

1874.
—
VICTORIA.



REPORT

FROM THE

SELECT COMMITTEE

UPON

MR. REGINALD GREEN;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE, MINUTES OF EVIDENCE,
AND APPENDICES.

Ordered by the Legislative Assembly to be printed, 23rd September, 1874.

By Authority:

JOHN FERRE, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE VOTES AND PROCEEDINGS.

THURSDAY, 27TH AUGUST, 1874.

MR. REGINALD GREEN.—Mr. Whiteman moved, pursuant to notice, that the petition of Mr. Reginald Green, presented to this House on the 10th June 1874, be referred to a Select Committee for inquiry and report, with power to send for persons and papers; such Committee to consist of Mr. MacDermott, Mr. Longmore, Mr. Young, Dr. Madden, Mr. Godfrey, Mr. Lalor, Mr. Patterson, Mr. Thomas, and the mover; three to form a quorum.
Question—put and resolved in the affirmative.

APPROXIMATE COST OF REPORT.

Preparation	£	s.	d.
Shorthand writing	6	6	0
Printing (750 copies)	16	11	0
Total	£21	7	0





REPORT.

THE SELECT COMMITTEE appointed by your Honorable House, on the 27th August 1874, to which was referred the petition of Mr. Reginald Green, presented to this House on the 18th June 1874, for inquiry and report, have the honor to report as follows:—

1. Your Committee have perused and carefully considered the various documents connected with the case of Mr. Reginald Green, and have also examined that gentleman, the Chief Commissioner of Police, R. Walsh, Esquire, and the members of the Board who inquired into the charges that were brought against Mr. Green.

2. It appears that certain charges, six in number, were preferred against Mr. Green by an acting clerk in his office, named Morrison, these having been laid after certain complaints of gross insubordination made by Mr. Green against Morrison. The Board who investigated these charges appear to have fully considered them, and reported that four of them were without foundation, and that for the two which had been proved upon the admission of Mr. Green, he had laid himself open to censure.

3. Your Committee adopt, without any qualification, the finding of the Board; and are of opinion that for the acts of indiscretion admitted by Mr. Green, he was liable to punishment.

4. Your Committee are of opinion that the proper punishment would have been grave censure, a reduction in rank, or a stoppage of pay for a certain and reasonable period, and that the punishment of enforced resignation or dismissal was unduly severe.

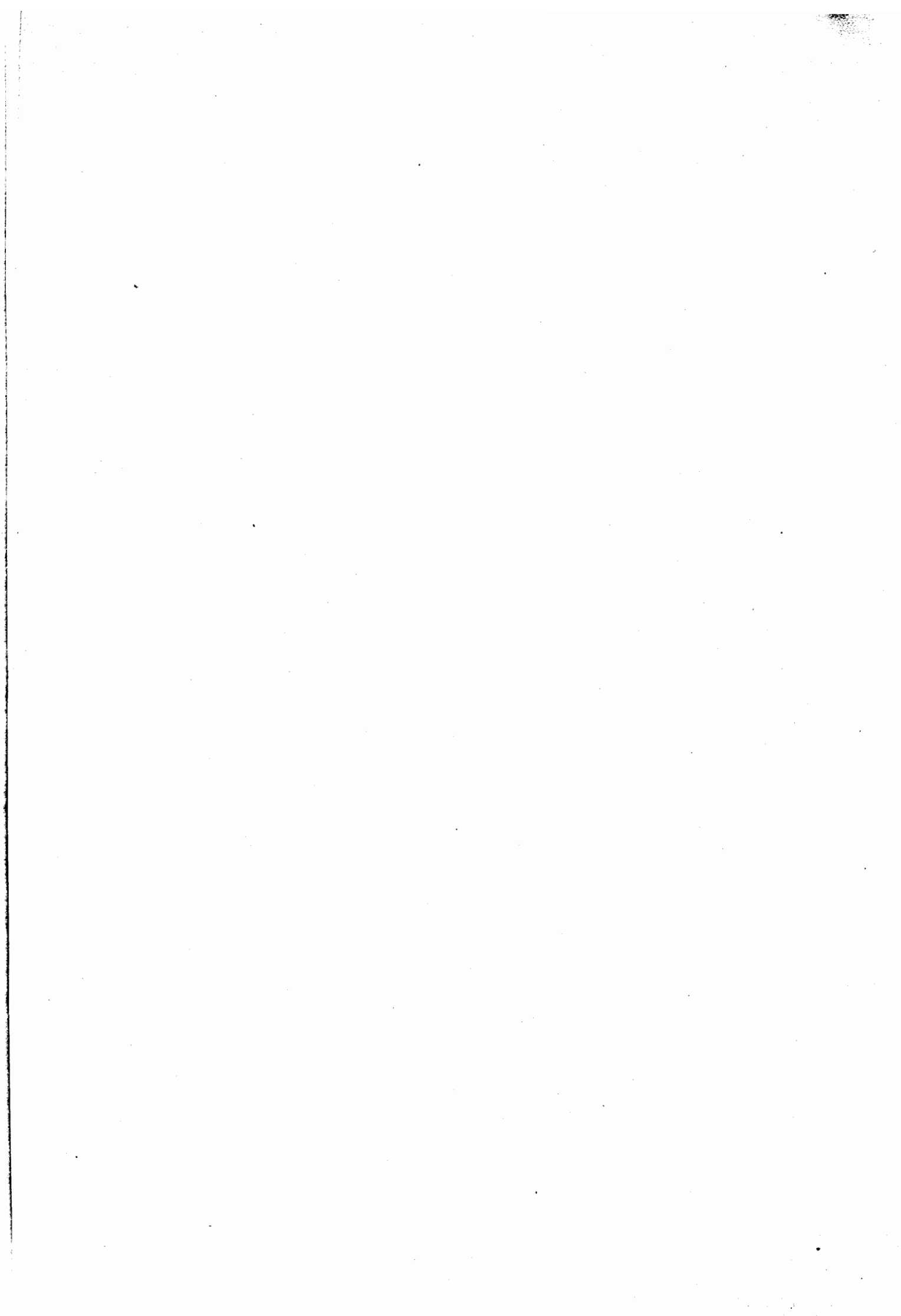
5. In this view, Your Committee are supported by the evidence and opinion of the three gentlemen who comprised the Board of Inquiry, as also the Attorney-General, in the Honorable C. Gavan Duffy's Administration (R. Walsh, Esquire), to whom the documents connected with the case were referred, and by the written opinion of the Honorable R. Ramsay, who inquired into the case at the request of the Honorable J. G. Francis, when Chief Secretary.

6. It also appears from a letter of the Chief Commissioner of Police, dated the 29th July 1869, and addressed to Mr. Reginald Green, that up to that time he had no reason to be dissatisfied with the manner in which Mr. Green had discharged his duties in the force during a period of 17 years. Captain Standish also states in his evidence that, prior to the investigation of the charges brought against Mr. Green, he had never made any complaint against, or expressed any dissatisfaction at the manner in which Mr. Green had performed his duties. Your Committee, therefore, feel warranted in concluding that Mr. Green had faithfully and properly discharged his duties as an officer of police up to the time when the acts of impropriety, the subject of the inquiry, were committed.

