

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

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

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

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

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

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

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