

voting, in the eighteenth ward, and that a certain police officer did not do his duty. I investigated the matter.

Q. You have spoken of Hinsley as being a judge of election; will you tell the committee whether he had not been rejected as such by the City Council.

A. He had.

Q. Under whose appointment was he made judge of election?

A. Mr. McPhail; he held his commission under Mr. McPhail's appointment.

Q. Did you re-appoint him after he had been rejected by the City Council?

A. I did. I would state that the council was not in session at the time the judges were appointed, but Mr. McPhail had made out his list; and he being wounded, and my being compelled to take his place, there were several resignations of the judges of election, and it kept me busy during the whole of the day in getting parties to serve and fill the vacancies. Mr. Hinsley was in possession of his commission. The council being in session that evening, I thought it my duty to send the appointments, as made by McPhail and myself, up for their confirmation, because these gentlemen were in possession of their commissions. About 8 o'clock in the evening, after going home to my own house, a report came to me that the council had rejected Mr. Hinsley, and that they had adjourned until the next Monday. I then told several gentlemen that waited upon me, that it had placed me in a bad position, because I had tried the same day several persons, for the purpose of getting their consent to serve in that ward, who had all refused. In the morning, I received no official information of the rejection of Mr. Hinsley—it was mere rumor. I had no information of his rejection until next morning about half-past nine o'clock, and by that time Mr. Hinsley had taken his seat, because he held his commission from my predecessor. After revolving the matter in my own mind, I thought it would be best to re-appoint him. It was a prerogative that the mayor always had in the recess of the council, and as the council was not in session I re-appointed him.

Q. You say you had no official notice of the fact of Hinsley's rejection?

A. I had no official notice of his rejection from the clerk of the Council.

Q. Did you know it as a matter of fact?

A. I knew it from hearsay. Hinsley came to see me, and told me that he had heard that he had been laid over by the council, but he said, "I have got my commission, and I intend to keep it."