" " ...	Jones, A. H. ...	Reefton.		
<i>Canterbury and North Otago District.</i>				
First-class constable ...	Scott, W. H. ...	Christchurch.		
" " ...	McGorman, J. ...	"		
" " ...	McClelland, R. ...	"		
Second-class constable...	Hobson, J. M. ...	"		
Third-class constable ...	O'Connell, P. D. ...	Kaiapoi.		
" " ...	Moore, C. J. ...	Ashburton.		
" " ...	Hunt, H. G. ...	Oamaru.		
" " ...	Eade, E. ...	Ashburton.		
" " ...	Bosworth, E. T. ...	Sydenham.		
" " ...	Miller, R. ...	Timaru.		
" " ...	Connell, J. ...	Lyttelton.		
" " ...	Cassells, J. J. ...	Christchurch.		
" " ...	Bradley, F. ...	Timaru.		
" " ...	Tonkin, W. ...	Christchurch.		
" " ...	Andrew, J. ...	"		
" " ...	Rings, G. L. ...	Timaru.		
" " ...	Cummins, J. ...	Christchurch.		
" " ...	Bird, A. S. ...	Timaru.		
" " ...	Murray, E. ...	Christchurch.		
" " ...	Hampton, W. J. ...	"		
" " ...	Kidd, S. ...	Timaru.		
" " ...	Fahey, J. ...	Christchurch.		
" " ...	McLeod, J. ...	"		
" " ...	Pratt, C. H. ...	"		
" " ...	Lewin, F. ...	"		
" " ...	Clarkson, J. E. ...	"		
First-class detective ...	Chrystal, W. L. ...	"		
Second-class detective ...	Benjamin, L. D. ...	"		
Fourth-class detective ...	Marsack, R. ...	"		
<i>Dunedin District.</i>				
First-class sergeant ...	Bell, J. ...	Dunedin ...	House-allowance, 10s. per week.	
" " ...	O'Neill, P. ...	" ...		17s. 6d. "
Second-class sergeant ...	Conn, C. ...	" ...		10s. "
Third-class sergeant ...	Bowman, P. ...	" ...		10s. "
Third-class constable ...	Cooney, J. ...	"		
" " ...	Hannafin, D. ...	"		
" " ...	Hickey, T. ...	"		
" " ...	McGlone, C. H. ...	"		
" " ...	Hill, W. E. ...	"		
" " ...	Taylor, V. R. ...	"		
" " ...	McQuarrie, G. A. ...	"		
Chief Detective ...	O'Brien, T. ...	"		
Second-class detective ...	McGrath, J. A. ...	"		

EXHIBIT No. 47—continued.

RETURN showing NUMBER of MEN unprovided with Police-quarters—continued.

Rank.	Name.	Station.	Remarks.
Third-class constable ...	Lawrence, W. J. ...	Gore.	
Third-class sergeant ...	Warring, W. ...	Invercargill ...	House-allowance, 10s. per week.
Second-class constable...	Howard, T. ...	"	
Third-class constable ...	Williams, G. A. ...	"	
" " ...	Emerson, A. T. ...	"	
Second-class constable...	Daubney, C. L. ...	King Street, Dunedin.	
Third-class constable ...	O'Connor, M. ...	Ditto.	
" " ...	Findlay, C. ...	"	
Second-class constable...	Stewart, D. ...	Port Chalmers.	
Third-class constable ...	Treacey, D. ...	"	
" " ...	Evenden, T. A. ...	"	
" " ...	Willis, J. C. S. ...	South Dunedin.	
" " ...	Bingham, E. ...	"	
" " ...	Aldridge, C. E. ...	Dunedin.	
" " ...	Miller, W. H. ...	"	

EXHIBIT No. 48.

RETURN showing the STRENGTH and RELIGION of the POLICE stationed at OAMARU on the 12th July, 1897.

	Religion.
One first-class sergeant...	Roman Catholic.
One first-class detective	"
One first-class constable	"
One second-class constable	Protestant.
One second-class constable	"
One third-class constable	"
One third-class constable	Roman Catholic.
One third-class constable (gaoler)	"

EXHIBIT No. 49.

RETURN of REPORTS against MEMBERS of the POLICE FORCE in connection with Drink, and how dealt with, from the 1st January, 1890, to the 31st December, 1897.

Date.	Offence.	How disposed of.	By whom.
4 Jan., 1890	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
10 and 11 Jan., 1890	Being under the influence of drink in a brothel	Admonished, and to be more careful in future	T. K. Weldon, Inspector of Police.
10 Jan., 1890	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
11 Feb., "	"	Reduced to third-class constable from second-class constable	Commissioner of Police.
12 " "	Being in a state of drunkenness from 12th to 18th February, 1890	Dismissed the Force	"
1 March, "	Being under the influence of liquor	Reduced to third-class constable from acting-sergeant	"
9 " "	Being under the influence of drink while on duty	Reduced to second-class constable from first-class constable	"
31 " "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
25 May, "	Drunk while on duty at an inquest	Reduced to third-class constable from first-class constable	Commissioner of Police.
26 " "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
26 " "	"	"	"
28 " "	"	Dismissed the Force	Commissioner of Police.
29 " "	Drunk and unfit for duty. (Second offence)	"	"
19 June, "	Being under the influence of liquor	Fined 10s.	T. Broham, Inspector.
21 " "	Being under the influence of liquor while on duty	"	J. B. Thomson, Inspector.
15 July, "	Found drunk at 11.40 a.m. in Dunedin when not on duty	"	S. Moore, Inspector.
2 " "	Being under the influence of liquor	"	T. Broham, Inspector.
13 Aug., "	Being under the influence of drink	"	S. Moore, Inspector.
1 Oct., "	Being under the influence of liquor	"	P. Pender, Inspector.
5 Nov., "	Being under the influence of liquor at Christchurch races	Services dispensed with*	Commissioner of Police.
25 Dec., "	Found drunk on night duty in Rattray Street, Dunedin	Discharged from the police	"
1 Jan., 1891	Being under the influence of drink	Fined £1	A. Thompson, Inspector of Police.
31 " "	"	"	Commissioner of Police.
28 Feb., "	Being under the influence of drink. (Second offence)	Dismissed	"

* Reinstated 15th June, 1891.

RETURN of REPORTS against MEMBERS of the POLICE FORCE—*continued.*

Date.	Offence.	How disposed of.	By whom.
28 March, 1891	Being drunk coming off duty ..	Dismissed from the Force..	Commissioner of Police.
31 " "	Drunk when coming off duty ..	Discharged from the police ..	"
12 July, "	Drinking in a publichouse on Sunday when on duty ..	Fined £1	J. Hickson, Inspector.
23 Aug., "	Being under the influence of liquor ..	"	Hon. Defence Minister.
25 " "	"	Fined £1, and transferred to Wellington ..	Commissioner of Police.
2 Sept., "	Drunk at 6 a.m.; not on duty ..	Reprimanded	J. Emerson, Inspector.
13 Nov., "	Drunk, and creating a disturbance at Denniston ..	Dismissed from the Force..	Hon. R. J. Seddon, Defence Minister.
2 Jan., 1892	Being under the influence of drink ..	Discharged	The Hon. the Defence Minister.
2 Feb., "	Being drunk	Fined £1	Captain Wray, R.M.
27 March, "	Drinking in the St. Clair Hotel, Dunedin, on a Sunday ..	Severely reprimanded	The Hon. the Defence Minister.
— April, "	Drunk in a publichouse in Dargaville ..	Reduced to third-class constable from second-class sergeant and removed to head station, to take effect from the 10th March, 1893	Commissioner of Police, Memo. No. 125, 13/3/93.
— " "	In the habit of visiting publichouses and drinking therein ..		
13 Aug., "	Being under the influence of drink ..	Dismissed the Force	Commissioner of Police.
13 Nov., "	Being drunk and using obscene language ..	Fined £1, and reduced from first-class constable to second-class constable ..	The Hon. the Defence Minister.
4 Dec., "	Being under the influence of liquor ..	Dismissed from the service ..	Commissioner of Police.
4 April, 1893	Drunkness	Fined £1	"
7 " "	Being under the influence of drink ..	"	"
15 June, "	Drinking in an hotel when on duty ..	Fined 5s.	W. S. Pardy, Inspector.
5 Aug., "	Drunk on duty. (Second offence)..	Dismissed from the Force..	Commissioner of Police.
1 April, 1894	Drunk in an hotel	"	"
2 " "	Being under the influence of liquor and unfit for duty ..	Fined £2 (£1 on each charge), and cautioned ..	"
6 " "	Ditto		
13 June, "	Drunk and off his beat	Discharged	"
2 Aug., "	Being drunk and unfit for duty ..	Fined £1 and severely reprimanded ..	"
1 Sept., "	Drunk while on duty	Fined £1	J. Emerson, Inspector.
26 " "	Being under the influence of drink and absent from his beat ..	Fined 10s.	P. Pender, Inspector.
11 Nov., "	Being under the influence of drink and off his beat ..	Dismissed from the Force ..	Commissioner of Police.
13 " "	Drunk when coming off duty. (Second offence) ..		
5 Jan., 1895	Being under the influence of liquor ..	Fined £1	"
1 Feb., "	Being drunk when coming off duty ..	Fined £1 and cautioned	"
30 April, "	Being under the influence of liquor and using improper language ..	Fined 10s.	"
12 May, "	Being under the influence of drink ..	Fined £1, and dismissed and cautioned ..	"
13 " "	"		
23 " "	"	Fined 10s. and cautioned	"
7 July, "	Drinking in an hotel when on duty and in uniform ..	Allowed to resign.. ..	Hon. Defence Minister.
9 " "	Being under the influence of drink. (Second offence) ..	Dismissed from the Force..	Commissioner of Police.
25 Sept., "	Being under the influence of liquor and coming out of an hotel when on duty ..	Dismissed from the Force ..	"
27 " "	Drunk when on duty		
8 Oct., "	Being drunk while on duty ..	"	"
19 " "	Drunkness and giving unsatisfactory evidence at an inquiry held at the police-office ..	"	"
19 " "	Ditto	"	"
7 Nov., "	Being drunk while on duty ..	Dismissed the service	"
26 Jan., 1896	Drunk when on duty. (Second offence) ..	Dismissed the Force	"
3 March, "	Drunk when on duty	Fined £1 and cautioned	"
2 April, "	Drunk when on duty. (Second offence) ..	Dismissed the Force	"
28 " "	Drunk when on duty	Fined £1 and cautioned	"
12 May, "	In a publichouse after hours, and taking drinks with the constable in charge of the sub-district ..	Severely reprimanded	"
12 " "	Ditto	"	"
13 " "	Drunk when coming off duty ..	To forfeit his pay during suspension, severely reprimanded, and warned if it occurs again he will be dismissed ..	"
22 " "	Being under the influence of liquor when on duty ..	Fined £1 and severely reprimanded ..	"
5 Dec., "	Being under the influence of liquor ..	Dismissed the Force	"
31 " "	"	"	Hon. Defence Minister.
19 June, 1897	Drunk while on duty	Discharged from the police ..	Hon. T. Thompson, Minister of Justice.
3 Sept., "	"	Fined £1 and reduced twenty steps in seniority-list of third-class constables ..	Commissioner of Police.
10 Oct., "	"	Instructed to resign	"
16 " "	Drunk when coming off duty ..	Reduced from first-class constable to second-class constable and transferred to Christchurch, and cautioned ..	The Hon. the Minister of Justice.

