

his sanity. Johnston was interviewed at Mr. Lundon's office by Dr. Beattie, who, satisfied that he was as sane as in his last interview at the hospital, discharged him on probation for twenty-eight days, Mrs. Johnston signing the necessary papers at the mental hospital." Then, on the 15th March, after the expiration of his probation, "Discharged to-day on expiration of twenty-eight days' probation." Then I have the original certificates of the three medical men which brought about the discharge—Drs. Lindsay, Gore Gillon, and Clive Low. Dr. Gore Gillon states, "I certify that I have this day examined Mr. Thomas Henry Johnston, and find that he is perfectly sane." That is dated the 12th March, 1913. Dr. Low states, "This is to certify that I have most minutely examined Mr. Thomas Henry Johnston, and have conversed with him for one hour. I find—(1) No trace of epilepsy; (2) no suicidal tendency; (3) no homicidal tendency; (4) no history of any madness in his family, no matter how remote; (5) Mrs. Johnston tells me that Mr. Johnston has never on any occasion assaulted her or attempted her life; (6) in my opinion I do not consider that Mr. Johnston will become insane. To every question put to him his answers have been all most lucid and clear, and he conducts himself under rigid examination as any normal sane man should. I have no hesitation in saying that I can detect no indications of insanity in Mr. Johnston." Dr. Lindsay says, "I certify that, after a prolonged interview with Mr. Thomas Henry Johnston, whom I have never seen before, I have found no trace of anything in the way of unsoundness of mind. To me he appears a very clear-headed, intelligent man, much above the average of his class in mental attainments. His conduct and demeanour occasion no remark."

23. From your experience what would be the state of mind of a man who would take up a revolver and attempt to shoot his wife?—At that time I have no doubt at all the man was very much mentally depressed. He related the whole circumstances to me. I do not know whether I am supposed to relate them to the Committee or not. He told me that his wife had had child after child, that she had no mattress but only a bed to lie on, that they were destitute; any money that he got had to go out in doctors' or nurses' fees, and for a long period he had had to live on swede turnips or anything he could pick up from outside. He became enfeebled in health, and was able only to get casual work in consequence. Once or twice he attempted to start some work on his own account, and in several instances met with misfortune: for instance, he started to grow tomatoes at one time, and the frost killed the whole lot—several acres. He had been struggling for such a long time against poverty and adverse circumstances that he thought the best thing was to shoot his wife and children and then destroy himself.

24. You do not think there was any madness about that? That was the last resource of a desperate man?—It is the last resource of a desperate man, but still it is not pathological; it is a physiological condition. I do not think that any man in a country like this would get into a condition like that unless there was some mental defect; but that mental defect had passed away long before Johnston's committal to the mental hospital.

25. So far as the suggested divulgence of a communication which was made by him when under the influence of chloroform is concerned, that, presumably, would be made by the doctors: would there be any one else present at that operation?—There were nurses present.

26. Would not there be an obligation on the nurses as well as the doctors not to divulge anything?—I should think so. I do not think that nurses or doctors have any right to divulge information got from a patient during the chloroform state.

27. He did make a statement to you about this shooting business, but by that time the circumstances had been published, had they not?—No, I do not think so. It was known in Waihi, but I do not think it appeared in the Press.

28. Were the circumstances known to you?—Not until he told me.

29. Did Mrs. Johnston ever admit to you that he did try and shoot her?—No; she told me it was an accident, and she also denied that the doctors had seen the scar which was on her arm. Johnston told me there was a scar on the side of the arm, but she said there was no scar there, and that neither Dr. Craig nor Dr. Galligan had ever examined her or knew anything about the scar, although it was stated that they saw the scar.

30. To Dr. Clive Lowe she denied that the shooting incident took place?—Yes, I think so.

31. Well, you think Johnston was a man, from an insurance point of view, who was a first-class life?—Yes, without knowing his history. I think, knowing his history, no one would give him a first-class life.

32. Why?—Because the assumption is that if a man would attempt murder once he might do it again and be of suicidal tendency, and I would not give him a first-class life. The circumstances which produced that condition of affairs might again occur; but under the normal conditions of success in life I think the probability of recurrence is very remote but not altogether non-existent.

33. But you would say there was a screw loose somewhere?—I think at that time there was—at the time he did it.

34. Was it possible for that condition of affairs, that suicidal tendency, to suddenly develop, to come like a wave and then disappear and leave no trace behind?—I do not think so.

35. In plain language, the suggestion is that these two doctors had made false certificates. I want to know whether it is possible for that condition to have existed the day they certified, and that that condition should entirely disappear in twenty-four hours and leave no trace behind. You do not think that is likely?—No, I do not think so.

36. *Mr. Isitt.*] In regard to the evidences of epilepsy, are they very definite and unmistakable?—Yes, in major epilepsy, but in *petit mal* it is not so. It then passes away, and it would not then be obvious to a layman.

37. You think that the doctors' evidence should have been based upon other facts?—Yes, more facts than I could ascertain.