

39. You have heard read out the statement which Johnston made about his attempt to shoot his wife and about this unseen presence coming between himself and his wife and preventing him from shooting her: do you think that was the statement of a sane man?—I think that the man's condition was abnormal but not pathologically abnormal. I do not think there was any actual disease.

40. You think it was only a passing condition?—A passing depression.

41. I think your experience will show you that many people are committed to the mental hospital who are found after their admission to be in a normal condition?—That is not my experience.

42. You have some, is it not so?—Very rarely.

43. But there are cases?—Perhaps there have been two or three in the nineteen years that I have been connected with a mental hospital.

44. They were discharged, I supposed, almost immediately?—I am referring to cases like Johnston's that I certified as sane almost immediately after their committal. In two or three cases I have certified patients as being sane after they have been committed to the mental hospital as being insane.

45. Have you any recollection of a case occurring where the patient was admitted to the institution and was discharged as sane and suicide followed within a few days?—Yes. I think we have a fairly wide experience of cases of the kind.

46. Discharged soon after their admission?—I would not say that.

47. Has no such case come within your own knowledge at any time?—It is quite possible, but I do not recollect the particular time. I know that patients have committed suicide after they have been discharged, but I cannot recollect how long after.

48. After a very short detention in the mental hospital?—If you could mention a name I would probably be able to recollect.

49. With reference to the action taken by the police in connection with the committal, do you not think they were justified in having Johnston examined?—Unquestionably. You seem to be under the impression that I have a complaint against the police. I made no complaint at all.

50. The suggestion has been made that the police did act wrongly in having him examined?—That may be so.

51. Do you think they acted properly in having the man examined?—Yes, if they went about the thing properly they were justified in having him examined.

52. With reference to the medical men, you do not suggest that they acted other than in good faith and with proper care in making the examination?—No, I am not prepared to say that either. I have had more experience than they have had, and under the circumstances I would not have committed Johnston.

53. What you may consider a fit and proper person to be set at large another medical man may not, is that not so?—I have stated that.

54. It is well known that doctors differ?—That is the public impression.

55. *Hon. Mr. Fisher.*] You do not admit that?—No.

56. *Commissioner Cullen.*] I think on the 20th December you made some entry yourself relative to Johnston's condition, and you said then he was probably sane?—That is on my certificate.

57. Therefore on the 29th December you would not say definitely he was sane?—I would say he was sane, but I was waiting for evidence in regard to epilepsy. Not being epileptic, he was sane.

58. Then when he surrendered himself you were not quite satisfied to let him go at large and you put him on probation?—Yes, I thought that was a wise precaution.

59. Then there was some reservation on your part as to his condition?—No, not so at all.

60. Then why did you not discharge him?—I discharge patients on probation as frequently as I can, because I want to know after they are discharged that they are carefully looked after. I did not know when I discharged Johnston that he would get his position back in the Waihi Mine, and I did not know what would happen to him, so I thought under the circumstances I should take extra precautions.

61. In regard to Sergeant Wohlmann taking Johnston from the street to the lock-up on the day he was examined on the pretext of settling his witnesses's expenses, do you not think that was a more humane way than telling him he was there on a charge of lunacy?—No, I do not think so. If a man is going to be committed to a mental hospital I think it is as well to tell him.

62. But if Johnston was openly arrested in the street and charged with lunacy it might have excited him?—Possibly.

63. Then do you not think it was the best and quietest way to take him to the lock-up in that way?—I do not find any fault with that at all.

64. *Hon. Mr. Fisher.*] Had you at the time seen this statement that was made by Johnston to the police that was read this morning?—No, I had not seen it.

65. Now, if he made this statement—I am assuming the statement is accurate: "My father was a very delicate, epileptic, nervous man. I am epileptic too. Sometimes when I am walking along a fit will come on me, but I have a very strong will and by fixing my eyes on some object ahead and by force of will I can walk straight onward so that any one passing me would not know I was under an attack": would you think if Johnston made that statement he was insane, or what would be your view of it?—I would think Johnston was not telling the truth if he made a statement of that kind. I do not think it is possible for a man to set aside an epileptic fit by any force of will.