Summary.

Year.	No. of Reports.	Year.	No. of Reports.
1890	21	1895	14
1891	10	1896	10
1892	8	1897	4
1893	4		—
1894	9		80

ANALYSIS of RETURN of REPORTS against CONSTABLES.

Fines	36	Dismissed	25
Reprimanded (also 8 fined)	13	Resigned	2
Reduced (also 1 fined)	7	Dispensed with...	1

EXHIBIT No. 50.

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DATE of APPOINTMENT thereto, by Districts.

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Auckland District.</i>					
Auckland Head Station	Inspector	Hickson, James	65	13/1/93	R. Catholic.
Aratapu	First-class constable	Scott, Nixon	53	3/12/85	Protestant.
Avondale	Second-class constable	Brown, James Ulysses	37	24/1/95	R. Catholic.
Cambridge	"	Cahill, Timothy	41	27/11/97	"
Coromandel	First-class constable	Law, Edward Henderson	44	14/3/97	Protestant.
Dargaville	Third-class constable	Davy, Charley	49	20/6/95	"
Devonport	Third-class sergeant	Wild, Frederick	50	11/1/98	"
Eden Terrace	Second-class constable	Hinton, John	47	2/8/92	"
Freeman's Bay	First-class constable	Finnerty, James	47	22/11/93	R. Catholic.
Hamilton	"	Forbes, John Watson	45	31/3/91	Protestant.
Helensville	"	Kelly, William	40	31/7/95	"
Howick	District constable	McInnes, Thomas	60	27/1/88	"
Huntly	Second-class constable	White, Thomas	51	18/9/90	"
Hikurangi	"	Beddek, Thomas Henry	34	4/12/97	"
Kawakawa	First-class constable	Hasett, John	53	2/8/92	"
Kihikihi	"	Carroll, Lawrence	43	1/6/95	R. Catholic.
Karangahake	Second-class constable	Sefton, John	36	28/9/97	Protestant.
Kaikohe	Third-class constable	Keep, George	28	25/1/98	"
Mangawai	District constable	Moir, Robert Henry	47	22/2/92	"
Mercer	First-class constable	Hobson, Abraham	50	6/1/93	R. Catholic.
Mongonui	"	Dunne, Patrick John	46	10/8/92	"
Newmarket	Second-class constable	Mackie, Francis	39	25/4/96	"
Newton	Third-class sergeant	Walker, William	54	18/5/96	Protestant.
Ngaruawahia	First-class constable	Cavanagh, John	32	18/9/90	R. Catholic.
Ohaeawai	District constable	Hargraves, Morton John	26	10/4/95	Protestant.
Okupu, Great Barrier	"	Johnston, James Alexander Gordon	38	28/2/95	"
Onehunga	Second-class sergeant	Greene, Bernard	53	12/1/71	R. Catholic.
Otahuhu	First-class constable	Walker, Maxwell	47	1/7/92	Protestant.
Otorohanga	Third-class constable	Stanyer, Charles	38	6/6/95	"
Paeroa	Third-class sergeant	Brennan, William	50	11/11/97	"
Panmure	District constable	Corrigan, Patrick	54	1/4/93	R. Catholic.
Papakura	First-class constable	Foreman, George	46	8/2/94	Protestant.
Parnell	"	Hutchison, Joshua	57	6/1/93	"
Ponsonby	"	McDonnell, Luke	43	9/3/97	R. Catholic.
Port Albert	District constable	Thompson, George Edward	36	1/4/91	Protestant.
Pukekohe	Second-class constable	McGovern, Patrick John	50	1/10/86	R. Catholic.
Pahi	First-class constable	Joyce, William	53	15/10/95	Protestant.
Raglan	Second-class constable	Tapp, George Amos	49	29/12/94	"
Rawene	First-class constable	McGill, Alexander	48	7/11/93	"
Russell	"	Gordon, Douglas	44	7/11/93	"
Shortland	Third-class sergeant	Stapleton, Richard	52	2/11/85	R. Catholic.
Surrey Hills	First-class constable	McLellen, William John	57	18/5/96	"
Te Aroha	Second-class constable	Rowles, Denis	42	10/1/98	"
Te Awamutu	"	Jones, William	39	28/9/87	Protestant.
Thames	First-class sergeant	Gillies, Robert James	48	2/7/89	"
Waipu	First-class constable	Abrams, Jonas Ambrose	51	31/3/88	"
Waiuku	District constable	Parker, Henry	62	2/6/68	"
Warkworth	Second-class constable	Stacey, Samuel	45	18/7/95	"
Whangarei	First-class constable	Sheehan, Bartholomew	40	5/9/91	R. Catholic.
Whangaroa	Second-class constable	Sefton, William	38	8/7/90	Protestant.
Whitianga	First-class constable	Rist, William James	48	6/11/91	R. Catholic.
Waihi	"	Whelan, Thomas	53	11/6/97	"
Waitekauri	Second-class constable	Moore, Frederick Augustus	37	18/7/96	Protestant.
<i>Napier and East Coast District.</i>					
Napier, Head Station	Inspector	Emerson, John	68	15/1/93	Protestant.
Napier, Carlyle Street	First-class constable	Harvey, Thomas	55	21/2/96	"
Clive	Second-class constable	Kennedy, John	40	24/3/90	R. Catholic.
Dannevirke	Third-class sergeant	Siddels, James	39	6/1/98	Protestant.
Gisborne	Second-class sergeant	Black, Patrick	47	28/3/97	"
Hastings	First-class constable	Smith, Frederick Charles	49	18/2/97	"

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DAYS of APPOINTMENT thereto, by Districts—*continued.*

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Napier and East Coast District—continued.</i>					
Herbertville	Second-class constable	Gray, Archibald	37	2/3/94	Protestant.
Katikati	District constable ..	Dunn, Charles Thomas ..	44	1/5/88	"
Opotiki	Second-class constable	O'Reilly, Charles	49	17/7/90	R. Catholic.
Ormond	First-class constable	Farmer, John	57	1/7/85	Protestant.
Ormondville	"	Drake, Thomas Johnson ..	38	6/1/98	"
Port Awanui	Third-class constable	Fry, Joseph James	34	24/5/97	"
Rotorua	Second-class constable	Bern, William	39	5/1/98	R. Catholic.
Spit	"	Creeks, Thomas Elliott ..	39	7/1/98	Protestant.
Taradale	"	Rutledge, Barrett	32	1/6/95	"
Taupo	First-class constable	Ryan, John	49	16/2/97	R. Catholic.
Tauranga	Third-class sergeant ..	Murray, William	55	7/1/98	Protestant.
Te Puke	Second-class constable	Hughes, Edwin Charles ..	44	18/4/95	"
Te Whaiti	Third-class constable	Lowry, William Robert ..	27	14/9/95	"
Tokaanu	Native constable	Hori te Tauri	*	24/2/86	†
Tolago Bay	Second-class constable	Donovan, Timothy	43	19/3/97	R. Catholic.
Tuparoa	Native constable	Ahipene Mika	*	8/10/96	Not known.
Waipawa	First-class constable ..	Brosnahan, Denis	42	7/1/98	R. Catholic.
Waipiro	Native constable	Tare te Rata	*	16/4/89	†
Waipukurau	Second-class constable	Baskville, Walter Joseph ..	39	7/1/98	R. Catholic.
Wairoa	First-class constable ..	Coughlan, William	57	9/9/94	"
Whakatane	Third-class constable	Tarrant, Benjamin	30	16/11/97	Protestant.
Woodville	Second-class constable	Williams, Walter	34	9/3/96	"

* Not known.

† Since deceased.

‡ No particulars.

Wanganui and West Coast District.

New Plymouth Head Station	Inspector	McGovern, F.	61	23/5/96	R. Catholic
Bull's	First-class constable ..	Gleeson, James	42	20/6/93	"
Eltham	"	Simpson, William James ..	44	2/4/94	Protestant.
Hawera	Third-class sergeant ..	O'Donovan, John	39	6/1/98	R. Catholic.
Hunterville	First-class constable ..	Moon, Alfred Morton	50	16/2/97	"
Inglewood	Third-class constable	Montgomery, Alexander ..	45	19/1/98	Protestant.
Kawhia	District constable	Morgan, John Swainson ..	34	31/8/91	"
Manaia	First-class constable ..	Quinn, Patrick	50	19/11/97	R. Catholic.
Marton	"	Crozier, Alexander	53	16/2/97	Protestant.
Mokau	Second-class constable	McAnerin, William Henry ..	37	18/2/96	"
Moawhango	First-class constable ..	Tuohy, James Joseph	60	13/11/97	R. Catholic.
Normanby	Second-class constable	Redican, Michael	39	10/2/96	"
Ohingaiti	Third-class constable	Black, James	38	21/7/96	Protestant.
Opunake	Second-class constable	Cooper, Charles	47	10/11/97	"
Patea	First-class constable ..	Carr, Henry Hyde	49	4/10/92	"
Pungarehu	Second-class constable	Hickman, Thomas	52	23/4/88	"
Raetihi	"	Beattie, Henry	36	30/8/97	R. Catholic.
Stratford	First-class constable ..	Ryan, William Henry	45	6/1/98	Protestant.
Waitara	Second-class constable	Bleasel, Charles	41	1/12/92	R. Catholic.
Waitotara	"	Poland, James Henry	28	21/11/97	"
Wanganui	First-class sergeant	Ellison, John Wybrant	46	29/10/97	Protestant.
Waverley	Second-class constable	O'Brien, Benjamin	36	10/12/90	R. Catholic.

Wellington District.