7. Your Committee therefore, after a careful consideration of all the facts of the case, recommend to your Honorable House that Mr. Green be reinstated in the Police Force as a Superintendent; your Committee being of opinion that the loss of promotion, which he otherwise would have secured, coupled with the temporary removal from his position, to which he has been compelled to submit, is more than an adequate punishment for his irregularities and breach of discipline.

8. Your Committee also recommend that Mr. Green should be allowed pecuniary compensation, amounting to half of the salary he would have received had he remained in the force at the bottom of the list of Superintendents.

Committee Room,
23rd September 1874.



PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 1ST SEPTEMBER 1874.

Members present :

Mr. Lalor,
Mr. Longmore,

Mr. Patterson,
Mr. Young.

The Clerk read the extracts from the Votes and Proceedings appointing the Committee.

Mr. Longmore moved—That Mr. Lalor do take the Chair.

Question—put by the Clerk and resolved in the affirmative.

Committee deliberated.

Mr. Reginald Green was called in, and requested by the Chairman to hand in a list of any papers he required, or witnesses he wished to have examined by the Committee.

Mr. Green handed in the following list of papers he required to be produced before the Committee :—

Police Report of 1862-3.

Report on Superintendent Lyttleton's case.

The papers referring to Mr. Green's case.

And the following gentlemen to be summoned as witnesses :—Messrs. J. Thomson, P.M., Kyneton ; W. Templeton, P.M. ; J. Steavenson, Secretary for Railways ; and Robert Walsh, Esquire.

Committee adjourned until eleven o'clock on Wednesday the 9th September instant.

WEDNESDAY, 9TH SEPTEMBER 1874.

Members present :

Mr. Thomas,
Mr. Godfrey,

Mr. Patterson.

In the absence of Mr. Lalor Mr. Patterson was called to the Chair.

The Minutes taken at the last meeting of the Committee were read.

The papers referring to Mr. R. Green's case were laid before the Committee, with the exception of a report of the Hon. R. Ramsay's on the case.

Committee deliberated.

Reginald Green called in and examined.

W. Templeton, P.M., called in and examined.

J. Steavenson, Secretary for Railways, called in and examined.

J. C. Thomson, P.M., called in and examined.

R. Green again called and further examined.

Committee deliberated.

Ordered—That the Chief Secretary's Department be requested to forward the reports of the Honorables R. Ramsay and R. Walsh on Mr. R. Green's case, to the Committee.

Committee adjourned until Wednesday next at two o'clock.

WEDNESDAY, 16TH SEPTEMBER 1874.

Members present :

Mr. Patterson,
Mr. MacDermott,

Mr. Godfrey,
Mr. Young.

In the absence of Mr. Lalor, Mr. MacDermott was called to the Chair.

The Minutes taken at the last meeting of the Committee were read.

A report of the Hon. R. Ramsay on R. Green's case was laid before the Committee and read.

Committee deliberated.

Mr. Reginald Green called in and further examined.

The witness produced and read copies of letters from the Chief Commissioner of Police, dated 5th and 7th of November 1870 and 7th March 1871, in relation to his removal from the public service ; he also handed in copies of Police Regulations, 1856, under the headings "Complaints" and "Inspectors' Duties."

Robert Walsh, Esq., called in and examined.

Committee deliberated.

Ordered—That the charges and counter-charges preferred against constable Morrison by Superintendent Green and the report of the Board appointed to investigate the same, be printed. (*Vide* Appendix A.)

Mr. Young, entered the room and took his seat.

Ordered—That Capt. Standish, Chief Commissioner of Police, be summoned to attend to-morrow at two o'clock.

Committee adjourned until to-morrow at two o'clock.

THURSDAY, 17TH SEPTEMBER 1874.

Members present :

Mr. MacDermott,
Mr. Godfrey,
Mr. Longmore,

Mr. Patterson,
Mr. Lalor,
Mr. Young.

In the absence of Mr. Lalor Mr. MacDermott was called to the Chair.

Committee deliberated.

Mr. Lalor entered the room and took his seat.

F. C. Standish, Chief Commissioner of Police, called in and examined.

Committee deliberated.

Ordered—That the report of Hon. R. Ramsay on the case of Mr. Reginald Green be printed as an appendix (B).

Mr. Longmore entered the room and took his seat.

Mr. Young entered the room and took his seat.

Mr. Lalor moved—That the Postmaster-General be requested to inform the Committee if ex-Constable Morrison has been employed in the Government service since the date of his removal from the police force.

Question—put and resolved in the affirmative.

Committee further deliberated.

Resolved—That the Chairman prepare a draft report for consideration at the next meeting of the Committee.

Committee adjourned until Tuesday at three o'clock.

TUESDAY, 22ND SEPTEMBER 1874.*Members present :*Mr. MacDermott,
Mr. Thomas,

Mr. Whiteman.

Adjourned until to-morrow at three o'clock.

WEDNESDAY, 23RD SEPTEMBER 1874.*Members present :*Mr. Whiteman,
Mr. Patterson,
Mr. Young,
Mr. Longmore,Mr. Thomas,
Mr. Godfrey,
Mr. MacDermott.

Mr. Whiteman was called to the Chair.

Mr. MacDermott entered the room and took his seat.

Mr. Longmore entered the room and took his seat.

The following Draft Report was laid before the Committee and read :—

DRAFT REPORT.

(Mr. MacDermott.)

THE SELECT COMMITTEE appointed by your Honorable House, on the 27th August 1874, to which was referred the petition of Mr. Reginald Green, presented to this House on the 18th June 1874, for inquiry and report, have the honor to report as follows :—

1. Your Committee have perused and carefully considered the various documents connected with the case of Mr. Reginald Green, and have also examined that gentleman, the Chief Commissioner of Police, and the members of the Board who inquired into the charges that were brought against Mr. Green.

2. It appears that certain charges, six in number, were preferred against Mr. Green by an acting clerk in his office, named Morrison ; these charges having been preferred after certain charges of gross insubordination had been made by Mr. Green against Morrison. The Board who investigated these charges appear to have fully considered them, and reported that with regard to four of them they were without foundation, and found Mr. Green guilty of the remaining two, and that for the two charges which had been proved, Mr. Green had laid himself open to censure.

3. Your Committee adopt, without any qualification, the finding of the Board ; and are of opinion that for the acts of misconduct proved against Mr. Green, he was liable to suitable or adequate punishment.

4. Your Committee are of opinion that the proper punishment would have been grave censure, a reduction in rank, or a stoppage of pay for a certain and reasonable period, and that the punishment of enforced resignation or dismissal was unduly severe.

5. In this view, Your Committee are supported by the evidence and opinion of the three gentlemen who comprised the Board of Inquiry, as also the Attorney-General, in the Honorable C. Gavan Duffy's Administration (R. Walsh, Esquire), to whom the documents connected with the case were referred, and by the opinion of the Honorable R. Ramsay, who enquired into the case at the request of the Honorable J. G. Francis, when Chief Secretary.

