

Mr. Gunston.

19th Sept., 1878.

136. How did you get out?—Mr. Marshall and some friends got me out.
137. You were bailed out?—Yes.
138. On what charge were you locked up?—I think it was “resisting the police in the execution of their duty, inciting a prisoner to resistance, and attempting to create a row.” I know there were three charges.
139. The case came on in Court?—Yes.
140. And what occurred?—The judge said it was evidently an arrest of the wrong persons, and the case was dismissed.
141. *Hon. Mr. Fox.*] As against you and your companion?—Yes.
142. *Mr. Bunny.*] Had the police been obstructed by any one?—There were some parties whom I did not know who were interfering, hooting, and saying: “What’s his number?”
143. You did not interfere in any way by word or action?—No.
144. *Mr. Tole.*—Did any body appear for you in Court—any lawyer I mean?—Yes; Mr. Allan.
145. Is McWilliams in the police force now?—I do not know.
- Inspector Atchison:* He is at Taupo, suffering from a broken leg, which he received when struggling with some drunken sailors.
146. *Mr. Barton.*] What are you?—An assistant fruiterer in a shop on Lambton Quay.
147. Did you know McWilliams before this, or did he know you?—Nothing further than that he may have seen me in the Temperance Lodge. I was a Good Templar at the time.
148. And he was too, I understand?—Yes.
149. Did he not know your class in life, and that you were a respectable person?—I do not know whether he knew me in that way.
150. *Inspector Atchison.*] This occurred on a Saturday afternoon?—Yes.
151. Were the people yelling, hissing, and hooting?—I think they were, when he kneeled on the man.
152. Was the mob not inciting the man to resist, by this yelling, hissing, and hooting?—When he kneeled on the man the people got quite close and hissed. I do not think there was any hissing before that.
153. Did you make this charge before the Magistrate who heard the case?—I mentioned the matter in the Court; but the Magistrate said, “I cannot take that,” or something of that sort.
154. *Mr. Barton.*] Was that Mr. Crawford?—No, it was Mr. Wardell.
155. *Inspector Atchison.*] You remember, I let you out on bail about 7 o’clock in the evening?—No, it was 9.
156. Well, 9. You instructed Mr. Allan, first thing on Monday morning, to appear for you. Did you tell him your whole case, or did you tell him only part? Did you tell him how this constable had maltreated you?—I believe I did.
157. Did he take any notice of it?—He seemed not to care. I do not think he mentioned it; but I did.
158. When did you tell Mr. Barton of this?—I never told Mr. Barton about it at all. The first time I saw him in the matter was when I came here to-day.
159. *Hon. Mr. Fox.*] Was the other man ill-used?—I believe Willis was kicked as well as myself. I got the worst of it, because McWilliams took me, and the other constable took Willis. I do not think the other constable ill-used him much.
160. *Mr. Tole.*] Willis was locked-up too?—Yes.
161. *Hon. Mr. Fox.*] You were knocked down by a blow?—Yes.
162. He must have hit you pretty hard then?—He did hit me hard; and I had a regular long bruise on my side where he kicked me.
163. Policemen wear pretty thick boots, do they not?—Yes; I felt them pretty hard.

Inspector ATCHISON, being duly sworn, was examined.

164. *Mr. Swanson.*] In view of the evidence we have heard from Gunston, I just want to ask you this. Suppose a man was beaten and kicked by the police in this way, and his lawyer states the facts in Court, what would you, as head of the police, do?—I should have the matter investigated, and then, if there was any truth found in the complaints, should recommend the aggrieved party to take out a summons against the policeman, or at once myself dismiss him. *Inspector Atchison.*

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165. Suppose the policeman said he did not hurt the man complaining, how would you get at the truth?—I would have the man examined to see if there were any marks of violence on him.

166. What if the policeman said, “Oh, he got those before I went near him; I did not injure him.” I want to know what means you would have of finding out if the charges were true?—It would have to be investigated as far as possible, that is all. For instance, the other day a man said he had been kicked by the police, and he showed great bruises. We had an investigation, and it was proved the policeman had not done it. Then he said another prisoner had kicked him; but it turned out after all that he had hurt himself by falling over a fence.

167. How was that proved?—He was seen to fall by disinterested persons.

168. But supposing he did fall, would it follow he was not hurt by the policeman at all?—No, of course not.

169. *Mr. Barton.*] Do you remember my making a statement at the theatre to the effect that a policeman, whom I called Policeman X, had tied a man down, and that he had then kicked him?—I remember reading in the paper.

170. Do you remember an inquiry being demanded by the police with respect to my statements?—Yes.

171. I want to know this: Did you inquire as to whether such an inquiry did take place?—I paraded the men, and read the Mayor’s letter and the memorandum I got from the Commissioner. I asked one and all if they had seen anything of the sort; and I spoke to some of the oldest officers in the force, men who had been at the Wellington Station for years, and they all said distinctly they had never seen anything or heard of anything of the kind.