Wellington, Head Station ..	Inspector	Pender, Peter	70	13/1/93	R. Catholic.
Wellington, Clyde Quay ..	First-class constable	McKinnon, William Hector ..	39	6/1/98	Protestant.
Wellington, Manners Street	Third-class constable	Cairns, James	29	1/1/98	"
Wellington, Mount Cook ..	First-class sergeant	Briggs, John	43	9/2/97	"
Wellington, Thorndon Quay	Second-class constable	Bree, James	41	5/8/97	R. Catholic.
Wellington, South	First-class constable ..	O'Leary, Florence	41	30/10/96	"
Ashhurst	"	Franklin, James	41	14/4/96	"
Blenheim	First-class sergeant	Kiely, Nicholas	44	3/3/97	"
Carterton	First-class constable ..	Smart, William Wilson	46	18/2/96	Protestant.
Cullensville	District constable	Coombe, Fred	43	20/6/96	"
Eketahuna	Second-class constable	Grey, Charles	46	5/3/95	R. Catholic.
Featherston	First-class constable ..	Carlyon, Percy Frederick ..	51	16/2/97	Protestant.
Feilding	Second-class constable	Twomey, John	40	22/11/97	R. Catholic.
Foxton	"	Salmon, Henry	48	22/11/97	Protestant.
Greytown North	First-class constable ..	Ecclerton, Joseph	50	8/10/81	R. Catholic.
Havelock	"	Egan, Eugene	43	10/3/96	"
Johnsonville	Second-class constable	Hutton, David Dearlove ..	38	17/2/96	Protestant.
Levin	First-class constable ..	O'Connor, James	46	18/4/96	R. Catholic.
Lower Hutt	"	Cruikshank, Alexander	42	28/9/90	Protestant.
Makuri	District constable	Murphy, John Dennis	29	1/9/94	R. Catholic.
Mangatainoka	Second-class constable	Sheary, James	39	23/4/96	"
Martinborough	"	May, Joseph George	40	22/7/96	Protestant.
Masterton	First-class sergeant	O'Malley, James	61	8/3/97	R. Catholic.
Otaki	First-class constable ..	O'Rourke, Timothy	37	24/4/91	"
Pahiatua	"	Bowden, Charles	45	25/7/96	Protestant.
Palmerston North	First-class sergeant	Wilson, Edward	45	25/10/97	R. Catholic.
Petone	Second-class constable	Cox, Michael	41	31/1/96	"
Picton	First-class constable ..	Nash, John	53	19/2/97	"
Tenui	"	Collerton, William Thomas ..	45	15/3/83	Protestant.
Terrace End	Second-class constable	Minogue, Patrick	38	7/11/92	R. Catholic.
Upper Hutt	"	Patton, William Patrick	39	10/2/96	"

EXHIBIT No. 50—continued.

RETURN showing POLICE-STATIONS, NAMES of OFFICERS in CHARGE, AGE, and DATE of APPOINTMENT thereto, by Districts—continued.

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Nelson and Westland District.</i>					
Greymouth	First-class sergeant ..	White, Edward Sterling ..	61	17/12/93	R. Catholic.
Brunnerton	Second-class constable ..	Carroll, Lawrence ..	41	16/8/97	"
Ahaura	First-class constable ..	Donovan, Michael ..	50	1/9/97	"
Reefton	Third-class sergeant ..	Phair, William John ..	44	22/2/97	Protestant.
Lyell	First-class constable ..	Rogers, Martin ..	40	19/6/93	R. Catholic.
Westport	Second-class sergeant ..	Green, Henry ..	48	11/8/97	Protestant.
Denniston	First-class constable ..	Weatherley, James ..	55	25/8/97	"
Charleston	Second-class constable ..	Philpotts, Thomas Richard ..	32	19/2/97	"
		Winsbury ..			
Seddonville	" ..	Cameron, James ..	43	12/1/98	"
Kumara	First-class constable ..	Wilson, Frederick Arthur ..	43	7/11/92	"
Stafford	Second-class sergeant ..	Hannan, Daniel ..	43	22/2/92	R. Catholic.
Hokitika	First-class sergeant ..	McDonald, Alexander ..	60	25/2/97	"
Kanieri	First-class constable ..	Stewart, George ..	55	16/6/93	"
Ross	" ..	Foley, William ..	38	5/4/92	Protestant.
Okarito	Second-class constable ..	Watt, John ..	42	5/9/97	"
Nelson	First-class sergeant ..	McArdle, Henry ..	64	28/5/96	R. Catholic.
The Port	First-class constable ..	Jeffries, John ..	56	30/7/97	"
Richmond	District constable ..	Ingram, John ..	36	1/3/92	Protestant.
Spring Grove	First-class constable ..	Knapp, Charles ..	52	1/7/77	"
Collingwood	Second-class constable ..	Dew, Samuel Joseph ..	37	12/3/89	"
Takaka	First-class constable ..	Mackey, Josiah Gilbert ..	49	1/8/97	"
Motueka	District constable ..	Boyes, Thomas ..	68	31/1/66	"
<i>Canterbury and North Otago District.</i>					
Christchurch	First-class Inspector ..	Broham, Thomas ..	57	18/1/93	Protestant.*
	Third-class Inspector ..	Cullen, John ..	46	13/1/98	R. Catholic.†
Addington	First-class constable ..	McGill, Patrick ..	59	31/1/95	"
Akaroa	" ..	Bird, Edward Punjab ..	41	7/1/98	Protestant.
Amberley	" ..	Roche, Maurice ..	46	6/3/93	R. Catholic.
Ashburton	First-class sergeant ..	Barlow, John ..	51	2/3/96	Protestant.
Bingsland	Second-class constable ..	Flewellen, Samuel ..	52	9/9/95	"
Cheviot	District constable ..	Hullen, John Thomas ..	25	30/11/97	"
Coalgate	Third-class constable ..	Copland, John ..	40	5/1/98	"
Culverden	Second-class constable ..	Costin, Patrick ..	42	6/9/94	R. Catholic.
Fairlie	" ..	Mullaney, Luke ..	36	26/6/93	"
Geraldine	First-class constable ..	Willoughby, William ..	52	14/5/81	Protestant.
Hampden	" ..	Joyce, Michael ..	43	14/12/80	R. Catholic.
Kaikoura	" ..	Morgan, Andrew ..	43	3/6/96	Protestant.
Kaipoi	" ..	Cartmill, David ..	46	15/1/86	"
Kurow	Second-class constable ..	Bradshaw, Thomas Lionel ..	42	28/4/90	"
Leeston	First-class constable ..	McCormack, Patrick ..	39	14/4/92	R. Catholic.
Lincoln	" ..	Walton, John ..	44	26/3/92	Protestant.
Little River	" ..	Ryan, Patrick ..	41	22/4/82	R. Catholic.
Lyttelton	First-class sergeant ..	Rutledge, Charles ..	51	21/6/93	Protestant.
Methven	Second-class constable ..	Dillon, John ..	42	18/3/97	R. Catholic.
Ngapara	" ..	Graham, Thomas ..	45	20/11/93	Protestant.
Oamaru	First-class sergeant ..	O'Grady, Thomas ..	62	9/2/87	R. Catholic.
Oxford	First-class constable ..	Leahy, Michael ..	40	13/6/95	"
Papanui	" ..	Johnston, Henry ..	44	15/2/95	Protestant.
Phillipstown	" ..	Cullen, Francis ..	51	24/3/92	R. Catholic.
Pleasant Point	" ..	Madden, John ..	48	18/2/97	"
Rakaia	" ..	Stanley, Joseph ..	48	6/11/96	Protestant.
Rangiora	" ..	Johnston, James ..	39	5/9/94	"
St. Albans	Second-class constable ..	Sturmer, Edward ..	54	9/9/95	"
Sheffield	First-class constable ..	Haddrell, Walter Henry ..	48	29/9/84	"
Southbridge	" ..	Poole, William ..	44	11/11/97	"
Sumner	Second-class constable ..	Koster, John Jacob ..	39	20/11/97	"
Sydenham	Second-class sergeant ..	McLeod, William ..	50	10/1/98	"
Temuka	First-class constable ..	Dougan, John ..	40	6/1/98	"
Timaru	First-class sergeant ..	Fraser, Charles ..	60	22/2/97	"
Waimate	Second-class constable ..	Parker, Frank Stanley ..	38	11/6/95	"
Woolston	First-class constable ..	Hayes, John ..	45	15/2/95	"
<i>Dunedin District.</i>					
Dunedin Central	First-class Inspector ..	Pardy, William Stone ..	61	6/1/93	Protestant.
Dunedin, King Street	First-class sergeant ..	Gilbert, William ..	50	2/3/97	"
Alexandra South	Second-class constable ..	Chisholm, Hugh ..	43	14/11/95	"
Anderson's Bay	" ..	Martin, Edward ..	46	1/5/96	"
Arrowtown	First-class constable ..	McIntyre, John ..	34	8/1/98	"
Balclutha	" ..	Griffith, Thomas ..	43	29/8/96	R. Catholic.
Bluff	Second-class sergeant ..	McGrath, Patrick ..	47	23/3/92	"
Caversham	First-class constable ..	Brennan, John Malchi ..	45	7/2/95	"
Clinton	" ..	Remer, Alfred Edward ..	42	24/6/96	Protestant.
Clyde	Third-class sergeant ..	Dwyer, John ..	41	13/2/97	R. Catholic.
Cromwell	First-class constable ..	Mulholland, Hugh ..	53	13/12/90	"
Gore	Second-class sergeant ..	Fleming, John ..	53	14/1/91	"
Green Island	First-class constable ..	O'Sullivan, Cornelius ..	44	2/6/90	"
Half-moon Bay	District constable ..	McNally, John ..	64	22/6/89	"
Invercargill	First-class sergeant ..	Macdonell, Ewen ..	50	28/4/91	"

* On leave of absence. † In charge during Inspector Broham's absence.

