

Mr. E. T.  
Brissenden.

23rd Sept., 1875.

1271. What is the name of the manager?—Daveny.
1272. Did you get a miner's right for him?—I did not.
1273. Nor for any one connected with the management of the Northern Club?—I have no knowledge of getting one for anybody connected with the Club. If the name is included in the list, I did not know it.
1274. Was there any conversation in the Club afterwards about that having been done?—No; I had a conversation with Captain Fraser, but not with any people connected with the Northern Club. I cannot distinctly state so; but I do not think I had.
1275. You must not think; I want a direct answer, yes or no?—To the best of my knowledge and belief, I never spoke to any one at the Club.
1276. About getting miner's rights for them?—I swear that to the best of my knowledge and belief I did not.
1277. Had you any conversations with people at the Northern Club about getting these miners' rights?—With no one but Captain Fraser.
1278. With no one else?—No; I have told you I do not think so. You will allow me to explain. It is a long while ago, but if any one had asked me saying, "As you are going down to the Thames, I shall be thankful if you will get me a miner's right," I should have done so with pleasure.
1279. I do not mean that: I meant in reference to getting miners' rights before the proper time?—No, I never did. As I have just said, I might have been asked to get a miner's right, and I may have said, "I will get one with pleasure," but I do not recollect it.
1280. You now admit Mr. O'Halloran gave you these rights improperly?—I asked him for them.
1281. But did you not ask him to do that which was wrong?—I admit it was an irregular thing for me to do.
1282. You never told Mr. Mackay that such was the case, after the disturbance about it began?—I thought it was a safe enough thing for him to do.
1283. Did you feel it was a fraudulent thing to have taken them from Mr. Mackay without his knowledge?—I did not.
1284. Do you not think it so now, to take documents out of a man's possession without his knowledge?—I did not so look upon it at the time, nor do I think so now. I should have asked Mr. Mackay had he been there at the time.
1285. Why did you not acquaint Mr. Mackay before?—He was not there.
1286. He was all night in attendance?—It was just at the time the things were exhibited to me that I asked.
1287. Then you do not think it wrong to take a man's documents from his clerk without his consent?—It did not strike me at the time that I was doing any great wrong. I had paid for the papers, and I argued in that way.
1288. But you have told us that you had arranged the day before to get the rights in some way?—I said if I could procure the men any advantage I would do it.
1289. You said you arranged to get the rights in some way before, and that you had arranged for a man to be there to get the rights from you?—I said if anything can be done I will do it; and that Smith, pointing to Dillon, said, "There is the man who will come to you."
1290. You slept in the tent with Mr. Mackay, and, knowing the arrangement that had been made, you could have asked Mr. Mackay at any time for them?—I could not have done so; I left in the morning.
1291. You did not ask Mr. Mackay?—I did not.
1292. But you went to the clerk and got them surreptitiously?—Yes.
1293. You believed when you told the man not to use them improperly, they would not do so?—I believed so, from the arguments I used.
1294. Knowing all you had done yourselves, you still believed that?—I believed so, for their own protection.
1295. Then, what was the use of getting the rights for them in the way you did?—To prevent a jostle, threats of which were abroad at the time.
1296. Why did you keep it secret afterwards?—On account of Mr. O'Halloran.
1297. But if you thought no wrong had been done, there was no reason for it to be kept secret? I admit there was an irregularity. On Mr. O'Halloran's account, I felt bound to hold my tongue. Had the case been my own, I should have come out with the facts in print at once, as soon as a fuss was made about it.
1298. Do you know who gave Cashell his right?—I do not.
1299. You say it was a man named Smith who spoke to you about Dillon meeting you?—Yes.
1300. Who is that man?—He was one of the prospectors.
1301. Where does he live?—At the Thames.
1302. Have you seen him since?—Not since I was at the Thames that time.
1303. When it was arranged that Dillon was to meet you?—He pointed out Dillon as the man who was to meet me.
1304. Did you know Corbett before?—I had never met him before that time; but I have seen him two or three times.
1305. *Sir G. Grey.*]—When you met Dillon and Corbett on the road, what passed between you and them?—That is a question I cannot very well arrive at. I have thought it over since my former examination whether they came and spoke to me or I to them first, but I have no distinct recollection about it.
1306. Who spoke to you on the road, Dillon or Corbett?—My memory will not serve me.
1307. But you must recollect?—I really cannot answer that.
1308. But surely you must know whether the men spoke to you first or you to them?—I should like to answer your question, but I cannot be sure to tell you rightly. I was on horseback, and they on foot.