6. It also appears from a letter of the Chief Commissioner of Police, dated the 29th July 1869, and addressed to Mr. Reginald Green, that up to that time Captain Standish had no reason to be dissatisfied with the manner in which Mr. Green had discharged his duties in the force during a period of _____ years, and Captain Standish also states in his evidence, that, up to investigation of the charge brought against Mr. Green, already referred to, he had never made any complaint against Mr. Green, or expressed any dissatisfaction at the manner in which he discharged his duties. Your Committee, therefore, feel warranted in concluding that Mr. Green, up to the time when the acts of impropriety, the subject of the inquiry, were committed, had faithfully and properly discharged his duties as an officer of police.

7. Your Committee therefore, after a careful consideration of all the facts of the case, recommend to your Honorable House that Mr. Green be reinstated in the Police Force as a Superintendent ; your Committee being of opinion that the loss of promotion, which he otherwise would have secured, coupled with the temporary removal from his position, to which he has been compelled to submit, is an adequate punishment for the irregularities and breach of discipline of which he was found guilty by the Board.

8. Your Committee also recommend that Mr. Green should be allowed pecuniary compensation, amounting to half of the salary he would have received had he remained in the force and been reduced to the bottom of the list of Superintendents.

Draft Report read paragraph by paragraph, amended, and adopted.

Ordered—That the Chairman report to the House.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

	PAGE.
Reginald Green	9, 13
William Templeton, P.M.	11
John Steavenson, Secretary for Railways	12
John Campbell Thompson, P.M.	12
Robert Walsh	14
F. C. Standish, Chief Commissioner of Police	15

MINUTES OF EVIDENCE.

WEDNESDAY, 9TH SEPTEMBER, 1874.

Members present :

MR. PATTERSON, in the Chair ;

Mr. Thomas,

Mr. Godfrey.

Reginald Green, examined.

1. *By the Chairman.*—Will you be good enough to state what your complaint is—what it is you desire the Committee to inquire into?—Into my compulsory resignation as an officer of the Police Force of the colony of Victoria. During the year 1870 I was in charge of the police force in the district of Kilmore. I had a man acting as clerk in my office of the name of Morrison. He acted in that capacity for about eight months prior to an act of insubordination on his part, of which I complained to the chief officer of police. In accordance with the rules of the service, I placed him under close arrest. Whilst placed under arrest it was his duty to withdraw from my office. Instead of doing so he broke his arrest. He returned to the office, and was about to remove some official papers, which he might have destroyed, when I personally interfered, and made him desist and retire, and placed him again under arrest, and then reported his conduct to the chief officer of police. At my desire one of the inspecting superintendents, Mr. Bookey, made a visit of inspection to my district, and inquired into the case, and reported it to the Chief Commissioner. No charges had been previously made, nor were any made by Morrison or any other person affecting me, nor were any such entertained by Mr. Bookey, but solely those made by myself against Morrison. I then handed to Mr. Bookey certain Government official papers, which I found in the desk, which Morrison had been writing at, with notes in his own handwriting, containing personal allusions to myself and other officers in the police force, but which called forth no comment from Mr. Bookey, excepting the observation that something might arise out of them. The report made by Mr. Bookey I never saw; but a few days afterwards I received information that a board, consisting of Mr. Templeton and Mr. Thomson and Mr. Steavenson was appointed, with instructions to inquire into and report upon the circumstances.

R. Green,
9th Sept. 1874.

2. What circumstances?—Of this *fracas* between myself and the constable.

3. That was placing him under arrest the second time?—The second time. I might here add, I was neither suspended from pay nor duty by the Government, which is a thing unprecedented. I believe I never heard of such a thing before. The nature of the instructions given to the board were not, nor were the subjects of inquiry communicated to me. I had not been informed of any charge affecting myself, nor was I asked even to explain anything previously, and I simply received a notice, when I was visiting one of my out-stations, that the board would sit at 10 o'clock next morning; and I accordingly attended, believing that I had simply to sustain the charge that I had made against Morrison. It was only incidentally that what has been since called charges affecting myself were put into shape as such, during the inquiry by the board, from the notes in Morrison's handwriting which I had taken from him in the office. At the time I did not consider that I was asked to meet those charges, or that what was stated by Morrison involved anything more than his own explanation of the circumstances. The report of the board fully sustained my complaint against Morrison, and acquitted me of any charge affecting my character; but it was considered that I had not acted discreetly in allowing Morrison, some months previously, to provide me temporarily with a few pounds required for immediate ordinary purposes, which he offered when change was not otherwise to hand, and which had been repaid to him in due course; and also in personally interfering instead of directing the constable to prevent the wrongful abstraction by Morrison of official papers as above stated. Here I would point out, that I was not ever in the habit of borrowing from constables, nor was I otherwise lax in discipline, nor had I been in the habit of giving way to impulses of temper. In fact, the reverse is the case, as I was never in an impecunious state, and I was always acknowledged to be a strict disciplinarian, and to have my temper absolutely under good control. Notwithstanding this, I was forthwith required to resign, under threat of dismissal; and the same option was given to my clerk Morrison. In reply to an inquiry I made to the Government why I was called upon to resign, I was informed that it was because of the report of the board. After continually writing to the Government, and being threatened with dismissal, at last being so thoroughly in that state that I was obliged to be dismissed or resign, I did so resign, rather than such a stigma should be associated with my name; but I protested against the course, and stated that I resigned upon compulsion; and I believe the result arrived at in consequence of the report of the board was never for a moment contemplated by the board. I have served in the police force for upwards of eighteen years, and never had any charge whatever of any kind affecting my character brought against me, either by the Chief Commissioner or any one else. I produce testimonials from the leading residents in the various districts where I have been quartered, speaking to the unexceptional propriety of my personal habits and conduct, and as to the satisfaction afforded by me to the public in the discharge of my duties up to the very last moment of my leaving the service. I resigned in March 1871, having received a letter from the Government stating that if I did not resign within four days they would dismiss me, but that if I would date my resignation back to the day upon which they told me, namely, the 5th of November, they would pay my salary to the end of December, 1870. I was in that state that I was glad enough to get a few pounds, and I had no other alternative.