EXHIBIT No. 50—*continued.*
 RETURN showing POLICE-STATIONS, &c.—*continued.*

Station.	Officer in Charge.		Age.	Date of Appointment to Station.	Religion.
	Rank.	Name.			
<i>Dunedin District—continued.</i>					
Kaitangata	Second-class constable	Ferguson, John Alfred ..	42	9/11/97	Protestant.
Lawrence	Third-class sergeant ..	King, Thomas	45	7/1/98	R. Catholic.
Lumsden	First-class constable ..	Millar, Nathaniel	41	4/1/98	Protestant.
Mataura	Second-class constable	Kearney, Joseph	39	22/1/91	R. Catholic.
Middlemarch	"	O'Brian, Michael	37	3/4/89	"
Milton	"	MacRae, Duncan	46	6/1/98	Protestant.
Mornington	First-class constable ..	Power, John	45	7/2/95	R. Catholic.
Mosgiel	Second-class constable	Christie, Andrew	43	29/8/96	Protestant.
Naseby	First-class constable ..	Lemm, Robert William ..	41	29/7/97	"
North-east Valley ..	"	Lynch, John	47	4/1/94	R. Catholic.
North Invercargill ..	Second-class constable	McDonough, John	37	5/4/92	"
Ophir	"	Gleeson, William	38	4/5/96	"
Orepuki	First-class constable ..	Fretwell, Henry	44	16/1/91	Protestant.
Otautau	"	Joyce, Patrick	45	24/11/88	R. Catholic.
Outram	Second-class constable	Carmody, Patrick	46	24/7/94	"
Palmerston South ..	"	Hilliard, William	50	26/6/93	Protestant.
Port Chalmers	First-class sergeant ..	Geerin, Michael	52	30/7/94	R. Catholic.
Pembroke	First-class constable ..	Marsh, Nicholas	53	19/6/96	Protestant.
Queenstown	Third-class sergeant ..	MacKenzie, John Campbell	46	5/1/98	"
Ravensbourne	First-class constable ..	Higgins, William Henry ..	45	19/6/93	R. Catholic.
Riverton	"	Walker, William	52	5/1/94	Protestant.
Roslyn	"	Hastings, Michael	46	8/1/98	R. Catholic.
Roxburgh	"	Fouhy, William	38	8/10/90	"
St. Bathans	"	Kennedy, James	50	12/5/87	Protestant.
St. Clair	Second-class constable	Dale, James	38	31/12/94	"
South Dunedin	First-class sergeant ..	Brown, William	51	1/11/92	"
South Invercargill ..	Second-class constable	McChesney, George	52	5/5/96	"
Tapanui	"	Mathieson, William	33	4/6/95	"
Waikaiti	First-class constable ..	Herlihy, Patrick Jeremiah ..	43	19/12/93	R. Catholic.
Waikouaiti	Second-class constable	Burrows, John	37	13/1/98	Protestant.
Waitahuna	"	West, Joseph	39	18/1/86	"
Waitati	"	Drury, Patrick	43	10/11/97	R. Catholic.
Winton	"	Rasmussen, Hans Peter ..	43	9/12/90	Protestant.
Woodhaugh	First-class constable ..	Nolan, Peter	55	24/11/91	R. Catholic.
Wyndham	Second-class constable	Bogue, Daniel	42	25/4/88	"

EXHIBIT No. 51.

RETURN showing the NUMBER of SERGEANTS and CONSTABLES at the HEADQUARTERS of each POLICE DISTRICT, and at each OUT-STATION where there are more than one, on the 1st February, 1898, and 31st March, 1898.

Police District.	Headquarters.		Out-stations.					
	Sergeants.	Constables.	Name of Station.	Sergeants.	Constables.			
Auckland	4	39	Coromandel .. ..	...	2		
			Devonport... ..	1	1			
			Eden Terrace .. ..	...	2		
			Hamilton .. ..	...	2		
			Newton	1	2			
			Onehunga	1	1			
			Paeroa	1	1			
			Parnell .. ..	...	2*		
			Ponsonby .. ..	...	2		
			Thames	1	5			
			Napier	1	8	Gisborne	1	5
						Hastings	3
Waipawa .. ..	...	2					
Wairoa .. ..	...	2					
New Plymouth ...	1	5	Hawera	1	1			
			Patea .. ..	...	2		
			Stratford .. ..	...	2		
			Wanganui... ..	1	6			
Wellington	5	34	Manners Street ..	...	2		
			Mount Cook	1	8			
			Feilding .. ..	...	2		
			Masterton	1	3			
			Palmerston North ..	1	4			
			Blenheim	1	4			
			Picton .. ..	...	2		

* 31st March.

EXHIBIT No. 51—continued.

RETURN showing the NUMBER of SERGEANTS and CONSTABLES at the HEADQUARTERS of each POLICE DISTRICT, &c.—continued.

Police District.	Headquarters.		Out-stations.		
	Sergeants.	Constables.	Name of Station.	Sergeants.	Constables.
Nelson and Westland	1	5	Reefton	1	2
			Westport	1	3
			Hokitika	1	3
			Nelson	1	6
Christchurch	4	31	Akaroa ... ..	...	2
Christchurch*	4	32	Ashburton... ..	1	5
			Kaiapoi ... ..	...	2
			Lyttelton	1	4
			Oamaru	1	7
			Rangiora ... ..	...	2
			Sydenham... ..	1	1
			Temuka ... ..	...	2
			Timaru	1	7
			Waimate ... ..	...	2
Dunedin	5	28	King Street	1	3
Dunedin*	5	29	King Street*	1	4
			Bluff	1	1
			Clyde	1	1
			Gore	1	1
			Invercargill	2	8
			Lawrence	1	1
			Naseby ... ..	...	2
			Port Chalmers	1	3
			Queenstown	1	1
			South Dunedin	1	4

* 31st March.

EXHIBIT No. 52.

RETURN of all PROMOTIONS and ADVANCEMENTS in CLASS, from 31st December, 1890, till 31st March last, shown annually.

	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.		1898, to 31 Mar.	Total.
								1 Jan. to 24 Oct.	25 Oct. to 31 Dec.		
Second-class inspectors to first-class inspectors	...	...	...	...	...	...	3	...	...	...	3
Third-class inspectors to second-class inspectors	...	...	1	...	...	...	...	...	...	...	1
First-class sergeants to third-class inspectors	...	...	...	...	...	1	...	1	...	...	2
Second-class sergeants to first-class sergeants	...	...	1	1	3	...	...	6	...	4	15
Third-class sergeants to second-class sergeants	...	...	1	...	4	...	...	4	...	6	15
Acting third-class sergeants to third-class sergeants	1	...	1	...	3	...	...	1	...	...	6
First-class constables to third-class sergeants	...	...	1	...	...	...	...	...	...	17	18
First-class constables to acting third-class sergeants	2	...	1	1	...	...	...	...	...	...	4
Second-class constables to first-class constables	3	1	...	2	16	...	1	15	...	25	63
Third-class constables to first-class constables	...	2	...	1	...	1	...	...	...	...	4
Third-class constables to second-class constables	9	...	13	16	20	...	...	24	1	27	110
Second-class detectives to first-class detectives	...	...	...	...	1	...	...	3	...	...	4
Third-class detectives to second-class detectives	...	...	...	...	1	...	...	2	...	...	3
Fourth-class detectives to third-class detectives	1	...	...	...	...	...	...	3	...	...	4
First-class constables to fourth-class detectives	1	...	...	2	...	...	...	...	...	...	3
Third-class constables to fourth-class detectives	...	...	...	...	...	...	...	3	2	...	5
Total	17	4	18	23	48	1	5	62	3	79	260

EXHIBIT No. 53.

RETURN of POLICE at DUNEDIN and SUBURBAN STATIONS on 8th April, 1898.

No.	Rank.	Name.	Age.	Religion.	Date of joining the Force.	Date of joining at Dunedin.	How employed.
<i>Central Station.</i>							
4A	1-c. sergt.	Bell, John	60	C.E.	15/10/61	14/4/66	District clerk.
11	"	O'Neill, Patrick	60	R.C.	6/7/63	20/7/81	In charge of station.
154	Chief det.	O'Brien, Terence	50	"	28/10/74	29/7/97	"
429	2-c. det.	McGrath, J. A.	43	"	2/12/82	10/10/88	"
105	2-c. sergt.	Shirley, Paul	52	C.E.	24/6/72	12/2/97	Beat duty.
117	"	Conn, Christopher	56	Pres.	14/5/73	25/2/96	"
270	3-c. sergt.	Bowman, Patrick	43	R.C.	20/11/78	10/1/98	"
246	1-c. const.	Latimer, David	48	C.E.	11/5/78	5/4/88	"
354	"	Hanson, John	45	Pres.	30/7/81	1/8/81	Inspector Weights and Measures.
315	"	Patterson, Adam	48	C.E.	21/7/79	9/7/83	Beat duty.
537	2-c. const.	Boddam, T. W. B.	35	"	18/2/89	2/6/90	Plain-clothes constable.
557	3-c. const.	Dales, J. B.	38	Pres.	18/11/89	21/11/89	Assistant clerk.
560	"	Cooney, John	38	R.C.	29/11/89	29/11/89	Plain-clothes constable.
591	"	Miller, William H.	34	Pres.	27/9/90	11/1/98	Beat duty.
626	"	McCormack, O.	28	R.C.	26/8/92	24/8/95	"
653	"	Quinn, William J.	27	"	13/7/93	13/7/93	"
681	"	Toomey, Jeremiah	33	"	6/7/94	6/7/94	"
716	"	Aldridge, C. E.	27	Pres.	12/11/95	8/2/97	Trooper.
720	"	Wohlmann, W. G.	26	"	14/11/95	14/11/95	Beat duty.
743	"	Cowan, John T.	24	"	20/4/96	20/4/96	"
744	"	Matthews, William A.	30	Wes.	20/4/96	20/4/96	"
752	"	Connolly, Daniel	30	R.C.	14/5/96	14/5/96	"
755	"	Brownlee, Robert	29	C.E.	23/5/96	23/5/96	"
756	"	McKenzie, D. M.	27	Pres.	19/6/96	19/6/96	"
765	"	Raynes, Joseph A.	25	C.E.	8/2/97	8/2/97	"
766	"	Hickey, Timothy	31	R.C.	8/2/97	8/2/97	"
795	"	Hill, William E.	27	C.E.	20/3/97	20/3/97	"
803	"	Reidy, John	24	R.C.	25/5/97	25/5/97	"
808	"	Dwan, Thomas	29	"	1/9/97	1/9/97	"
814	"	Surgenor, Thomas	24	Pres.	10/11/97	10/11/97	"
818	"	Taylor, Vyvyan R.	31	C.E.	24/11/97	24/11/97	"
835	"	McQuarrie, G. A.	25	Pres.	12/1/98	12/1/98	"
841	"	Woodbury, Frederick	24	C.E.	22/2/98	22/2/98	"
842	"	Martin, John P.	26	R.C.	1/3/98	1/3/98	"
843	"	Moore, Alexander	35½	Pres.	7/3/98	7/3/98	"
845	"	Storey, Dawson Robert	29½	C.E.	31/3/98	31/3/98	"
<i>King Street Station.</i>							
130	1-c. sergt.	Gilbert, William	51	Wes.	8/12/73	7/3/95	In charge of station.
417	2-c. const.	Daubney, Charles L.	42	C.E.	7/6/82	2/11/92	Beat duty.
556	3-c. const.	O'Connor, Michael	48	R.C.	15/11/89	16/7/90	"
730	"	Findlay, Charles	33	Pres.	8/2/96	8/2/96	"
767	"	McGlone, Charles H.	29	R.C.	8/2/97	8/2/97	"
<i>South Dunedin.</i>							
123	1-c. sergt.	Brown, William	52	C.E.	8/7/73	15/12/90	In charge of station.
412	2-c. const.	Leece, James D.	43	"	13/5/82	13/5/96	Beat duty.
514	"	Willis, Hubert	42	"	5/10/87	13/10/87	"
659	3-c. const.	Willis, J. C. S.	29	"	11/11/93	11/11/93	"
781	"	Bingham, Ernest	28	Pres.	13/2/97	13/2/97	"
162	1-c. const.	Nolan, Patrick	56½	R.C.	2/3/75	2/1/91	In charge, Woodhaugh.
135	"	Mulholland, Hugh	53	"	2/2/74	10/3/98	St. Clair.
237	"	Power, John	45	"	29/1/78	2/6/90	Mornington.
239	"	Brennan, J. M.	45	"	16/2/78	16/10/83	Caversham.
168	"	Lynch, John	48	"	25/5/75	4/1/94	North-East Valley.
265	"	Higgins, William H.	46	"	8/10/78	22/8/81	Ravensbourne.
288	"	O'Sullivan, Con.	45	"	28/3/79	28/3/79	Green Island.
292	"	Hastings, Michael	47	"	14/4/79	8/1/98	Roslyn.
450	2-c. const.	Martin, Edwin	47	Pres.	2/8/83	2/8/83	Anderson's Bay.

