

1895.

NEW ZEALAND.

HERBERT MULLINS (DECEASED)

(REPORT BY COMMISSIONER OF POLICE RELATIVE TO HIS DEATH BY DROWNING
IN THE MANAWATU RIVER).

Laid upon the Table of the House by Leave.

SIR,— Police Department (Commissioner's Office), Wellington, 28th August, 1895.
Agreeably to your instructions, I proceeded to Palmerston North on the 22nd instant to endeavour to obtain information as to the circumstances surrounding the death by drowning of a boy named Herbert Mullins, in the Manawatu River, on Good Friday last.

The father of the deceased boy, and the schoolmaster, Mr. Grant, waited upon me on my arrival, and gave me a list of boys who, in their opinion, could give valuable evidence, and after examining Messrs. Mullins and Grant I carefully examined six of the boys whose names had been given to me as above stated, and, after hearing Sergeant Slattery's evidence, I went to the scene of the accident, accompanied by Mr. Grant, and carefully examined the locality, and then arrived at the following conclusions:—

That some boys who were playing football near the Manawatu River on Good Friday last were subjected to annoyance from some other boys on account of these other boys stoning the footballers with catapults. That the deceased boy was one of the party which used the catapults, and that the footballers gave chase to the catapulters, and that after going a little distance the deceased got cut off from the others and took to the river-bed. That, when the footballers saw the boy Mullins on the river-bed (after they had given up chasing the others), they went after him. That after he had gone along the river bank for some distance he went into the river, but probably finding it too wide and deep, as he could not swim, he came out again, and going up the river-bank, still pursued, to where the river is very narrow, he jumped in, as he saw escape from his pursuers was hopeless, and owing to the narrowness of the river at this point he no doubt thought that, although he could not swim, yet by jumping over the deepest part he could reach the other side, and so be safe from molestation. When he got to the deep part, however, there is no doubt he sank and was drowned, and no attempt was made to save him. Those who were running after him, when they saw he was drowned, did nothing to try to save him, but evidently got frightened, and for appearance sake went back to their game of football; but on their way home met the other boys; and Ernest Gunn, aged over fifteen years, who was captain of the footballers, directed all the boys assembled to say nothing about the accident on reaching town, but that if any one asked them about it they were all to tell the same yarn—viz., that Mullins got safely over to the other side of the river.

Though there was nothing criminal in the action of the boys who chased Mullins, as it is beyond doubt that no stones were thrown at him, nor was he pushed into the water, or struck, yet I cannot refrain from recording my opinion that the conduct of William Murray and Alfred Bosted, who were only about ten and fifteen yards from the drowning lad, was most unnatural and reprehensible. The boy William Murray is about sixteen years old, a really good swimmer, who has been known to swim the river backwards and forwards five or six times at one bathing, and though Ernest Gunn suggested that he (Murray) should go in and try and save his drowning companion, he actually stood there and saw him go down to a watery grave without putting forth a hand to help. Such conduct cannot, in my opinion, be too severely commented upon. Alfred Bosted, who was a few yards further away from the drowning lad than Murray, appears not to have in any way

helped the poor lad Mullins, but as Bosted was away from Palmerston, and could not appear before me, I refrain from making any comment upon his conduct.

I was, of course, heavily handicapped in making an inquiry, as the accident had happened three months ago, and an informal inquiry had been held before two Justices in the interim; and here I may mention that an erroneous impression has got abroad that, at that inquiry, the Justices examined the boys in the presence of each other; but this was not so, as no two boys were in the room at the same time till after the Magistrate had heard what each boy had to say separately. There was no evidence taken in writing on that occasion.

I cannot conclude this report without expressing my opinion that the Sergeant of Police at Palmerston did not use that diligence and exertion in ascertaining, as soon as the matter was reported to him, the circumstances surrounding the fatality which might be expected from an officer of his service and experience. He seems to have rested satisfied by sending a constable round to some of the boys, and making very perfunctory inquiries. One boy assured me that he had never been interviewed by the sergeant, constable, or any member of the Force; and, though the sergeant knew that both the father and mother were smarting with grief under the distressing death of their boy, he did not consider it worth his while to see the father from time to time and let him know how the investigation was getting on, except exchanging a few remarks on the matter when he happened to meet Mr. Mullins in the street.

I enclose for your information a copy of the evidence taken at the inquiry. Inspector Thomson was present and gave me valuable assistance, and Sergeant Slattery also attended.

I have, &c.,

A. HUME,
Commissioner of Police.

The Hon. the Defence Minister, Wellington.

Approximate Cost of Paper.—Preparation, not given; printing (1,200 copies), £1 4s.

By Authority: SAMUEL COSTALL, Government Printer, Wellington.—1895.

Price 3d.]