

1881.

VICTORIA.

POLICE COMMISSION.—CHARGES AGAINST MEMBERS
OF THE POLICE FORCE.

RETURN to an Order of the *Legislative Assembly*,
Dated 22nd November 1881, for—

COPIES of any Communications the Chief Secretary may have received from Members of the Police
with regard to the Charges against them in the Report of the Police Commission.

(*Sir Charles MacMahon.*)

Ordered by the Legislative Assembly to be printed, 24th December 1881.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

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APPROXIMATE COST OF RETURN.

	£	s.	d.
Preparation—Not given. (Computation by office staff.)			
Printing (800 copies)	19	0	0

(Copy.)

ASSISTANT COMMISSIONER OF POLICE (MR. NICOLSON).

SIR,

Police Department, Chief Commissioner's office,
Melbourne, 14th November 1881.

1. Although I cannot impugn the correctness of the majority of the conclusions of the Royal Commission on Police, yet those which relate to myself seem to justify a few explanatory comments and remarks.

2. I therefore beg to submit the attached notes on some of the points in question for the information of the Honorable the Chief Secretary.

3. I have the honor to point out that the inefficiency of the Police arrangements in the North-eastern district was not produced by me, as asserted by the ex-Chief Commissioner of Police, Captain Standish, but by his own neglect of my reports of 1872,* and more particularly of those of 1877.

4. Had those reports been acted upon "the outbreak" would not have occurred; and had it not been for the undue interference with my plans by the ex-Chief Commissioner and Superintendent Hare, the delay in the capture of the outlaws would not have been so great.

5. I venture to state that my reports upon Glenmore and Greta, my continuous exertions in one well-defined direction, which may be said to have culminated in the final warning given by the agent "Diseased Stock," so shortly after my compulsory retirement, are evidences that from the commencement I had a correct conception of the sources of the disorders in the North-eastern district, and of the proper, although unavoidably tedious, mode of dealing with them.

6. I would also beg to draw the attention of the Honorable the Chief Secretary to the fact, that throughout the inquiry I have been the assailed, not the assailant; and Superintendent Hare having failed to substantiate the serious charges which he made, in his report of 2nd July 1880, against me, his superior officer, has, according to the Police Regulation Statute, sec. 42, rendered himself liable to a severe penalty.

7. In conclusion, I respectfully submit that, under the circumstances, I should not be deprived of the charge of the Police Department, which I held before the Royal Commission commenced to sit.

I have, &c.,
(Signed) C. H. NICOLSON,
Assistant-Commissioner of Police.

To the Acting Chief Commissioner of Police.

REMARKS UPON THE SECOND PROGRESS REPORT OF THE ROYAL COMMISSION
ON POLICE.

THE SKETCH 1.—THE KELLY FAMILY.

Mr. Nicolson, in his remonstrance against the abolition of the Glenmore police station, 25/4/72, and in his report of the Greta station, 18/10/77, warned the head of the Police Department against what is here styled "the unchecked aggregation of a large class of criminals in the North-Eastern District of Victoria" by the police, and the consequences.

2.—THE KELLY COUNTRY.

The description of the limits of the Kelly country is hardly correct. They extend south and east to Gippsland and the New South Wales boundary. This constitutes double the area alluded to in the sketch. The site of the Glenmore police station was selected by Mr. Nicolson personally. The subsequent proposal to abolish it was opposed by him, and it was ultimately done away with without his knowledge.

3.—CAUSES OF THE OUTBREAK.

Warning was given by Mr. Nicolson to the head of the Police Department, in his report of the inspections of Chiltern and Greta, both in October 1877—(see Evidence 1020, 1025, 1026, 1040, 1041)—when he requested, on his return to Melbourne, to be sent back to that district to see how his suggestions were being carried out, but his request was not complied with.

4.—THE WOMBAT MURDERS.

5.—AFTER THE MURDERS.

An endeavour has evidently been made to convey to the Royal Commission the impression, that Mr. Nicolson's specially meritorious services lay in the early days of the gold diggings, whereas he was specially selected on this late occasion, as well as on many others since the period above referred to, on account of his experience and success. Mr. Nicolson arrived in Benalla from Melbourne on the evening of the 28th October 1878, but, before visiting the more important stations, arranged for the immediate despatch of one party to seek the missing expedition under Senior-constable Strachan, which had originally gone out in co-operation with Sergeant Kennedy and two parties from Wangaratta under Inspector Smith and Sergeant Steele respectively.

* Extracts attached.

