

203. That meeting was adjourned, to come on again a week later—on the 11th?—Yes. It was formally adjourned so that the parties could go before the Judge as they were advised.

204. All this time, from the 13th July up to this 4th August, Mr. Weston's application for adjudication was in movement?—It was down.

205. And heard on the 19th?—Yes.

206. And Mr. Ell was adjudicated a bankrupt on the 6th August?—Yes, that is so.

207. Do you contradict Mr. Martin, Mr. Ell, and Mr. McHaffie, that these meetings were adjourned on account of the non-return of those papers from Wellington?—I have no recollection of their being adjourned on account of the papers not being returned from Wellington. On looking on my notes I do not see the slightest reference to that as a reason.

208. On the 28th an account was lent to you?—Yes, I take it that it was.

209. Will you give me that account?—I have not got it.

210. Did you not mark the objection taken on it?—I think I marked the objection on our own papers.

211. Do you hold anybody's receipt for the return of the exhibit?—It would be handed straight back.

212. Now, you have said that when you were taking these accounts on the 4th August, you did not know why the certificate had been sent back for review?—Just so, beyond anything contained in the certificate itself.

213. The Court of Appeal delivered that judgment in June?—Yes.

214. Your first appointment was on the 14th July?—Yes.

215. Did you take any steps to get a copy of the judgment of the Court of Appeal?—No; it was not my business to get it.

216. With regard to that taxation of costs that we say that false notice was produced, where Mr. Ell said he wished to make a note of it?—I have no recollection of it. There would be no occasion for me to make a note of it. I believe a telegram had been received from Wellington stating that the taxation was to proceed. It did proceed.

217. Referring to that action brought against yourself and others, you say you went down and spoke to Mr. Martin, and that then a discussion arose as to costs?—A discussion arose, but I do not know whether it was before or after I went and spoke to Mr. Martin.

218. Is there any note at all of any discussion in regard to costs?—No.

219. If there is a discussion as to costs, it is usual to have some note of it in the Judge's note-book?—In some cases.

220. As a matter of fact, there is no note of any costs being allowed in the note-book?—No, there is not.

221. I think His Honour Judge Ward afterwards stated that he had awarded costs?—Yes.

222. Do you know whether other people representing parties who stated that there was no order made for costs?—Mr. W. L. Rees stated that, as there was no order for costs made, as a matter of course the action would be dismissed, with costs of action.

FRIDAY, 2ND JUNE, 1893.

ANDREW ROBY BLOXAM: cross-examination continued.

223. *Mr. Lusk.*] You remember when the accounts were re-opened, in February, after the adjournment on the 1st of December?—Yes.

224. To whom did you send notice of this meeting?—I sent a notice to Mr. Austin and Mr. Martin.

225. On what dates in February?—On the 5th of February.

226. Of course you know that these accounts had been gone into by other people?—Yes.

227. They do bring in big credits?—They bring in all sorts of things that had nothing to do with these actions.

228. *Mr. Beswick.*] Attention was called to what was, apparently, a discrepancy between the Judge's note and the order as to settled accounts. Who took out that order?—Mr. Austin took out the order.

229. Did the Registrar of the Court of Appeal frequently send you down letters saying that he had returned you all the papers?—About this time several letters came down saying that documents were not returned as purporting to be sent.

JAMES McHAFFIE sworn and examined.

230. *Mr. Lusk.*] Mr. Slater has given evidence, and states that Mr. Ell told him that there was only a matter of about £50 between him and the Harpers. Who was acting as Mr. Ell's attorney at the time Mr. Slater was employed?—I was.

231. Who gave Mr. Slater instructions in the matter?—I gave Mr. Slater instructions in the matter.

232. Did Mr. Slater render you an account?—He did.

233. First of all, did you ever tell Mr. Slater that there was only a matter of £50 between Ell and Harper and Co.?—I never did.

234. On looking at an account rendered by Mr. Slater to Mr. McHaffie, there is an entry there of the 19th October, 1880, and of the 22nd, in which Mr. Slater was told that the balance due to Mr. Ell by Mr. Harper was over £2,000.—I did not tell him so.

235. On the 21st Mr. Slater wrote to Harpers for that amount?—Yes, he did.

236. Now, Mr. McHaffie, I want you to tell me in a few words who made any offer of £50 in this