EXHIBIT No. 54.

RELIGION of MEMBERS of the POLICE FORCE.

On the 1st January, 1883.

Protestants	...	...	...	269
Roman Catholics	...	...	...	194
Total	...	...	...	463

On the 1st July, 1890.

Protestants	...	...	...	285
Roman Catholics	...	...	...	206
Total	...	...	...	491

EXHIBIT 54—*continued*.
RELIGION of MEMBERS of the POLICE FORCE—*continued*.
On the 1st January, 1898.

Protestants ...	...	...	...	...	...	...	311
Roman Catholics ...	...	...	...	...	...	...	222
Total ...							533

EXHIBIT No. 55.

RETURN of SICKNESS on the CHRISTCHURCH POLICE-STATION, from the 1st January, 1890, to the 31st December, 1897.

Year.	Number of Constables.	Number of Days sick.	Remarks.
1890	27	641	Constable Stewart, six months' sick leave; Constable Allen, three months' sick leave.
1891	28	816	
1892	26	388	
1893	37	606	
1894	38	430	
1895	19	168	
1896	42	424	Exclusive of 153 days' sick leave, Constable McGill.
1897	65	863	

EXHIBIT No. 56.

RETURN of all DEFAULTS AGAINST POLICE OFFICERS, and HOW DISPOSED OF, from 1890 to 1897, both years inclusive.

Year.	Number reprimanded or cautioned.	Number fined.	Number reduced in Class.	Number reduced in Rank.	Number transferred.	Number allowed to resign.	Number discharged.	Number dismissed.	Total.
1890	25	34	7	2	1	...	4	3	76
1891	35	30	...	...	...	1	1	3	70
1892	31	25	1	1	...	1	1	2	62
1893	25	24	...	1	1	1	1	4	57
1894	39	20	1	...	1	...	1	4	66
1895	23	27	...	...	2	2	1	12	67
1896	34	30	...	...	1	...	2	10	77
897	32	15	2	...	5	4	1	4	63

EXHIBIT No. 57.

RETURN of MEN taken into the POLICE FORCE since April, 1896, when recruiting from Permanent Artillery exclusively ceased.

General population ...	...	...	...	...	...	...	87
Permanent Artillery	...	...	...	...	...	...	22
Total ...	...	...	...	...	...	...	109

EXHIBIT No. 58.

RETURN of MEN APPOINTED from the 17th October, 1889, to the 24th January, 1891, other than those transferred from Permanent Militia or Prisons Department.

Name.	Date.	Authority.
Trevelyan, C. E. H. ...	6 November, 1889	Hon. Captain Russell.
Day, John A. ...	25 March, 1890	Instructions given: not stated by whom.
Phillips, W. ...	1 May, "	Hon. Captain Russell.
Hooper, V. ...	7 " "	" (verbal).
Cleary, C. J. ...	22 November, "	Hon. F. Whitaker.
Baker, A. ...	8 December, "	Hon. Sir H. A. Atkinson.
Cummings, O. ...	7 May, "	Major Gudgeon, Commissioner.
Black, James ...	21 June, "	" "
Bretherton, J. E....	20 " "	" "

EXHIBIT No. 59.

RETURN of all MEN who were APPOINTED to the POLICE FORCE between the 18th October 1887, and the 18th March, 1897, without having previously served in the Permanent Artillery.

Appointment.	Name.	Remarks.
23 May, 1888	Parker, Charles	Transferred from Prisons Department.
21 Jan., 1889	Patton, William Patrick	Served previously in New Zealand Police— 4/5/82 to 31/8/88.
6 Nov., "	Trevelyan, Charles Edgar Harington	Served previously in Armed Constabulary— 1/7/83 to 10/3/84.
18 " "	Dales, James Bennett	Transferred from Prisons Department.
14 Dec., "	Foley, Michael	
1 May, 1890	Phillips, Walter	Served in Tasmania Police.
7 " "	Hooper, Valentine	
7 " "	Cummins, Owen	
7 June, "	Allman, James	Transferred from Prisons Department.
21 " "	Black, James	Served in Cape Police.
21 " "	Bretherton, Joseph Edward	
18 Sept., "	O'Connell, Patrick Denis	Transferred from Prisons Department.
8 Dec., "	Baker, Arthur	Served in Warwickshire Police.
1 April, 1891	Donovan, Thomas Frederick	Transferred from Prisons Department.
1 " "	O'Reilly, James	"
1 " "	Winduss, George	
3 Aug., "	Hattie, Alexander	Served in New Zealand Police and Armed Constabulary—3/8/75 to 5/11/77 and 10/9/78 to 17/1/90.
13 " "	Wilson, Gavin	
17 Oct., "	Cullinane, John	Served in New Zealand Police—10/2/80 to 12/5/90.
24 Nov., "	Bell, John	Served in New Zealand Police—30/12/73 to 11/3/91.
12 Jan., 1892	Foster, John	Served in New Zealand Police—23/11/78 to 13/6/87.
22 May, 1894	Smith, Walter	Served in Leeds Police.
8 April, 1896	Pearce, George	
8 " "	Cullinane, Thomas	
8 " "	Cummins, John	
8 " "	Cotter, Patrick	
11 " "	Lardner, John	
14 " "	Nixon, George Holbrooke	
17 " "	De Norville, Thomas Edward	
17 " "	Ryan, Thomas	
20 " "	Baker, William	
20 " "	Cowan, John Thomas	
20 " "	Matthews, William Arthur	
22 " "	Thompson, William David Lawrence	
22 " "	Cummins, Owen	
29 " "	McConnell, John	
1 May, "	Jackson, John Matthew	
14 " "	Connolly, Daniel	
18 " "	Henry, James	
20 " "	Williams, Joseph Swindell	
23 " "	Brownlee, Robert	
19 June, "	Mackenzie, Douglas Morton	
22 " "	Potter, William Driver	
22 " "	Hollis, John Walter	
2 July, "	Dalton, Charles	
3 " "	O'Connell, Francis William	
4 " "	Bird, Arthur Sydney	
9 " "	Phelan, Andrew	Served in Irish Constabulary.
21 " "	Jones, Alfred Hastings	
27 Oct., "	Russell, George Thomas	Served in New Zealand Police and Armed Constabulary—12/6/79 to 4/5/96.
8 Feb., 1897	McKenzie, Donald	Served in Glasgow Police.
9 " "	Stackpoole, Patrick	
9 " "	McLeod, John	
11 " "	McQuarrie, Duncan	
11 " "	Keenan, Thomas	
11 " "	Hooker, Archie	
11 " "	Cahill, James	
13 " "	Bingham, Ernest	

EXHIBIT No. 59—*continued.*

RETURN of all MEN who were APPOINTED to the POLICE FORCE between the 18th October, 1887, and the 18th March, 1897, without having previously served in the Permanent Artillery—*continued.*

Appointment.	Name.	Remarks.
15	Boreham, Joseph Henry ...	...
15	McDonnell, Andrew ...	...
17	Wilton, Thomas James ...	...
18	Cain, Thomas ...	...
18	Fraser, Donald Charles ...	...
18	Harrison, Joseph Henry ...	...
18	Johnston, Edward Michael ...	...
18	McNamara, John ...	...
22	Stewart, James ...	...
26	Skinner, John William ...	...

EXHIBIT No. 60.

RETURN showing the PROVINCIAL DISTRICTS from which MEN have been appointed to the POLICE since the 1st January, 1891.

District.	Number.
Auckland ...	43
Hawke's Bay ...	6
Taranaki ...	7
Wellington ...	45
Nelson ...	4
Marlborough ...	7
Westland ...	15
Canterbury ...	61
Otago ...	51
Total ...	239

EXHIBIT No. 61.

RETURN showing the NUMBER of MEMBERS of the FORCE who have been through a Course of Ambulance Instruction, and been granted Certificates.

District.	Number.
Auckland, &c. ...	20
Napier and East Coast ...	4
Wanganui and West Coast ...	6
Wellington and Marlborough ...	17
Nelson and Westland ...	5
Christchurch and North Otago ...	20
Dunedin and Southland ...	5
Total ...	77

EXHIBIT No. 62.

RETURN showing LENGTH of SERVICE of MEMBERS of POLICE FORCE in AUCKLAND CITY, on the
22nd June, 1898.

