

had other things to do on board besides attending to English news, and, although you wished to keep good faith entirely, you may have inadvertently referred to some of the news you had seen in the telegram?—It is not possible.

Mr. R. Pearce.
—
27th Sept., 1871.

116. You are quite clear that you never spoke to Mr. O'Toole about news that appeared in the second edition of the *Argus*?—I am quite positive.

117. I ask you have you received any communication from the *Daily Times* upon the subject of this letter or with anyone connected with the *Times* upon the subject?—Nothing.

118. Do you recollect a conversation with Mr. Murison upon the subject?—I don't recollect.

119. A conversation with Mr. Larnach upon the subject?—I have had a conversation with Mr. Larnach on the subject.

120. How was it the letter was written?—Because I had been to Mr. Macassey, at Dunedin.

121. Did he request you to write the letter?—I don't recollect.

122. You considered yourself reflected upon by Mr. O'Toole's evidence?—Yes.

123. It involved an accusation of having broken a promise?—Yes.

124. You felt that your reputation was to some extent at stake, in respect of having broken a promise?—Yes.

125. Did that idea strike you, or was it brought to your attention by anybody?—By Mr. Macassey. He read the evidence of Mr. O'Toole to me.

126. Was anybody present besides Mr. Macassey?—I think not.

127. Any directors of the *Daily Times*?—I really don't remember. I think not.

128. Did you see Mr. Larnach before writing the letter?—I may have done so. I saw him every time I was in Dunedin.

129. Did you speak to him upon the subject of the letter?—I don't recollect.

130. Did you speak to any of the *Daily Times* directors or to Mr. Bathgate?—I think not.

131. You had not time to write the letter at Dunedin?—I should have written it there if I had had time. It was written at Lyttelton.

132. Did Mr. Macassey supply you with any memorandum?—No, with no memorandum. He read the evidence of Mr. O'Toole. I had been unable to see Mr. Larnach before. I walked from the office to the steamer's tender, and went from Dunedin on board the ship, and sailed at once. I wrote from Lyttelton to Mr. Larnach.

133. Did you tell Mr. Macassey you were going to write to Mr. Larnach?—I don't recollect.

134. Who was the purser?—Mr. Mailer.

135. Is he still in the service of the owners?—He is purser on the Rangitoto.

136. Are you aware of the *Daily Times* having made any payment to Mr. Mailer?—I am not aware of any.

137. Or *Wellington Independent*?—I am not aware.

138. *Witness examined by Mr. Lemon.*] I believe you say you did tell Mr. O'Toole some item of news?—I may have done so.

139. That would of course be a long time after you had read the extraordinary that was put on board at Queenscliff?—Sometime after.

140. How long, think you?—I don't know how long. I don't recollect.

141. Were there two telegrams or one?—Only one.

142. Are you quite certain?—To the best of my knowledge and recollection.

143. Only one addressed that way?—Only one at Queenscliff.

144. Was there any other telegram addressed to the agents?—There was not.

145. You say there were certain vague rumours on board the "Gothenburgh," not at all reliable? Yes.

146. Would one of the vague rumours be that "France had been declared a republic"?—I don't recollect, really.

147. You are perfectly certain you only had one telegram in your possession for the agents?—Yes.

148. You are perfectly certain that you gave the telegram yourself to the agents Nichol or Tucker? Yes.

149. And only one telegram?—Only one.

150. Would it be possible for them to get telegrams from anybody else, in anybody else's keeping besides yours, for the *Otago Daily Times*?—Yes.

151. *Mr. Webster.*] From that boat at Queenscliff?—Yes, there might have been 50 people on board with telegrams for some person without my knowledge. The evening was very dark, and I was on the bridge. The boat may have put twenty telegrams on board at the same time without my seeing it.

152. Do you know that the boat came specially to deliver that one telegram?—Yes.

153. *Mr. Vogel.*] Who delivered it? Was it one of the servants of the telegraph office or a news agent?—A boatman, sailor, or fisherman brought it off.

154. You heard they brought a telegram?—Yes.

155. *Mr. Lemon.*] Was not France being declared a republic a sort of vague rumour on board the "Gothenburgh"?—I don't recollect that.

156. *Mr. Webster.*] Could it be possible that other telegrams were put on board the ship from the boat at Queenscliff besides the one delivered to you?—Yes, it would be possible.

157. Without their being handed to you?—Yes. I took a telegram that was handed to me. Some other person might bring other telegrams on board.

158. *Mr. Vogel.*] Or might have spoken to people on board as to news?—Yes.

159. *Mr. Lemon.*] Are you not aware whether the telegram was opened on board the "Gothenburgh" by Mr. Nichol?—No.

160. Who did you deliver it to—to Mr. Nichol or Mr. Tucker?—One of the two. It was sure to have been one of them.