R. Green,
continued,
9th Sept. 1874.

4. Are the testimonials here?—Yes.
5. Did they deal with you in the ordinary way when a man resigns in the service, or did they, when they asked you to date your resignation, do that so as to favor your position financially?—Certainly not, because I maintain, when a person resigns an appointment, he is paid up to the day he does resign, which would have been in the month of March. I was hanging over, as it were, from November till March the following year before I got my decided final answer to go.
6. But in that act of paying you off at last did the Government treat you unfairly?—No, I would not say unfairly.
7. Did they treat you generously?—I would not like to put it that way.
8. *By Mr. Thomas.*—Your object was to keep in with the Government; you did not wish to break with them altogether?—No, of course not. My object was, having been a Government man so long, to leave the door open for myself.
9. And you dated back your resignation to November?—No, I dated it from the very day that I did resign—on the 8th of March.
10. *By the Chairman.*—Had you dated it as suggested by the authorities, would you have received a larger amount?—No, I should not; I should only have got my month's salary, which I did—that was up to the end of December.
11. When did they pay you up to?—To December 1870, and then I applied for the two months afterwards, but only got the one.
12. What have you done since?—Since that time I have had my case brought before three successive administrations.
13. Recognised by any?—By the first. I was assured in 1871 that my case would not be lost sight of, and would receive attention, but as it was said to be connected somewhat with the case of Superintendent Lyttleton it was to stand over until that case was dismissed.
14. What analogy was there between the two cases?—The only connection whatever between Superintendent Lyttleton's case and mine was that the same constable Morrison, on being himself dismissed from the police force in consequence of insubordination towards me, had made charges which led to the inquiries into certain matters affecting Mr. Lyttleton, in which I was in no way concerned, and which were of a totally different character.
15. Can you say what was the result of the case that Morrison brought against Superintendent Lyttleton, and how was Morrison affected by that inquiry?—I cannot say that. He was out of the force.
16. How was Mr. Lyttleton affected?—He remained in the force, and I was told to resign.
17. But the charges brought against Mr. Lyttleton by Morrison had not the effect of removing Mr. Lyttleton from the service and not of damaging him?—They were proved against him. He was censured, but not removed from the force, I believe.
18. *By Mr. Godfrey.*—And the charges brought against Mr. Lyttleton, I understood you to say, were not at all the same as brought against you?—No.
19. Were there not several charges of a similar nature?—Against Mr. Lyttleton?
20. Yes?—I forget the nature of them.
21. Was not the charge brought principally against you that you had employed police constables to do private work?—Yes it was.
22. Was not it the same thing brought against Mr. Lyttleton?—Yes.
23. *By the Chairman.*—Were there any other charges against you besides that of putting Morrison under arrest the second time?—Oh yes.
24. And of borrowing £3?—Yes.
25. What were they?—One was for employing him to get some paint for a boat; another was for trying to convert an account of 14s. to a private account, but that was not proved; and the other was for borrowing £2, I think, on another occasion.
26. How was that case dealt with?—The board, I think, found that I had borrowed from him.
27. What are the regulations in regard to borrowing money from men?—I explained that away to the board—how it was done.
28. Give us the dry reading of the regulation, whatever it is?—There is a regulation—though I cannot, at the moment, put my hand upon it—which says that officers are not in any case to put themselves under obligations to their subordinates; but this man was a confidential clerk in my office.
29. And you did not consider he stood in the same relation to you as an ordinary constable?—No; he had more than the ordinary privileges of a constable when in that position; in fact, you take him more into your confidence than you would an outside constable, very naturally so as he sits in your office.
30. Did you ever attempt to deny any of the charges against you that were made?—Oh! no; I acknowledged to the board about this £3 at once. I had a recollection of it, though it was eight or nine months before. I told the board I recollected the circumstances.
31. Let us come down later?—After continually applying to the Government about my case, I ultimately received an appointment in January 1872 as the secretary to the Royal Commission to inquire into the working of the Public Works department. I held that appointment till August of that same year.
32. What remuneration did you get for that?—I think I got £1 a day for six days in the week, without Sunday.
33. Who had the appointment?—The Chief Secretary's office I received the letter from, during Mr. Francis's administration.
34. The same political head under whom you had been dismissed?—The same political head, but not the same person; Sir James McCulloch was the Chief Secretary and Mr. Francis was a member of the administration. After my duties as secretary to that Commission were fulfilled, I was led to expect that I should be permanently provided for, but, from that time until now, I have received nothing. After waiting for a length of time urging attention to my case, I was offered an appointment as a clerk, at the rate of £175 per annum, in the Lands department.
35. Offered by whom?—By Mr. Francis. Whilst desirous of being beneficially occupied, I did not accept it, having been led to expect better employment, and preferring to wait some better opportunity that might be open to the Government to meet my case more in accordance with what I understood was recognized officially.

36. What was your position worth when you were dismissed?—When I was called upon to resign, I may state that my position as superintendent of police was of a high character, and the remuneration was worth to me £550.

37. And you never have relinquished the hope of being re-instated to the position from which you were you think unjustly ousted?—No; I consider that, for the indiscretion of my unfortunately being mixed up with such a man, was exceptionally harsh.

38. Especially when you contrast it with the manner in which others have been dealt with, against whom there have been graver charges?—There was never a charge preferred against me by the Government. The charges were preferred by my late clerk. It was wholly a private affair between him and me, as it were.

39. Is that all you have to state?—I might add that I joined the service as quite a young man, in the year 1852, and I steadily got up in the service by my own exertions and not by any favor.

40. *By Mr. Thomas.*—What did you join as?—I joined as one of the six cadets stationed at the Richmond dépôt when the police force was organized, as I believe it was by Mr. Sturt, in 1852.

41. Were you at Ballarat during the riots?—I was at Ballarat during the riots.

42. In what position?—Sub-Inspector of police, in the year 1854.

43. Does that complete the narrative?—That is just a *precis* of what took place. I might add this, that I never for a moment wanted to, or dreamed of, borrowing money from a constable. I do not call it in point of fact borrowing. It was accepting as it were. I had not it in my pocket, and this man went to another man to procure the money. It seemed to me as if it were a sort of catch on the part of the man to catch me at some future time. I had my doubts about the man for some considerable time.

44. You mean the money was given unsolicited?—In point of fact, I did not want to take the money from the man as it were.

The witness withdrew.

William Templeton, P.M., called and examined.

45. *By the Chairman.*—Do you remember being appointed upon a board to inquire into certain charges against Mr. Superintendent Green and constable Morrison?—There was no charge preferred, but a quantity of correspondence was referred to us to inquire into and report upon.

46. Have you a remembrance of the impression that inquiry left on your mind, apart from the written report?—In what way do you mean?

47. The report sets out categorically that certain things were sustained and others not?—Yes.

48. Do you remember the charges?—The first charge against Morrison was one of insubordination, preferred by Mr. Superintendent Green. That was substantially the charge. There might have been some minor charges against him.

49. *By Mr. Godfrey.*—Do you remember the report of that board?—It was held to be substantiated, and in regard to the other matters brought against Mr. Green, they were taken from a letter addressed to the Commissioner of Police by Morrison, and which had been marked in red pencil by the Commissioner, as being matters apparently to which he attached importance as affecting Mr. Green's character and position, and upon that we extracted those parts that had been marked, and reduced them into specific charges which we called upon Mr. Green to answer. One of the charges I remember was wasting Government stores, kerosene and other things; another was borrowing money from constable Morrison; another was assaulting constable Morrison. I think those three were substantially the charges against Mr. Green.

