

255. Was he in a very excitable condition then?—He was in a highly excitable condition.

256. Was there an adjournment of the case on account of the excited condition of the witness?—Yes, there was an adjournment. Mr. Mays asked for an adjournment, but I am not prepared to say at what stage of Johnston's examination it was, but it was considered advisable to ask for an adjournment owing to his condition.

257. Did ever the doctors divulge to you any statement made by Johnston when under the influence of an anæsthetic?—No. Dr. Craig does not visit the hospital, and he was not in it at any time during the time Johnston was there. The only doctor who could come in contact with him was Dr. Hyde and the nurses, and I have had no communication whatever with Dr. Hyde or any of the nurses, or from any source at the hospital.

258. Did you ever hear it suggested by anybody that information about Johnston having attempted to shoot his wife was divulged by the medical men who performed the operation on him?—I never heard of it until to-day.

259. You say that when Johnston was committed you sent for Mrs. Johnston?—I did.

260. You could not find her?—I believe she was found at the house or somewhere near. She got a message, at any rate, just in time to reach the station.

261. When Johnston was being taken to the station did you pass his wife on the way?—I was informed that the trap passed near her as she was going up to the station. I was not there.

262. Johnston states that he passed his wife on the way and wanted to speak to her but was not allowed?—We had to get to the train, and she saw him at the train.

263. The reason of your producing that report of the 4th March is that you were asked to report the circumstances of the case by Dr. Hay?—Yes.

264. It is not usual in cases of this kind to record all the details that have since been recorded in this case?—Certainly it is not.

265. You had no knowledge at this time that this case was going to prove a matter of subsequent inquiry?—I had no idea. It was just an ordinary committal done in the ordinary way. Of course, the escape made it somewhat different, but up to that period we looked upon it as an ordinary everyday occurrence as far as mental patients go.

266. It has been suggested that it was the desire of the police to get Johnston moved away from the district: had you any reason to get him out of the way?—There was absolutely no reason whatever. There was no motive. He had given his evidence, and his cases were finished with. I never heard it suggested that he knew anything, and, even if he had, no officer at all would dream of interfering with a man's liberty for an unworthy motive. It was just that the man was regarded as dangerous, and in his own interests and that of his wife it was thought the responsibility should be removed from the police to the doctors to say whether he should be continued at large. The doctors thought he should not be continued at large, and he was sent to a mental hospital.

267. The date of the examination was the 14th December: was that the earliest date you could have had him examined?—By then he had completed all his evidence in all the cases that were in view.

268. What would have been the effect from the police point of view if he had been committed before he gave evidence?—We would have been laid open to the charge of smuggling away an important witness. They would have said it was done with the ulterior motive of shutting out evidence from the Court and prejudicing the inquiry, and as it was important that all the evidence should be laid before the Court the risk was taken of allowing him to remain at large till after the inquest.

269. Did you keep him under observation during that period?—Yes, as close as possible.

270. Was there anything seen during that period of observation which impressed you with the necessity of going on with the medical observation?—Yes, in so far as his general demeanour was that of an excited man, he was liable to go off and do something at any time, and with my previous instructions I saw no justification for doing other than complying with them.

271. Was he drinking at all?—Not that I know of.

272. Just that state of nervous excitement?—Yes, that is so.

273. *Mr. Isitt.*] The statement made by Johnston to the police was on the 2nd December, was it not?—On the date of Detective Cooney's report.

274. And the examination took place by the doctors on the 14th December?—Yes.

275. As far as we can gather there was no evidence of epilepsy in the course of the examination by the doctors. The doctors' report practically duplicates the statements made by Johnston to you. Are you prepared to swear that the doctors received no information from you or any other officer of police as to what statements had been made on that occasion?—I am, so far as my knowledge goes. I know that in the case of Dr. Craig he was Johnston's medical officer, and he knew as much or more than I did, because I understand that Johnston had previously unburdened himself to him.

276. Every doctor knows something about the epilepsy: where did they get the information from?—I do not know.

277. You have just stated that you knew Dr. Craig as Johnston's medical officer. Is it not a fact that a doctor who is a man's medical adviser is the last man who is supposed to give any evidence as to insanity for his committal to a mental hospital? Is he not the man who is excluded and that you have to get two other men than the man who is his medical adviser?—No. There is no reason to doubt the doctor's *bona fides*.

278. We had a definite statement from Dr. Beattie that it was an impropriety for any such man to certify to a man's insanity?—How are you to get on if there is no other doctor? There are three doctors in Waihi. One is in charge of the hospital, and owing to his duties there he does not care to come down in the case of lunatics, and it is almost impossible to get him.