

127. You say you have no knowledge at all of any incorrect orders having been issued?—No.

128. Did you prepare the orders yourself that came out of your office, or did Mr. Dinwiddie prepare them?—In the ordinary course of business Mr. Dinwiddie would do it. I would simply hand the brief or papers when I came in from the Court and went into the office, and I had no more to do with it.

129. It is quite possible incorrect orders were issued from your office without you knowing anything at all about it?—Yes, it is quite possible; I do not see every paper that leaves my office.

130. Do you remember Mr. Ell going to the Court of Appeal on certain orders in 1885?—I was at the Court of Appeal on several occasions.

131. Do you remember the Court of Appeal dismissing one of Ell's applications on the ground that the orders on which he appealed had no existence?—No. I have no recollection of the Court of Appeal dismissing Mr. Ell's appeal on the ground that he had appealed against an order which had no existence. I do not recollect that ever being the case. I think I was only in the Court of Appeal once in connection with Mr. Ell's affairs.

132. You remember the reopening of accounts after the Court of Appeal?—Yes, I remember they were reopened.

133. And you remember Mr. Ell lending the Registrar a copy of accounts for the purpose of going on with the taking of the accounts?—Yes; the original was not forthcoming, so this copy was put in.

134. The document had not been returned from Wellington?—I think it was supposed that they were in Wellington, and the document had not come back.

135. Do you remember Mr. Ell coming for a copy of the Registrar's notes to bring forward some evidence which the Registrar had called upon him to bring forward?—I have no recollection of that.

136. Can you recollect why these meetings adjourned without anything being done?—I think some meetings were adjourned because the papers were not come back from Wellington. I think that was the reason.

137. You were this morning mentioning in regard to these accounts that were first put in—the settled account—after the finding of this settlement of account—you both put in copies of accounts?—Yes.

138. Do you recollect in Mr. Ell's account there was any stock item in prior to 1873?—I cannot say.

139. I suppose you looked upon putting in this 5th December account as a matter of form?—No; I have got to fight my client's case as best I could. If there was any evidence to support the item I would put it in.

140. Mr. Eyes was yesterday asked whether he recollected having referred Mr. Ell to you for information which he could not get from Mr. Latter. Can you recollect whether you received a letter from Mr. Ell, stating that he could not get the information from Mr. Latter, and asking you (Mr. Martin) to furnish him with some information?—I recollect having a communication with Mr. Ell, but I have no recollection of a letter; it may have been a letter, but I think it was a personal interview with Mr. Ell, and I think I told him that the only thing he could do was to apply to the Justice Department. I told him, as Crown Prosecutor, it had nothing to do with me; he had better go to the Justice Department.

141. You always opposed the reopening of this account on behalf of Messrs. Hanmer and Harper, have you not?—Yes.

142. You remember offers being made, at the time Mr. Ell was appealing, to arbitrate the matter again?—I have no recollection of any specific offer being made. I have no recollection of any formal offer being made.

143. Do you remember Mr. Downie Stewart asking Harpers to stop the bankruptcy proceedings, and refer the whole matter to arbitration?—I do not think I ever appeared on the other side when Mr. Downie Stewart acted. Mr. Stringer appeared. I was not in the Court at the time. I was unable to take the work, and Mr. Stringer was instructed.

144. Of course you remember Mr. Ell's second bankruptcy?—Yes.

145. Do you remember a deed of assignment being set aside in 1887?—I remember such was the case.

146. After the assignment was set aside have you any recollection of an application made to go into the accounts again by the Official Assignee?—I have no recollection of it.

147. Do you remember whether you appealed against that order of the 29th October of the settled accounts?—I do not think so.

148. Did you take any steps to have it set aside or altered?—I think there was something done, but I do not think it went to appeal. I have no recollection of it going to the Court of Appeal.

149. *Mr. Beswick.*] You said you thought the adjournments were made because the papers were not back from Wellington. After seeing the Registrar's notes do they alter your opinion about the matter?—After reading the Registrar's notes I still think there was something about the papers not having come back from Wellington; there was some hitch about papers not having been returned from Wellington. It may have been that there was a delay in the reopening of accounts because of papers not having been returned from Wellington.

JAMES CROSBY MARTIN recalled.

150. *Mr. Beswick.*] Do you recollect whether you have heard of the summons marked as "Exhibit 63"?—I cannot recollect that particular summons. I know Mr. Ell applied to the Court to remove the Official Assignee. I cannot say whether it was on this summons or not. Apparently the summons is withdrawn.