Register Number.	Rank.	Name.	When appointed.	Length of Service.		
				Ys.	mts.	dys.
20	First-class sergeant ...	Clarke, Andrew ...	21 March, 1870 ...	28	3	1
87	"	Kelly, J. S. ...	15 Feb., 1871 ...	27	4	7
269	Second-class sergeant	Lyons, William ...	13 Nov., 1878 ...	19	7	9
128	Third-class sergeant...	Treanor, J. ...	21 Oct., 1873 ...	24	8	1
73	First-class detective ...	Grace, M. ...	11 Aug., 1870 ...	27	10	11
471	Third-class detective	Maddern, William ...	6 May, 1885 ...	13	1	16
613	Fourth-class detective	Bailey, W. A. ...	15 Oct., 1891 ...	6	8	7
636	"	McMahon, P. T. ...	31 " 1892 ...	5	7	22
300	First-class constable...	Hendrey, C. W. ...	5 June, 1879 ...	19	0	17
166	"	Moar, J. W. ...	13 May, 1875 ...	23	1	9
699	Third-class constable	Crean, P. ...	4 March, 1895 ...	3	3	18
697	"	McIlveney, James ...	18 Feb., " ...	3	4	4
672	"	Oliphant, Robert ...	7 May, 1894 ...	4	1	15
649	"	O'Grady, Thomas ...	6 July, 1893 ...	4	11	16
581	"	Roe, Peter ...	27 " 1890 ...	7	10	26
679	"	Smith, T. H. B. ...	16 June, 1894 ...	4	0	6
782	"	Boreham, J. H. ...	15 Feb., 1897 ...	1	4	7
779	"	Cahill, James ...	11 " " ...	1	4	11
732	"	Cullinane, Thomas ...	8 April, 1896 ...	2	2	14
727	"	Eccles, William ...	15 Jan., " ...	2	5	7
741	"	Fitzgerald, John ...	18 April, " ...	2	2	4
748	"	Fraser, D. C. ...	18 Feb., 1897 ...	1	4	4
798	"	Goulet, F. R. ...	15 May, " ...	1	1	7
753	"	Henry, James ...	18 " 1896 ...	2	1	4
740	"	Harvey, Peter ...	18 April, " ...	2	2	4
758	"	Hollis, J. W. ...	22 June, " ...	2	0	0
749	"	Hyde, A. H. ...	27 April, " ...	2	1	26
839	"	Jackson, James ...	16 Feb., 1898 ...	0	4	6
777	"	Keenan, Thomas ...	11 " 1897 ...	1	4	11
713	"	Kennedy, H. P. ...	2 Nov., 1895 ...	2	7	20
748	"	Lanigan, R. ...	24 April, 1896 ...	2	1	29
739	"	Miller, J. P. ...	18 " " ...	2	2	4
707	"	Moffitt, H. E. ...	10 June, 1895 ...	3	0	12
783	"	McDonnell, A. ...	15 Feb., 1897 ...	1	4	7
790	"	McNamara, John ...	18 " " ...	1	4	4
800	"	McNeeley, William ...	24 May, " ...	1	0	29
847	"	McRae, J. M. ...	16 " 1898 ...	0	1	6
848	"	McCarthy, William ...	2 June, " ...	0	0	21
831	"	Mathew, J. A. ...	1 Jan., " ...	0	5	22
805	"	Potter, A. A. ...	21 June, 1897 ...	1	0	1
840	"	Peat, William ...	19 Feb., 1898 ...	0	4	3
846	"	Parsons, B. J. ...	21 April, " ...	0	2	1
792	"	Skinner, John ...	26 Feb., 1897 ...	1	3	27
773	"	Stackpoole, P. ...	9 " " ...	1	4	13
837	"	Steevens, C. J. ...	17 Jan., 1898 ...	0	5	5
834	"	Thompson, S. ...	8 " " ...	0	5	14
801	"	Waterman, F. A. ...	24 May, 1897 ...	1	0	29
822	"	Gaffney, M. ...	11 Dec., 1897 ...	0	6	11

EXHIBIT No. 63.

RETURN showing LENGTH of SERVICE of MEMBERS of POLICE FORCE in AUCKLAND SUBURBS on 22nd June, 1898.

Register Number.	Rank.	Names.	Where stationed.	When appointed.	Length of Service.
67	Third-class sergeant ...	Walker, William ...	Newton ...	23 March, 1870	Ys. mts. dys. 28 2 30
50	" ...	Wild, F. ...	Devonport ...	10 " 1868	30 3 12
114	First-class constable ...	Finnerty, J. ...	Freeman's Bay	30 " 1873	25 2 23
79	" ...	Hutchison, J. ...	Parnell ...	20 Nov., 1870	27 7 2
176	" ...	McClellan, W. J. ...	Surrey Hills ...	19 Oct., 1875	22 8 3
203	" ...	McDonnell, L. ...	Ponsonby ...	27 Nov., 1876	21 6 26
84	Second-class constable	Hinton, John ...	Eden Terrace ...	27 Jan., 1871	27 4 26
426	" ...	Mackle, F. ...	Newmarket ...	27 Sept., 1882	15 8 26
445	" ...	Rowles, D. ...	" ...	30 July, 1883	14 10 23
695	Third-class constable...	Howell, E. T. ...	Ponsonby ...	8 Feb., 1895	3 4 14
768	" ...	Douthett, A. G. ...	Newton ...	8 " 1897	1 4 14
789	" ...	Johnson, E. M. ...	" ...	18 " "	1 4 4
780	" ...	Rock, James ...	Parnell ...	11 " "	1 4 11
719	" ...	Miller, William ...	Devonport ...	14 Nov., 1895	2 7 8

EXHIBIT No. 64.

RETURN showing LENGTH of SERVICE of the POLICE FORCE in the WANGANUI and WEST COAST DISTRICT.

Register Number.	Rank.	Name.	Date when enrolled in Police Force.	Stationed at
106	First-class sergeant ...	Ellison, J. W. ...	27 May, 1872...	Wanganui.
306	Second-class sergeant ...	Bernard, J. S. ...	11 June, 1879...	Hawera.
101	Third-class sergeant ...	Stagpoole, M. D. ...	23 Feb., 1872...	New Plymouth.
69	First-class constable	Roche, M. ...	14 May, 1870...	"
68	" ...	Crozier, A. ...	3 " " ...	Marton.
100	" ...	Ryan, W. H. ...	22 Feb., 1872...	Stratford.
9	" ...	Tuohy, J. J. ...	10 July, 1862...	Moawhango.
347	" ...	Simpson, W. J. ...	19 Dec., 1879...	Eltham.
99	" ...	Quinn, P. ...	6 " 1871...	Manaia.
319	" ...	Gleeson, J. ...	18 Aug., 1879...	Bulls.
413	" ...	McGill, William ...	15 " 1882...	New Plymouth.
93	" ...	Moon, A. M. ...	5 July, 1871...	Hunterville.
82	Second-class constable	Salmon, Henry ...	26 Jan., " ...	Wanganui.
120	" ...	Cooper, Charles ...	29 May, 1873...	Opunake.
144	" ...	Bleasel, Charles ...	27 July, 1874...	Waitara.
504	" ...	Hickman, T. ...	12 Feb., 1887...	Pungarehu.
510	" ...	Grey, William ...	14 July, " ...	New Plymouth.
538	" ...	Beattie, Henry ...	22 Feb., 1889...	Raetihi.
364	" ...	McAnerin, W. H. ...	9 Sept., 1881...	Mokau.
371	" ...	O'Brien, Benjamin ...	21 " " ...	Waverley.
687	" ...	Poland, J. H. ...	7 Nov., 1894...	Waitotara.
451	" ...	Williams, W. ...	7 Aug., 1883...	Patea.
507	" ...	Young, W. B. ...	23 May, 1887...	Wanganui.
521	" ...	Redican, M. ...	26 " 1888...	Normanby.
534	" ...	Shearman, James ...	9 Jan., 1889...	Wanganui.
565	Third-class constable	Montgomery, A. ...	17 Dec., 1887...	Inglewood.
577	" ...	Black, James ...	21 June, 1890...	Ohingaiti.
609	" ...	Wilson, G. ...	13 Aug., 1891...	Patea.
656	" ...	Lynd, Andrew ...	3 " 1893...	New Plymouth.
701	" ...	Whitehouse, E. ...	8 March, 1895...	Hawera.
746	" ...	Cummins, O. ...	22 April, 1896...	Stratford.
764	" ...	Russell, G. T. ...	27 Oct., 1897...	New Plymouth.
813	" ...	Campbell, W. J. ...	10 Nov., " ...	Wanganui.
826	" ...	Duddy, Patrick ...	20 Dec., " ...	"
...	District constable	Morgan, A. ...	...	Kawhia.

EXHIBIT No. 65.
RETURN showing SERVICE of POLICE now at WANGANUI STATION.

Rank.	Names.	Date of Joining.
First-class sergeant ...	Ellison, J. ...	25 June, 1872.
Second-class constable	Salmon, H.*	— May, 1895.
"	Young, W. B.	1 June, 1887.
"	Shearman, John	9 Jan., 1889.
Third-class constable	Campbell, W. J.	10 Nov., 1897.
"	Duddy, Patrick	20 Dec., "

* Transferred from Armed Constabulary Field Force to Police in May, 1885.

EXHIBIT No. 66.

RETURN showing the MEMBERS of all RANKS over FIFTY-FIVE YEARS of AGE serving in the FORCE on the 31st March, 1898.

Age.	Inspectors.	Sergeants.	Constables.	Total.
Over fifty-five and under sixty	1	7	18	26
Over sixty and under sixty-five	2	6	4	12
Over sixty-five and under seventy	2	1	2	5
Over seventy	1	...	...	1
Totals ...	6	14	24	44

EXHIBIT No. 67.

SUMMARY of EMOLUMENTS received by Constables for Offices unconnected with Police Duties during the Year 1897.

Bailiff's Fees only.	District.	Totals (including Bailiff's Fees).
£ s. d.		£ s. d.
282 12 0	Auckland	579 9 1
166 5 0	Taranaki and West Coast	265 0 0
184 10 0	Napier and East Coast	382 2 6
246 9 0	Wellington	577 10 2
58 13 0	Nelson and Westland	240 0 0
224 9 0	Canterbury and North Otago	502 15 4
335 2 4	Dunedin	827 16 9
£1,498 0 4		£3,374 13 10

At Oamaru, Timaru, Clyde, Westport, Picton, and Naseby constables act as gaolers, and their salaries are paid by the Prisons Department while so employed.

EXHIBIT No. 68.

SUMMARY of AMOUNTS paid as RETIRING-ALLOWANCES from the Year 1888 to 1897 (inclusive).

Year.	£ s. d.	Year.	£ s. d.
1888	4,210 15 7	1894	1,669 17 6
1889	742 8 9	1895	795 7 11
1890	3,706 17 1	1896	1,842 6 2
	41 1 3	1897	1,683 7 6
1891	4,384 9 3		
1892	1,735 14 7	Total	£22,820 6 10
1893	2,008 1 3		

EXHIBIT No. 69.

SUMMARY of AMOUNTS paid as COMPASSIONATE ALLOWANCES to Widows and Children from the Year 1888 to 1897 inclusive.

Year.			Amount.	Year.			Amount.
			£ s. d.				£ s. d.
1888	...	...	164 5 0	1894	...	...	564 9 8
1889	...	...	191 12 6	1895	...	...	219 0 0
1890	...	...	786 4 0	1896	...	...	1,320 17 6
1891	...	...	547 10 6	1897	...	...	1,284 18 9
1892	...	...	392 7 6				
1893	...	...	310 5 0	Total	...	...	5,781 10 5

EXHIBIT No. 70.

RETURN showing RETIRING ALLOWANCES GRANTED to MEMBERS of the FORCE from the 1st April, 1888, to the 31st March, 1898.