50. One was improper appropriation of stores?—I do not know whether it was improper appropriation of stores or merely waste of stores, but I think one ran into the other; I think, as to kerosene, Morrison stated that Mr. Green not only allowed it to be wasted but to be used beyond the proper quantity in his own house. With regard to the misappropriating or wasting the stores, the board considered it was not substantiated, if my memory serves me. With regard to the charge of borrowing money from constable Morrison, it was admitted by Mr. Green himself, therefore that one was substantiated; that he had on two or three occasions borrowed money from constable Morrison. On one occasion he had borrowed three pounds from him to pay for a horse, I rather think the man was locked up to whom the horse belonged, and on the following morning he offered the horse for sale to constable Morrison. Morrison said he did not want the horse, but advised Mr. Green who was present to buy it, as it was worth more than the money the man was asking for it. Green, I think, replied that he had no money, and Morrison then said, "I can lend you the money, sir," and went and got the money. This money was not paid, I think, for some two or three months afterwards, and the board considered that in that matter Mr. Green had acted improperly, and recommended, I think, that he should be censured or reprimanded, as it was in contravention of the instructions, and also an improper thing we thought for an officer to borrow money from a subordinate constable, although in my mind I considered it made a difference to some extent this constable being employed in a confidential position as clerk, and was not of course a constable on duty. With regard to the other matter of assaulting constable Morrison, it seemed that Morrison wished to get some papers out of a drawer in Mr. Green's office (in which he had acted as clerk), against Mr. Green's wishes, and Mr. Green would not allow him to have them, and Mr. Green ordered him out of the office and he would not go; there was a scuffle between them, and Mr. Green put him out. There was a sergeant of police, whose name I do not remember, present. We thought Mr. Green should have called upon the sergeant to have him put out, and not have entered into a personal conflict with constable Morrison. I believe that is substantially all that I recollect about the matter.

51. *By Mr. Thomas.*—Did you ever contemplate that Mr. Green would be dismissed the service from the report you sent in?—No; I thought, in my opinion, that Mr. Green would be reduced a step; I never contemplated dismissal. He had been a great number of years in the service, and, as far as I know, there had been no previous report, and as we had only recommended a censure or reprimand, I did not think the consequence would be dismissal from the service.

52. *By the Chairman.*—Did all those charges arise from the same source?—All from the same source—Morrison. I need not inform the Committee that a man hearing the evidence of witnesses is in a better position to judge than the Minister afterwards, unless the evidence is taken in shorthand, word for

*E. Green,
continued,
9th Sept. 1874.*

*W. Templeton,
P.M.,
9th Sept. 1874.*

W. Templeton
P.M.,
continued.
9th Sept. 1874.

word. The manner of a witness has a great deal to do with it, and we considered that Morrison was more actuated by malice than *bonâ fide* zeal for the public service; and it was more on Mr. Green's own confession as to the money that we came to our conclusion. If it had depended only on Morrison's evidence, we might not have thought it substantiated.

53. It was against the regulation?—Mr. Green had put himself in a wrong position.

54. *By Mr. Green (through the Committee).*—Have you ever known an instance where an officer holding the rank that I did as superintendent of police was placed on his trial—as I considered it to be a trial—with an ordinary constable; was not such a thing unheard of?—Of course, if a constable preferred a charge against any officer, he would be put on his trial.

55. I was the officer in charge of the district and was placed on my trial with a constable?—I may say in answer to that, that when the charges were read to Mr. Green he made no objection to their being heard by the board, and then would have been the time to have objected. Mr. Green seemed to think the charges amounted to nothing, and he expressed a willingness to go on at once, and I think there is nothing to show that he made an objection to it.

56. Had the Government preferred against me any specific charges as superintendent of police in Victoria?—The Honorable the Chief Secretary's minute attached great importance to the letter of Constable Morrison, and he considered them as grave charges.

57. As a Government officer, I would ask whether you think the punishment I received was not very severe?—I have said so. I went out of my way—in fact I felt it necessary—in expressing to the Chief Secretary my opinion that Mr. Green had received more punishment than the Board contemplated.

The witness withdrew.

John Steavenson, Secretary for Railways, examined.

J. Steavenson,
9th Sept. 1874.

58. *By the Chairman.*—You were a member of the board appointed to inquire into certain charges against Mr. Green and one against Mr. Morrison?—Yes.

59. We have the report of the board before us, and we have also heard Mr. Templeton's evidence of the cases severally stated, and I think it will be sufficient for the Committee if you state whether you contemplated, upon the finding of this board, that such a serious result would occur to Mr. Green as his dismissal from the service?—Well, it is not expected that Boards of Inquiry shall in any way deal with the judgment upon a case. They only have to express their opinion, but my opinion upon the evidence was not so grave as to lead me to suppose that Mr. Green would be dismissed.

60. I am quite aware that your report shows what you mean, and that the result depends upon those who have afterwards to deal with the case?—We had only to deal with the question of proved or not proved upon the charges, not with the punishment meted out.

61. Have you any recollection of the case?—I have. I recollect the leading features of it.

62. What were they?—If I recollect rightly—I may say it is years ago, and I have never seen the papers since they went into the Government. It must be now four years ago. They were, that we considered that Mr. Green was proved to have had a personal scuffle with one of his constables over the possession of a key, and that he had also, I think, borrowed money from one of his constables; and there was also a charge, but I do not clearly recollect whether it was proved or not, as to his having used some Government paint and materials for private purposes. I think those were the principal features.

63. To what did the board attach most importance?—To the first two.

64. That is the undignified position?—Yes; an officer scuffling with his subordinate; and to borrowing from his subordinate moneys.

65. It has been stated that the relation between this man Morrison and Mr. Green was not exactly the same as between a constable and an officer—did that come under your notice at the time?—I do not remember it.

66. It was said he was acting as clerk?—I do not remember that. I do not recollect Morrison's position. I remember Morrison and his conduct—my opinion of his conduct.

67. *By Mr. Thomas.*—As to the charge of appropriating stores to his private use—was that proved against him?—I think there was something about using Government paint for a private boat, and using kerosene for his private consumption, which he was not allowed, but it is so many years ago, I do not recollect the details clearly.

68. *By the Chairman.*—You did not attach much importance to that part of the charge?—Not so much as to the other charges. My own impression was, I think, that he had not meant to purloin Government materials—that he had not meant dishonesty—but that he had been very injudicious.

69. *By Mr. Thomas.*—Did it appear to you that this man Morrison had kept a log?—Yes; there was the strongest vindictiveness shown in Morrison's conduct; in fact, my impression of Morrison's conduct was very bad indeed.

70. *By the Chairman.*—But of course you could not overlook a breach of the regulations and the other improprieties?—Quite so.

71. *By Mr. Godfrey.*—That charge was given up, was not it, by Morrison?—I know we did not think there was much moral culpability attaching to it.

The witness withdrew.

John Campbell Thompson, P.M., examined.

J. C. Thompson,
P.M.,
9th Sept. 1874.

72. *By the Chairman.*—You were a member of a board appointed to inquire into certain charges made by a man called Morrison against Mr. Green, and also a charge against Morrison?—I was.

