

759. Did he ask you what you were going to do after he came out of gaol?—Well, he said he could not go back to gaol. I said, "I do not know what can be done."

760. Mr. Scott also says that he said to you that Mr. Ritchie had mismanaged the whole thing, and that the rabbits should have been cleared off. Is that true?—Yes; after he came out of gaol he said that he thought Mr. Ritchie had not managed the thing well.

*Mr. Haggitt*: No, he said that you said that.

*Witness*: No, I never said so. He said so, but I never criticized Mr. Ritchie's management. It would have been an absurdity to do so to Mr. Scott.

761. *Mr. Solomon*.] When Mr. Scott came out of gaol did he complain that the company had not fulfilled its bargain in seeing him through it?—No. He came to me about 3 o'clock one afternoon, the day after he came out of gaol, and said that he wished Mr. Ritchie and myself to clearly understand that he was taking the whole responsibility on himself, and, whatever we might hear outside, not to believe it.

762. *Mr. Chapman*.] Was this after he came out of gaol?—Yes, after; and he said he was acting under the advice of some friends.

763. *Mr. Solomon*.] Did he up to that time throughout the transaction—then or at any previous time—express dissatisfaction with the action of the company?—He was a little annoyed sometimes when he came to the office with these things.

764. You mean to say that he was annoyed at being put in this position; but did he ever say the company was not acting up to its bargain?—No, never.

Cross-examined by Mr. CHAPMAN.

765. *Mr. Chapman*.] Well, this portion is new. Let me ask you this: You have read the statement of claim, I suppose, in this action?—Yes.

766. You remember the letter which is set out in the statement of claim from Scott's solicitors to Messrs. Haggitt Brothers and Brent, dated December 9, 1891. It is the only letter to Messrs. Haggitt Brothers and Brent: "As you are aware, Mr. Scott must find special bail or render himself to-morrow. He can only find bail if they are indemnified by the National Mortgage Company, or Mr. Ritchie, or Mr. Henderson. We have now to ask you if the company or these gentlemen are prepared to do this or to find the sum due"—I remember that letter.

767. That letter—the duplicate of that letter—was forwarded to you personally?—Yes.

768. And a triplicate, I presume you heard, was forwarded to Mr. Ritchie?—Yes.

769. You say, then, in spite of that, Scott was so meek that he assured you he was going to take the whole responsibility upon himself?—That was after Scott had been in gaol.

770. Yes; this letter was after Scott had been in gaol. Scott was in gaol on the 4th, he came out on the 5th, and on the 9th that letter was sent to you?—Yes.

771. What day do you say it was that he told you that, notwithstanding anything you might hear outside, he was taking all this upon himself?—The first time I met him after he came out of gaol.

772. Were you in possession of that letter of the 9th December?—No, not at that time. He said that to me in Mr. Ritchie's room. Mr. Ritchie had not returned.

773. You see that is a very different attitude from that taken up in the letter?—Yes.

774. Now, I do not want to go unnecessarily into matters that concern myself, but you remember that I saw you on the day on which Scott was arrested, and the first you heard of Scott's arrest was from me, and that was after the luncheon-hour—say, about 2 o'clock on that day. You remember I told you I had looked after you once or twice, and had not found you?—Yes.

775. There was no mistake about my attitude, was there?—No.

776. I called upon you, or Mr. Ritchie, or the company, or somebody, to find bail for Mr. Scott?—Yes, and you suggested that I should see Mr. Haggitt.

777. There was a little hesitancy on your part?—I was surprised, of course.

778. You were taken aback at the whole business?—Yes.

779. Did not you ask me if arrest for debt was not abolished?—Yes.

780. And it was arranged you should see Mr. Haggitt, who, I presume, was solicitor for the company?—Yes.

781. Well, do you remember Mr. Haggitt—I do not want you to tell me what passed between you and Mr. Haggitt—I presume you saw him at his office; you saw him again at your own office on the Saturday?—Yes, afterwards.

782. Do you remember me calling again at your office while Mr. Haggitt was with you in your room?—Yes.

783. Do you remember handing to me a telegram which Mr. Haggitt had handed to you?—A telegram from whom?

784. A telegram from myself to Mr. Ritchie?—Yes.

785. This very telegram set out in the statement of claim?—Yes.

786. You got it from Mr. Haggitt and handed it back to me?—I think that was the way.

787. You handed me the telegram Mr. Haggitt brought down from his office?—Yes, I think so.

788. And said, in the absence of Mr. Ritchie you could not take any responsibility?—Yes; and you asked for his address, and I furnished it.

789. You told me that Mr. Ritchie had gone off to Timaru, and probably to Cannington, a place some distance further?—Yes.

790. Did you send a telegram to the office at Timaru to forward my telegram by special messenger?—I cannot recollect whether I did or not. I know I telegraphed to Mr. Ritchie what had taken place.

791. Did you indeed?—Yes.