Regd. No.	Rank and Name.	Date of Retirement.	Amount.
			£ s. d.
	*First-class Inspector R. C. Shearman	30 June, 1888	900 0 0
	* " W. H. James	30 " "	800 0 0
	*Inspector A. Buckley	30 " "	700 0 0
	*Third-class Inspector R. Bullen	30 " "	600 0 0
43	First-class Sergeant A. Wilson	30 April, "	191 12 6
112	First-class Constable P. W. Walsh	30 " "	164 5 0
145	Second-class Constable J. S. Rollo	30 " "	155 2 6
150	Third-class Constable Hare Takerei	1 May, "	50 0 0
341	" G. G. Sparke	10 " "	93 3 1
476	" R. Haldane	5 July, "	127 15 0
149	First-class Detective R. Bain	31 Aug., "	264 12 6
234	First-class Constable William Lawler	31 " "	164 5 0
230	First-class Constable G. Tronson	30 April, 1889	158 8 9
125	First-class Detective J. M. Walker	31 Oct., "	264 12 6
189	First-class Constable J. Daly	22 Dec., "	164 5 0
139	Second-class Constable J. O'Sullivan	24 " "	155 2 6
39A	*Chief Detective C. T. Browne	15 Jan., 1890	660 16 6
	*First-class Inspector T. K. Weldon	31 March, "	900 0 0
260	Third-class Constable Alexander Hattie	31 Jan., "	138 12 8
10	First-class Sergeant William Hanlon	31 March, "	191 12 6
337	First-class Constable John Cullinane	12 May, "	139 19 0
264	Second-class Constable John Black	30 June, "	151 12 4
95	Acting Third-class Sergeant John Dean Watson	31 July, "	164 5 0
8	First-class Sergeant F. T. H. Bullen	10 Sept., "	191 12 6
314	Second-class Constable Thomas Gaffney	25 Oct., "	146 4 9
62	First-class Constable P. Thoreau	12 Nov., "	164 5 0
25	First-class Sergeant M. Ready	17 Dec., "	191 12 6
14	" H. W. Felton	27 Nov., "	191 12 6
318	Second-class Constable James Bennetts	5 Dec., "	146 1 10
272	" Laurence Kelly	8 " "	164 5 0
134	Acting Third-class Sergeant J. W. Day	14 Jan., "	164 5 0
308	Second-class Constable M. Franklin	6 " 1891	141 16 2
24	First-class Constable D. Flanagan	28 Feb., "	164 5 0
353	Third-class Constable M. J. O'Donnell	9 March, "	84 10 0
	*First-class Inspector F. Atchison	30 June, "	800 0 0
	*Second-class Inspector S. Moore	30 " "	700 0 0
	*Third-class Inspector A. Thompson	30 " "	600 0 0
	*Third-class Inspector W. A. Kiely	30 " "	600 0 0
	* " S. Goodall	30 " "	600 0 0
15	Sergeant-Major P. T. Fair	31 March, "	209 17 6
	District Constable E. S. Thompson	10 April, "	118 12 6
274	Second-class Constable D. O'Donohue	9 July, "	155 2 6
259	First-class Constable R. Allen	31 " "	164 5 0
434	Second-class Constable J. S. Macdonald	5 Aug., "	96 0 7
70	Second-class Sergeant R. Doolan	20 Jan., 1892	182 10 0
321	Second-class Constable Thomas Whitty	23 March, "	155 2 6
35	First-class Constable John Morton	31 " "	164 5 0

* Services dispensed with on reduction of Force.

RETURN showing RETIRING ALLOWANCES GRANTED to MEMBERS of the FORCE, &c.—*continued.*

Regd. No.	Rank and Name.	Date of Retirement.	Amount.	
			£	s. d.
356	Third-class Constable James Dealy ...	15 April, 1892	131	3 5
533	" Robert Cargill ...	31 July, "	74	4 7
401	" Patrick Maher ...	31 " "	130	9 4
333	" Francis James Taylor ...	11 Aug., "	146	0 0
64	Second-class Sergeant John Donovan ...	22 Sept., "	182	10 0
326	First-class Constable Patrick Leahy Harnett ...	28 " "	164	5 0
527	Third-class Constable Arthur George Webb ...	15 Oct., "	76	14 9
52	First-class Constable William Bulford ...	12 Nov., "	164	5 0
233	" William Bell ...	31 Dec., "	164	5 0
218	" James Barry ...	31 Jan., 1893	164	5 0
305	Second-class Constable Richard Patterson ...	31 " "	155	2 6
74	First-class Sergeant J. F. Bulford ...	28 Feb., "	191	12 6
224	Acting-Sergeant Arthur Pickering ...	7 March, "	164	5 0
261	Third-class Constable James Cleary ...	30 April, "	146	0 0
257	Second-class Constable Benjamin Gray ...	9 May, "	155	2 6
223	Third-class Sergeant William Manning ...	20 " "	173	7 6
99A	First-class Sergeant Henry Cooke Lanauze ...	2 June, "	275	0 0
170	Second-class Constable John McIvor ...	7 " "	155	2 6
81	First-class Constable John Coyle ...	17 " "	164	5 0
464	Third-class Constable William Bethel ...	30 " "	99	13 9
98	First-class Constable Ralph Satchwell ...	30 " "	164	5 0
243	* " James Meehan ...	24 March, 1890	41	1 3
49	First-class Sergeant James Anderson ...	6 Feb., 1894	191	12 6
204	First-class Constable John Hawksworth ...	7 " "	164	5 0
313	Third-class Constable Thomas O'Brien ...	26 " "	146	0 0
37	First-class Sergeant Adam Bissett ...	21 April, "	191	12 6
159	First-class Constable John Buchanan ...	8 May, "	164	5 0
21	" James McKenna ...	15 " "	164	5 0
53	" Michael Quirke ...	31 Aug., "	164	5 0
78	Second-class Sergeant Hugh Nickle ...	15 Sept., "	182	10 0
360	Third-class Constable Joseph Kenny ...	22 Oct., "	146	0 0
56	Second-class Constable John Dunn ...	22 Dec., "	155	2 6
657	Third-class Constable William Patrick Lorrigan ...	11 Feb., 1895	10	12 11
200	First-class Constable Thomas Dyer Brown ...	28 March, "	164	5 0
384	Third-class Constable Thomas Leitch ...	31 " "	146	0 0
266	First-class Constable John Groves... ..	31 " "	164	5 0
376	Third-class Constable Edward S. Bullen ...	17 Sept., "	146	0 0
126	First-class Constable David Smart... ..	6 Nov., "	164	5 0
2	" David Lyster ...	31 Jan., 1896	164	5 0
236	" Patrick O'Farrell ...	25 " "	164	5 0
251	" William Watt ...	23 March, "	164	5 0
219	Third-class Constable J. D. Crockett ...	21 " "	146	0 0
499	First-class Constable A. A. Pennefather ...	31 " "	144	0 9
104	" John Hartnett ...	4 April, "	164	5 0
141	" Robert Rainier Jones ...	11 June, "	164	5 0
96	" William Streat ...	6 July, "	164	5 0
618	Third-class Constable Frederick Y. Watty ...	13 " "	48	1 11
191	† First-class Constable Thomas Nestor ...	22 Aug., 1895	164	5 0
31	Third-class Sergeant John Keating ...	2 Sept., 1896	173	7 6
457	Second-class Constable William Lewis ...	30 Nov., "	181	1 0
89	First-class Constable David Shaw ...	11 Jan., 1897	164	5 0
23	First-class Sergeant William Emerson ...	1 March, "	191	12 6
28	" Richard Gamble ...	6 Jan., "	191	12 6
206	Second-class Sergeant John McMahon ...	6 " "	182	10 0
156	First-class Detective Maurice O'Connor ...	6 Aug., "	264	12 6
323	Second-class Constable Thomas Potter Lister ...	23 " "	155	2 6
481	Native Constable Piri Raiti ...	30 Sept., "	50	0 0
40	Third-class Constable A. J. Sisam ...	15 Nov., "	146	0 0
47	First-class Constable Patrick Hendrick ...	16 " "	164	5 0
466	Third-class Sergeant E. Villars ...	18 " "	173	7 6
	Third-class Constable H. J. Stewart ...	11 Sept., 1891	†	
	Total ...	...	22,820	6 10

* Granted 28th October, 1893, on petition.

† Granted 15th July, 1896, on petition.

‡ 15s. per week.

EXHIBIT No. 71.

RETURN showing COMPASSIONATE ALLOWANCES GRANTED TO WIDOWS OF CHILDREN OF MEMBERS of the FORCE from the 1st April, 1888, to the 31st March, 1898.

To whom granted.		Date of Death.	Amount.		
			£	s.	d.
Widow of	First-class Constable B. Moroney	16 Dec., 1888	164	5	0
"	First-class Sergeant James Murphy	14 Aug., 1889	191	12	6
"	Third-class Constable Elijah Hewitt	7 June, 1890	47	1	6
"	John Cotter	4 July, "	146	0	0
"	First-class Constable Norman McLeod	29 " "	328	10	0
"	Third-class Constable John Maclean	18 " "	127	15	0
"	E. Barry	31 Dec., "	136	17	6
Children of	First-class Sergeant P. Finnegan	10 Feb., 1891	191	12	6
Widow of	John Price	9 June, "	191	12	6
"	First-class Constable R. Willis	15 Dec., "	164	5	6
"	Second-class Sergeant J. Barrett	30 April, 1892	182	10	0
"	Sergeant-Major J. Bevin	11 May, "	209	17	6
"	Second-class Constable Charles Hogg	16 Oct., 1893	155	2	6
"	James McAlister	2 Nov., "	155	2	6
"	Second-class Sergeant T. Neil	3 June, 1894	182	10	0
"	Third-class Constable J. A. Day	21 May, "	44	7	2
"	First-class Constable Martin Cashion	22 April, "	182	10	0
"	Second-class Constable Patrick Leahy	4 Dec., "	155	2	6
"	Henry Hallett	31 May, 1895	155	2	6
"	Third-class Constable Cecil R. Seymour	6 Aug., "	63	17	6
"	First-class Inspector J. B. Thomson	2 March, 1896	600	0	0
"	Third-class Constable George H. Brooking	21 May, "	205	6	3
"	Second-class Constable Arthur Reddell	30 Oct., "	155	2	6
"	Third-class Constable Thomas Stewart	14 Dec., "	73	0	0
Children of	First-class Sergeant S. C. W. Möller ... ..	...	287	8	9
"	Third-class Sergeant Florence O'Donovan	16 April, 1897	260	1	3
Widow of	Third-class Constable Alfred Stephenson	16 " "	191	12	6
"	Sergeant-Major Samuel Moore	28 " "	150	0	0
"	Third-class Inspector John Pratt	12 Sept., "	300	0	0
"	Acting Sergeant-Major M. Scanlan	14 " "	191	12	6
"	First-class Sergeant James Slattery	18 Nov., "	191	12	6
Total			5,781	10	5

* Committed to asylum 22nd December, 1896.

SUMMARY.

	£	s.	d.
Retiring allowances	22,820	6	10
Compassionate allowances to widows or children	5,781	10	5
Total	£28,601	17	3

EXHIBIT No. 72.