73. We have already heard from the other members of the board the particulars of those charges, and the manner in which they were dealt with. We have also the report, and, so far as you are concerned, the report is supposed to contain all that; but, in this particular case, I desire to ask you whether you think the ultimate result of that report, which was the dismissal of Mr. Green from the public service, whether it was or not a proper punishment for the offences proved against him?—I thought it was exceedingly severe.

74. You have perhaps some private knowledge of Mr. Green?—I know him. Mr. Green was superintendent of police at Kyneton in 1865, when I went there, and I knew him till he went to Kilmore, that was in 1869, I think. J. C. Thompson,
P.M.,
continued,
9th Sept. 1874.

75. Will you be kind enough to give the Committee your opinion of him as an officer?—I considered that he was very sedulous in the performance of his duties as superintendent of police. He kept good discipline amongst the men under his charge. I never knew anything against his character while there.

76. The principal charge against him was for borrowing some money from a constable?—Constable Morrison.

77. He was not exactly in the position of a constable?—He was acting clerk, I think, for Mr. Green at the time, at Kilmore.

78. In borrowing money from a man in that position, is there any difference or distinction between that and the case of him borrowing money from a constable; would their relations to each other make any difference, do you think?—No; it depends upon circumstances. I should not think anything of his borrowing money, if he wanted money for immediate use from a constable or anybody who had it, and he asked for it when he had not it himself, and he asked for the use of it for a short time; I can see no harm in that.

79. It is forbidden by the regulations, in general terms, for officers to place themselves in any way under obligations to their inferior officers?—It would be wrong to place himself under obligations; a superior officer of police to place himself under obligation to a constable, I should think wrong—any considerable obligation.

80. *By Mr. Thomas.*—What was the position you held at that time?—I am police magistrate at Kyneton and was at the time.

81. Therefore, being a police magistrate, you had ample opportunity of judging of Mr. Green's character as a police officer?—I had full opportunity.

82. And from that opportunity did you judge him to be an efficient officer, as far as you could judge?—I thought him so.

83. You knew of nothing reflecting on his character?—No, nothing.

84. Sober?—Yes, I am sure of it; perfectly sober.

85. *By Mr. Godfrey.*—Could you, by looking at this report, fill up the part destroyed—[*handing a paper to the witness*]—could you tell me, as to that sixth charge, whether you could fill up the blank; the sixth charge was that of Morrison against Green—that Green had on several occasions borrowed money and did not repay it till asked to do so?—I cannot do so from memory.

Mr. Green.—It could be got from *Hansard*.

86. *By Mr. Green (through the Committee).*—What is your opinion as to this man Morrison's evidence; that is, whether you observed that he was actuated by any malice against me?—I cannot remember exactly; it struck me he was a malignant kind of man; it is so long ago.

87. *By Mr. Thomas.*—Do you remember that he had kept a log of what Mr. Green had been doing for months and months previous—that he kept a book or log?—I think I remember something of it; but it would be in the evidence taken at the time.

88. I am asking what your impression was at the time?—I cannot remember.

89. Whether the man had been a spy on Mr. Green's character and conduct?—That was insinuated, but I cannot clearly remember whether it was made out; but the evidence would show that. It is four years ago, and I have not seen the evidence since, and I do not remember that particularly.

90. *By Mr. Green (through the Committee).*—Allusion has been made to the manner in which I expelled this man from my office—do you recollect what the board stated with reference to that?—I think it was in the report.

91. Did I inform the board that that man was under arrest, and that he had broken his arrest—do you recollect my evidence in that particular?—No, it must be all in the report.

The witness withdrew.

Reginald Green re-called and examined.

92. *By the Chairman.*—You have stated that you desired to examine the Honorable Robert Walsh?—Yes. R. Green,
9th Sept. 1874.

93. For what purpose?—For the purpose of stating his opinion that he had expressed to the Honorable the Chief Secretary on my papers.

94. *By Mr. Thomas.*—What was Mr. Walsh then?—He was Attorney-General at the time.

95. *By the Chairman.*—How did the case come before him as Attorney-General at the time?—I do not know how that occurred; I was up the country at the time.

96. *By Mr. Thomas.*—You know for a fact that he did report?—I know for a fact that he did.

97. *By Mr. Godfrey.*—And you have reason to think that he reported favorably?—Yes.

98. *By the Chairman.*—And the report is not with the papers?—In point of fact, it is in *Hansard*. He said so—he made a statement in the House.

99. You also expressed a wish to have a document—a report of the Honorable Mr. Ramsay's?—Yes.

100. Would you like to call Mr. Ramsay?—That I certainly would.

101. With what object?—With the view of stating what his opinion was with respect to the matter.

102. You desire that the Committee should be in possession of Mr. Ramsay's report?—Yes.

103. Have you anything else to add?—I would like to present this list which will show the way in which I have gradually risen in the police service.

The witness withdrew.

Adjourned to Wednesday next at two o'clock.

WEDNESDAY, 16TH SEPTEMBER 1874.

Members present:

MR. MACDERMOTT, in the Chair ;

Mr. Patterson,
Mr. Godfrey,

Mr. Young.

R. Green,
16th Sept. 1874.

Mr. Green was re-called and informed that the Committee were desirous of having such portions of the Regulations of the Police Force read as had any direct bearing on the inquiry.

Mr. Green accordingly read at page 18 from the "Manual of Police Regulations," under the heading of "Complaints," as follows:—"The means of redress are at all times open to any member of the force who may think himself aggrieved; but it is to be understood that protection will be equally afforded to any person against whom frivolous or unfounded complaints may be made, and the person making such, more especially when against his own superiors, will himself be liable to a proportionate punishment. Any member of the force feeling himself injured or aggrieved, must bring the circumstances of the case under the notice of his superior officer at once; for if he broods over and delays making his statement, whether real or imaginary, his motives will be judged of by such delay, and his statements questioned in proportion to it." Also at page 54, under the heading of "Inspector's duties," as follows:—"He must strictly avoid placing himself under pecuniary or personal obligations of any kind whatever to his subordinates, or to residents within the locality under his charge, and must at all times and in all ways, maintain a character for unimpeachable integrity."

At the request of the Committee Mr. Green also put in three letters, as follow:—

Police Department, Chief Commissioner's office, Melbourne,
5th November 1870.

SIR,

I do myself the honor to forward herewith a copy of the letter from the Under-Secretary, conveying the decision of the Government in the case between yourself and cons. Morrison. In obedience to that decision you will be good enough to forward your resignation to this office at once, and hand over charge of the district to Inspector Page, who has received orders to proceed to Kilmore for the purpose.

I have the honor to be, sir,
(Signed) FREDK. C. STANDISH,
Chief Commissioner of Police.

Reginald Green, Esq., Supt. of Police, Kilmore.

(Minute by Mr. Green.) Noted and returned.—I must express my astonishment at the decision arrived at by the Government in this matter, and beg that the Chief Commissioner will allow a few days to elapse prior to tendering my resignation as directed, to enable me to make some efforts on my own behalf.

(Signed) R. GREEN, Supt.

5 | 11 | 12.

Police Department, Chief Commissioner's office, Melbourne,
7th November 1870.

MEMO.

