

FRIDAY, 19TH SEPTEMBER, 1902.

*The Chairman* : I have just received a message from Mr. Skerrett saying that he is not able to be in attendance this morning. He says, "May I suggest that the Committee should proceed with the cross-examination by Mr. Maginnity of Inspector Macdonell, reserving me permission, should I think it necessary to do so, to recall him?" He has some Court business to attend to this morning and cannot possibly be in attendance here.

*Mr. Maginnity* : May it please the Committee : Before resuming the investigation this morning would the Committee permit me to tender my apologies for non-appearance here yesterday and to express to the Committee my sense of the kindness they have extended to me by permitting the investigation to be continued to-day. I want to say, Mr. Chairman, in my own defence, that it was a matter that I could not possibly foresee. We did not get news of the "Wainui" being unable to work Westport until late in the afternoon, otherwise I could have come by the "Penguin." But the news reached me at 4 o'clock in the afternoon, and I was then helpless, and therefore I at once telegraphed to Mr. Graham.

*The Chairman* : I may say that the worst feature I see in connection with the matter is that the Committee and the Government are blamed in an article in a local paper for—at any rate, by inference—purposely delaying this inquiry, with the view of not reporting this session. It must be well known to the petitioners themselves that a fortnight's delay was granted in the first instance at the request of their solicitor, so that we had nothing to do with that. Further, I see it is stated in this article in the paper that the Committee are very slow—that they sit only once a week. That also is contrary to fact. We did on one occasion sit on Thursday and Friday, and I have no doubt the Committee would sit on other days, but we have other important Committees, which must sit, to attend. At the commencement of the session the days were set apart upon which the various Committees would sit, and the Petitions A to L Committee was set down for Thursday. It is impossible to go back on an arrangement of that kind, excepting in a case of urgency. It has always been the desire of the Committee to meet people coming from a distance in every way in which they possibly can. I think, in justice to the Government and the Committee, it is my duty to mention the matter here, because the whole article is absolutely contrary to fact.

*Mr. Maginnity* : I can quite recognise the justice of the Chairman's remarks. I may say that I did not see that article until after my arrival in Wellington last night. What the Chairman has stated is exactly the fact. It is a little unfortunate that the men are resident at a distance from the centre of investigation; but that is a difficulty that cannot be overcome. I fully appreciate, sir, the endeavours the Committee have exercised to meet us in every possible way. I should like, while saying this, to state that I am a little anxious to get to the end of the investigation as quickly as possible, because I am most desirous that the Committee should make a report to Parliament before Parliament rises. Another reason is—although it is quite a subordinate matter—that personally I cannot attend in Wellington again after to-day, and these men whose cases you are inquiring into are here and are anxious to get back to their homes. One of them is out of employment at present, but they are both anxious to get back to Nelson, one to carry on his present work and the other to seek employment.

*Mr. Graham* : If it is any satisfaction to the Committee, sir, I should just like to confirm your statement. The case was first set down for the 14th August, but counsel for the men could not attend, and you agreed, at their request, to adjourn the case for a fortnight. As Mr. Maginnity has said, it is a little awkward coming from a distance. This is the fourth time that he has come from Nelson to attend here, and I am quite sure the Committee will recognise the inconvenience that he and the petitioners have been put to and will accelerate business by every means in their power.

*Mr. Maginnity* : I am ready, sir, to go on with my cross-examination of Inspector Macdonell, but I understand that Commissioner Tunbridge has yet some few questions to put in order to complete his examination.

*The Chairman* : That is so.

#### Examination of Inspector MACDONELL continued. (No. 9.)

1. *Commissioner Tunbridge*.] You said on Friday last, Mr. Macdonell, with reference to the charge against Burrell of going to the station to get tea, that you agreed with the finding, but you thought the decision was a light one?—Yes.

2. Which do you consider would have been more serious—a constable going to the station or going to a publichouse?—I would think it more serious to go to a publichouse.

3. I severely reprimanded and cautioned Burrell on the charge of improperly leaving his beat—that is charge No. 2 against him—the first charge of leaving his beat. On the second such charge I severely reprimanded and cautioned him, and fined him 2s. 6d. Those were my decisions in those two cases?—Yes.

4. They are the decisions which you consider too light?—In all the circumstances, I do consider them light.

5. Well, now, is this [document produced] a decision that you yourself gave in the case of Constable Brown, of Dannevirke, who when on duty went into a publichouse to play billiards [document handed to witness]?—That is so.

6. What was your decision in that case?—He was cautioned to be more careful in future. But I would like to explain the circumstances under which that came about.

7. These speeches, Mr. Chairman, run away with the time. The man was charged with playing billiards in the Junction Hotel at Dannevirke for twenty minutes when doing plain-clothes duty on the night of the 29th July, 1902. For that offence, Mr. Macdonell, you merely cautioned the man to be more careful in future?—That is so, but I wish to explain the circumstances.