COPY of REGISTER of DEATH.—Certified Copy of Entry in the Registrar-General's Office.—District of Christchurch; Year, 1883.

No. 294.

When and where died: 22nd April, 1883; New Street.

Name and surname: Amy Dyson.

Sex and age: F.; 28.

Cause of death: Verdict of jury, inflammation of lungs (p.m.).

Name and surname of father: Unknown.

Rank or profession of father: Hotelkeeper.

When and where buried: 24th April, 1883; Christchurch Cemetery.

Name and religion of minister: Rev. E. A. Lingard; Church of England.

Where born, and how long in New Zealand: London; seven years.

Where, at what age, and to whom married: London; 20; George Dyson.

If issue living, state number and sex: One female; 5 years.

Signature, description, and residence of informant: John W. Howard, Coroner, Christchurch.

Signature of Registrar: J. W. Parkerson.

Date of registration: 27th April, 1883.

I, Edward John von Dadelszen, Registrar-General for the Colony of New Zealand, do hereby certify that the above is a true copy of the entry of the death of Amy Dyson in the records of my office.

Given under my hand, at Wellington, this 2nd day of March, 1898.

E. J. VON DADELSZEN,
Registrar-General.

EXHIBIT No. 73.

RETURN showing EXPENSES of TRANSFERRING Sergeant HANNAN.

		<i>Stafford to Otaki.</i>		£	s.	d.	£	s.	d.
1891.									
Jan.	9	Allowance on sale of effects ...	...	30	0	0			
"	16	Board, &c., Hokitika and Greymouth ...	...	8	6	0			
"	13	Bonar, J. H., boat-fares to Wellington ...	...	10	2	6			
"	13	Cameron, J., trap-hire, Stafford to Hokitika ...	...	1	10	0			
"	18-22	Hannan, D., board and lodging, Wellington ...	...	4	13	0			
"	22	" coach-fares, Otaki ...	...	0	5	0			
"	22-31	" board and lodging, Otaki ...	...	12	7	6			
"	22	Wellington and Manawatu Railway Company, train-fares	...	1	12	11			
Feb.	12	Knox, A., cartage at Otaki ...	...	0	10	0			
"	9	Bell, George, rent of cottage, Otaki ...	£3 4 3						
March	31	"	...						
April	1-28	"	... 1 16 0						
				5	0	3			
							74	7	2
1898.									
April	28	Bell, George, cartage, Otaki ...	...	1	5	0			
May	1	McMullen, D., cartage, Masterton ...	...	1	0	0			
April	29	Wellington and Manawatu Railway Company, fares and freight ...	...	8	13	2			
							10	18	2
1892.									
Jan.	12	Union Steam Ship Company, passages, Wellington to Hokitika ...	...	7	17	6			
"	11	Hannan, D., omnibus-fares, Masterton ...	£0 4 0						
"		" train ...	... 1 19 8						
"		" cab ...	... 0 4 0						
"		" board, &c., Wellington ...	... 1 18 0						
				4	5	8			
Feb.	18	Union Steam Ship Company, passage, Sergeant Hannan...	...	2	5	0			
"	16	Hannan, D., special allowance for freight on furniture, Wellington to Stafford ...	...	35	0	0			
"	13-18	Hannan, D., transfer expenses, Masterton to Wellington...	...	1	11	6			
"	23	Cameron, J., coach-fare, Stafford ...	...	0	3	0			
Jan.	15	Cook, M., board for family while detained at Hokitika, owing to Mrs. O'Donovan being ill and unable to vacate Stafford Station ...	...	34	10	10			
Feb.	27	"	...						
Jan.	14-15	Board, &c., family at Greymouth ...	£1 16 0						
Feb.	19-26	Hannan, D., seven days' allowance ...	... 2 2 0						
"	27	" meals at Stafford ...	... 0 12 0						
				4	10	0			
							90	3	6
							£175	8	10

EXHIBIT No. 74.

RETURN showing EXPENSES of TRANSFERRING Constable T. O'ROURKE, Otaki, to West Coast and back.

				£	s.	d.	£	s.	d.
1891.									
Jan.	22	Wellington and Manawatu Railway Company, train-fare to Wellington ...	...	0	4	0			
"	22-23	O'Rourke, T., board, &c., Wellington, 6s. 6d.; coach-fare and cartage, 3s. 6d. ...	...	0	10	0			
"	23	Union Steam Ship Company, passage to Greymouth ...	...	1	15	0			
"	26	Castles, H., train-fare ...	...	0	7	0			
"	26-28	O'Rourke, T., meals, Greymouth, Kumara, Hokitika, and Ross ...	...	0	19	0			
"	27	Cameron, J., coach-fare ...	...	0	6	0			
"	27	O'Rourke, T., coach-fare, Hokitika to Ross ...	...	0	9	0			
March	12	" cab-fare, 1s.; train-fare to Wellington, 6s. 7d. ...	...	0	7	7			
March	12	" allowance while doing temporary duty at Wellington, pending removal of Sergeant Hannan from Otaki, seven days at 6s., £2 2s.; thirty-seven days at 5s., £9 5s. ...	...	11	7	0			
April	24	Wellington and Manawatu Railway Company, train-fare to Otaki ...	...	0	6	7			
April	24	Wellington and Manawatu Railway Company, train-fare to Otaki ...	...	0	6	7			
							£16	11	2

EXHIBIT No. 75.

RETURN showing the NUMBER of PERSONS REMANDED for MEDICAL TREATMENT at AUCKLAND for the Year ended 31st May, 1898.

Charge arrested on.	Date of Arrest.	Date remanded from.	Remarks.
Drunkenness ...	9 July, 1897	10 July, 1897	Remanded for a week for medical treatment.
" ...	24 Nov., "	25 Nov., "	" "
" ...	30 " "	30 " "	" "
" ...	9 Dec., "	10 Dec., "	" "
" ...	25 March, 1898	26 March, 1898	" "

EXHIBIT No. 76.

NEW ZEALAND POLICE.—LONG-SERVICE PAY.

Number receiving long-service pay on the 22nd February, 1898, at 1s. per diem ...	280
Ditto, at 6d. per diem ...	Nil.

EXHIBIT No. 77.

POLICE REWARD FUND.—RETURN showing RECEIPTS and EXPENDITURE in each Year from the 31st March, 1887, to the 31st March, 1898.

[Schedule referred to in "Disbursement" column not printed.]

<i>Receipts.</i>		£	s.	d.	<i>Disbursements.</i>		£	s.	d.
By Balance on 31st March, 1887 ..	..	115	0	6	To Amount invested in Government securities ..	..	77	10	2
Lodgments for year ended 31st March, 1888 ..	..	76	15	0	Amount paid for books and periodicals for libraries ..	..	49	11	2
Interest ..	..	29	6	3	Rewards paid as per schedule attached ..	..	80	10	0
					Public Trust Office commission ..	..	0	11	7
					Balance ..	..	12	18	10
Balance on 31st March, 1888 ..	..	12	18	10	Amount paid for books and periodicals for libraries ..	..	32	0	0
Lodgments for year ended 31st March, 1889 ..	..	86	18	7	Rewards paid as per schedule attached ..	..	46	13	0
Interest ..	..	63	10	9	Public Trust Office commission ..	..	1	7	3
					Balance ..	..	83	7	11
Balance on 31st March, 1889 ..	..	83	7	11	Amount paid for books and periodicals for libraries ..	..	8	0	0
Lodgments for year ended 31st March, 1890 ..	..	29	9	8	Rewards paid as per schedule attached ..	..	29	0	0
Proceeds of unclaimed property at police-stations ..	..	6	18	6	Public Trust Office commission ..	..	0	19	10
Interest ..	..	66	4	8	Balance ..	..	148	0	11
Balance on 31st March, 1890 ..	..	148	0	11	Rewards paid as per schedule attached ..	..	6	0	0
Lodgments for year ended 31st March, 1891 ..	..	19	5	10	Public Trust Office commission ..	..	0	16	4
Interest ..	..	68	16	4	Balance ..	..	229	6	9
Balance on 31st March, 1891 ..	..	229	6	9	Rewards paid as per schedule attached ..	..	30	10	0
Lodgments for year ended 31st March, 1892 ..	..	21	12	7	Amount paid for books and periodicals for libraries ..	..	44	0	0
Government securities realised ..	..	1,250	0	0	Public Trust Office commission ..	..	2	1	9
Interest ..	..	72	10	1	Balance ..	..	1,496	17	8
Balance on 31st March, 1892 ..	..	1,496	17	8	Rewards paid as per schedule attached ..	..	31	9	0
Lodgments for year ended 31st March, 1893 ..	..	17	15	0	Public Trust Office commission ..	..	0	3	6
Interest added in Public Trust Office ..	..	70	18	6	Balance ..	..	1,553	18	8
Balance on 31st March, 1893 ..	..	1,553	18	8	Rewards paid as per schedule attached ..	..	66	0	0
Lodgments for year ended 31st March, 1894 ..	..	31	0	3	Public Trust Office commission ..	..	0	7	4
Proceeds of sale of unclaimed property ..	..	0	14	0	Balance ..	..	1,589	14	7
Interest added in Public Trust Office ..	..	70	9	0					
Balance on 31st March, 1894 ..	..	1,589	14	7	Rewards paid as per schedule attached ..	..	57	10	0
Lodgments for year ended 31st March, 1895 ..	..	16	2	6	Refund of fine inflicted on Constable Gordon ..	..	1	0	0
Interest added in Public Trust Office ..	..	66	15	2	Public Trust Office commission ..	..	0	3	0
					Balance ..	..	1,613	19	8

EXHIBIT 77.—*continued.*POLICE REWARD FUND—RETURN showing RECEIPTS and EXPENDITURE &c.—*continued.*

<i>Receipts.</i>			<i>Disbursements.</i>		
	£	s. d.		£	s. d.
Balance on 31st March, 1895 ..	1,613	19 3	Rewards paid as per schedule attached	60	0 0
Lodgments for year ended 31st March, 1896 ..	28	7 0	Public Trust Office commission ..	0	5 8
			Balance	1,582	0 7
Balance on 31st March, 1896 ..	1,582	0 7	Rewards paid as per schedule attached	37	0 0
Lodgments for year ended 31st March, 1897 ..	12	7 6	Public Trust Office commission ..	0	2 3
Interest added in Public Trust Office ..	156	18 4	Balance	1,714	4 2
Balance on 31st March, 1897 ..	1,714	4 2	Rewards paid as per schedule attached	105	0 0
Lodgments for year ended 31st March, 1898 ..	12	2 6	Public Trust Office commission ..	0	2 8
Interest added in Public Trust Office ..	57	19 11	Balance	1,679	3 11
Balance on 1st April, 1898 ..	1,679	3 11			

Approximate Cost of Paper.—Preparation, not given; printing (1,700 copies), £814.

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