I regret that it is out of my power to delay the carrying out of the decision of the Government in Mr. Green's case. Inspector Page has by this time relieved Mr. Green of the charge of the Kilmore district, and Mr. Green's connection with the Police Department has virtually ceased. Any remonstrance, therefore, that he wishes to make had better be addressed direct to the Honorable the Chief Secretary.

(Signed) FREDK. C. STANDISH,
C. C. Police.

Regd. Green, Esq., Kilmore.

Chief Secretary's office, Melbourne,
7th March 1871.

SIR,

I am directed by the Chief Secretary to inform you that the final decision of the Government in regard to your case is that you are to resign your office as Superintendent of Police, dating the same from the 31st December last, up to which date your salary will be paid. I am further directed to say, that unless your letter of resignation be forwarded within four (4) days you will be dismissed from the Government service without pay.

I have the honor to be, sir,
(Signed) W. H. ODGERS.

Reginald Green, Esq.,
Albion Hotel, Melbourne.

Robert Walsh called and examined.

R. Walsh,
16th Sept. 1874.

104. *By the Chairman.*—Mr. Walsh, on the last day the Committee met Mr. Reginald Green was re-called and examined, and this is the evidence which will account for the Committee wishing to be favored with your attendance:—

By the Chairman.—You have stated that you desired to examine the Honorable Robert Walsh?—Yes.
For what purpose?—For the purpose of stating his opinion that he had expressed to the Honorable the Chief Secretary on my papers.

By Mr. Thomas.—What was Mr. Walsh then?—He was Attorney-General at the time.

By the Chairman.—How did the case come before him as Attorney-General at the time?—I do not know how that occurred; I was up the country at the time.

By Mr. Thomas.—You know for a fact that he did report?—I know for a fact that he did.

By Mr. Godfrey.—And you have reason to think that he reported favorably?—Yes.

By the Chairman.—And the report is not with the papers?—In point of fact, it is in *Hansard*. He said so—he made a statement in the House."

Mr. Walsh.—The papers are a very large pile of papers—those that you have before you no doubt. They were all submitted to me by Mr. Duffy, then Chief Secretary, with the request that I would take them and read them over very carefully myself, and consider them and write a report upon them. I did so—I read every line of them and wrote a report. That report was attached to the documents and was sent from the Law department to the Chief Secretary's department. I know that that report arrived there, because Mr. Duffy and I had a conversation about it after he had read it. My report was a very favorable one, and I expressed myself very strongly—very strongly indeed—as to the way that Mr. Green was treated, and I also put myself in communication with the Chairman of the Board, Mr. Templeton, and got some information from him too. My report was very favorable, and I thought, when I gave it as my opinion, that it would be only justice that Mr. Green should be re-instated.

105. *By the Chairman.*—Have you any objection to say, if it is no breach of confidence as to the Chief Secretary, Mr. Duffy, whether he agreed with your views?—I have not the slightest, and I should think it is no breach of confidence at all to tell the Committee that the then Chief Secretary thought that as Mr. Green had been virtually dismissed by a previous Chief Secretary, it would be contrary to etiquette for him to reinstate him, but that this was a matter to be dealt with by the House, as it is being dealt with now. And if we had remained in office, Mr. Green would have got a Committee. My report was written in the recess, and we went out of office shortly after. As you are aware, after the meeting of the House there was nothing but the Crisis debate—the debate on the Governor's speech. I also took the opportunity to deprecate in the strongest way what was done in Mr. Green's case—the taking of counter charges from an inferior officer after that inferior officer has been complained of or reported on by his superior, and allowing the inferior officer, so charged, to bring old charges against his superior. I said I thought, and I think so still, that it is subversive of discipline and injurious in many ways. It should not be tolerated—should not be allowed—in my humble opinion.

106. *By Mr. Patterson.*—In fact it is not the recognised mode, according to the regulations?—It is not; besides, it would be calculated to restrain officers from reprimanding their inferiors if they are to be subjected in turn to charges extending over years. That report of mine, I am aware, is lost, because I asked for it in the House afterwards, and it was stated that it was not with the papers. However, if you like to examine the papers, you will find that there are marks of where something was attached to the Report of the Board on Mr. Green. [*The Chairman did so, and found the marks referred to.*] I may say, too, that Mr. Green was quite a stranger to me; for although I knew nearly all the police officers, I did not happen to know him, as he was not stationed anywhere near the district where I lived, Ballarat. I never even saw him till I was introduced to him in the street.

107. *By Mr. Green (through the Chairman).*—I would like to know from you, as a member of the Government at that time, what was the special offence I had been guilty of?—The Chairman has the charges before him. I am speaking from recollection of two years ago. My recollection is that there were six or seven charges brought against Mr. Green, and that every one of them was disproved, with the exception of one—the one that was found proved against him on his own admission—his having borrowed a sum of three pounds from a clerk in his office, who was also a policeman, which was a breach of the regulations. The money, which was found to have been returned within a short period, was some three pounds that Mr. Green was short of in purchasing a horse. You have the charges there. That was the only charge proved against him. That was a slight impropriety; and the idea of dismissing a man after eighteen years' service, against whom there was no other charge, I thought to be frivolous, and likely to be most injurious to the public service.

108. *By Mr. Patterson.*—I suppose Mr. Green was dismissed in consequence of that report?—No doubt. I think, gentlemen, that is all I have to say.

The witness withdrew.

THURSDAY, 17TH SEPTEMBER 1874.

Members present:

MR. MACDERMOTT, in the Chair;

Mr. Godfrey,
Mr. Patterson,
Mr. Lalor,

Mr. Longmore,
Mr. Young.

Fredk. C. Standish, Chief Commissioner of Police, called and examined.

109. *By the Chairman.*—You are aware, Captain Standish, of the purpose for which this Committee was appointed by the Legislative Assembly?—I am.

110. There is one document which we are desirous of examining, but it not before us, and we wish to ask you whether you read the report of the Honorable Mr. Walsh when Attorney-General, and his opinion upon this case submitted to the Cabinet of which he was a member?—I do not remember seeing it. I presume it is in the file of papers.

111. No, it is not in the file?—I was not aware of its having been written.

112. Mr. Walsh appears to have perused all the papers connected with the case, and furnished a report to his Cabinet, at the suggestion of the Premier, Mr. Duffy. You have not then seen the report?—No, I did not know it was in existence.

113. We have already before us the two reports which you furnished to the Executive; the one shortly before Mr. Green was compelled to resign, and the other a subsequent report of the 1st June 1874, and you go most exhaustively into the facts. The Committee desire to ask you whether there is any fact, or anything you wish to add in the way of additional fact or facts, or otherwise, to the opinions you then expressed?—I have nothing to add of any kind—I went into the question exhaustively.

114. May I ask if you have read—if a report in this case by the Honorable Mr. Ramsay has been referred to you?—I saw a private letter addressed by him to the Honorable Mr. Francis, expressing an opinion on the subject, but I have not seen any document going into the particulars of the case.

115. *By Mr. Lalor.*—May I ask is that the letter you allude to [*handing a letter to the witness*] ?—I think it is.

116. It was attached to those papers?—I am not certain whether I have seen this letter—I saw a letter from Mr. Ramsay to Mr. Francis, but, I am not certain that I have seen this letter.

117. *By the Chairman.*—May I also ask—did you, up to the time of Mr. Green's dismissal, express to him any disapproval of the manner in which he discharged his duties as an officer of the police?—Any disapproval to him personally?

E. Walsh,
continued,
16th Sept. 1874.

F. C. Standish,
17th Sept. 1874.

F. C. Standish,
continued,
17th Sept. 1874.

118. Any official notice to him of your dissatisfaction with him in regard to his duties?—I cannot bear in mind that I did.

119. *By Mr. Patterson.*—Your principal reason for recommending to the Government that Mr. Green should be dismissed—allowed to resign—was the case of the scuffle with the man, Constable Morrison, principally?—It was. I do not think that in the correspondence it will be seen that I recommended his dismissal. If my memory serves me right, I was called upon by the Chief Secretary of the day, Sir James McCulloch, to report as to Mr. Green's general efficiency in the police force, and that is the report which was alluded to just now by the Chairman.

120. *By Mr. Patterson.*—Did the report arise out of another report that you had from the board that was appointed?—The board sent in their report to the Chief Secretary, for the approval of the Governor-in-Council. As is customary on these occasions, it was forwarded to me, as head of the department, for my remarks and also for my opinion of Mr. Green's general efficiency as a police officer. I returned the papers to the Chief Secretary with my report.

121. *By Mr. Lalor.*—There is nothing left out of the papers?—Nothing.

122. *By the Chairman.*—What position did Mr. Green hold in the force with reference to rank at the time?—He was a second-class superintendent, near the bottom of the list, that is one of the junior second-class superintendents.

123. And supposing that at the time of his misconduct he had been punished by losing rank, to what rank could he have been reduced—was there any lower rank?—That would have been dependent upon what the Chief Secretary thought of the gravity of his offence.

124. Assuming it was so grave as not to warrant actual dismissal, but degradation in the force, what was the lowest position in the force to which he could have been degraded?—I may mention a parallel case which occurred in the force—an officer of the police was recently reduced from the position of first-class superintendent, at the top of the list, to the bottom of the first-class inspectors, losing about eighteen places in the list of officers.

125. That was for very grave and serious misconduct—what was the nature of it?—It was a systematic practice of borrowing money from his subordinates, which he had carried on for some time; when it came to my knowledge, I reported it to the Government at once.

126. Was it a more serious case than Mr. Green's in your opinion?—It is difficult to answer that question—the conduct of both was calculated to interfere materially with the discipline of the force—I should say the conduct of the officer I now allude to was the most detrimental to the service.

127. They were something of the same character—it was a similar charge against Mr. Green?—There was a similar charge against Mr. Green.

The witness withdrew.

APPENDICES.

APPENDIX A.

CHARGES AND COUNTER-CHARGES PREFERRED AGAINST CONSTABLE MORRISON BY SUPERINTENDENT GREEN.

- 1st. A charge of insubordination preferred by Mr. Green against Constable Morrison.
- 2nd. A charge of assault preferred by Constable Morrison against Mr. Green.
- 3rd. A charge preferred by Constable Morrison against Mr. Green, of trying to induce him (Morrison) to include in Mr. Quick's account for plumber's work done for the Government certain items for work done on Mr. Green's private account.
- 4th. A charge preferred by Constable Morrison against Mr. Green, of having used a larger proportion of kerosene supplied for the station than he was entitled to.
- 5th. A charge preferred by Constable Morrison against Mr. Green that, on two occasions, Mr. Green had taken him (Morrison) from his work to get blue paint to paint his (Mr. Green's) boat.
- 6th. A charge preferred by Constable Morrison against Mr. Green that he (Mr. Green) had, on several occasions, borrowed money from Constables Morrison and Savage, and that he did not repay Constable Savage until asked to do so.
- 7th. A charge preferred by Constable Morrison against Mr. Green, of having violated the Chief Secretary's circular order, No. 2|70, dated 22nd July 1870, in having constables employed in doing private work for him (Mr. Green) on the 30th September ult.

REPORT OF THE BOARD.

Having considered the evidence upon the various charges enumerated, we beg to submit the following report.

First Charge.

We are of opinion that this charge has been fully sustained.

Second Charge.

We think that Mr. Green may not have used more force than was necessary to obtain possession of the key and papers and to eject Constable Morrison from his office, but we consider that he is open to censure for having taken upon himself personally to perform these acts in the way described instead of in the first calling upon Sergeant Deasey, who was present, or one of the other constables, to remove Morrison, and place him under arrest.

Third Charge.

We do not think that the substantiates this charge.

Fourth Charge.

We consider Mr. Green for the lax manner in which permitted the supply of kerosene to the Kilmore station to be issued; but we do not think that there is anything to show that Mr. Green wilfully appropriated more than his proper share. He does not appear to have known or enquired what that was, nor does Constable Morrison seem to have kept any proper record or made any formal representation as to the quantity consumed by Mr. Green having been in excess until after he, Morrison, had been suspended.

Fifth Charge.

Constable Morrison states that he did not mean to prefer this as a charge.

Sixth Charge.

With regard the evidence of constable contradicts the charge did borrow money occasions from const which we think h

Seventh Charge.

We are of charge has not be Kilmore,

27th October 1870.

NOTE.—The blanks in the Report of the Board are caused from the fact that the Report has been partly destroyed through the paper on which it was written having worn away.

APPENDIX B.

REPORT OF THE HONORABLE ROBERT RAMSAY.

RE INSPECTOR GREEN.

4/11/73.

I have very carefully perused the papers in the case of Regd. Green. I accept the decision of the Board on the questions dealt with by them as final. I find that out of the six charges preferred by Constable Morrison against Green, one was *withdrawn* and two were *dismissed* as not substantiated.

D.—No. 5.

The first charge upon which the finding of the Board was against Green is, at worst, a mere indiscretion ; and it must be remembered that, at the time referred to, Morrison was under arrest and had broken his arrest. Green's impulse at seeing the man come into the room under the circumstances and endeavour forcibly to remove the papers was a natural if not an irresistible one.

The other charge similarly dealt with was also of a *very trivial nature*, and merely resolves itself into a *censure of Green* for laxity. The same irregularity was proved against Superintendent Lyttleton, but was, in his case, considered *merely matter for censure*.

The remaining charge is that of Green having on *four* occasions borrowed money from Morrison. It was, however, admitted by the latter that the money was returned within a short time, and that he had never to ask for it. The charge, however, was admittedly not of a serious character, and the Board only considered that Green was liable to censure or blame.

On these findings Mr. Green, after a very long and, judging from Captain Standish's own letters, a very efficient service, is deprived of his appointment ; I cannot help arriving at a very strong conclusion that, under all the circumstances, Green has been very severely dealt with. A reduction in rank, a censure, a deprivation of pay for a limited period—any one of these would, in my opinion, have been an ample punishment.