

70A. And that is a joint cheque?—Yes.

70B. The voucher is not signed by any one; but the name, so far as the bank-book is concerned, is evidence of payment?—Yes, that seems so. Nathaniel Seddon was paid according to this; it is a blank voucher, but the cheque is drawn and honoured.

HENRY BURGER examined on oath.

71. *The Chairman.*] What is your name?—Henry Burger.

72. What are you?—A storekeeper.

73. Where?—At Kumara.

74. Are you storekeeping there now?—Yes.

75. Do you know the business for which you are summoned here?—Yes.

76. Are you acquainted with some of the circumstances which occurred at the time?—Yes; I was in the Council then.

77. *Rt. Hon. R. J. Seddon.*] You are aware that there was a special audit asked for in 1882 in connection with the Borough Council's accounts?—Yes.

78. Do you know who was instrumental in getting up the first petition?—Yes; it was George Simmonds.

79. They failed in that first petition?—Yes.

80. And subsequently there was an agitation by Mayor Barnett?—Yes; he was the Mayor-elect.

81. Then, there was an auditors' report?—Yes.

82. You remember the contents of that report—that is the general purport of it?—Yes.

83. That is the special auditors' report I am referring to?—Yes.

84. It was a report by Messrs. Spence and Palliser?—Yes.

85. Was there in that report anything pointing to an overpayment to Nathaniel Seddon?—Yes; but I have never had any belief in that alleged overpayment, and I do not think that any other member of the Council had.

86. Was there any belief that I had received any money in this connection?—No.

87. What was the difference in the two parties in the Council in dealing with the auditors' report?—Well, the difference, as far as I remember, was that we could not help ourselves, and an investigation had to be made.

88. But one section of the Council wanted to take proceedings?—Yes; some were wanting to do, and others wanted the Town Clerk to resign and join us in committee, and so, perhaps, explain matters, but he would not do this.

89. On the other hand, did I not ask for a special committee to investigate and report?—Yes, that was so; and one party wanted to refer matters to the solicitor.

90. You remember my blaming Wylde for not attending the investigation?—Yes.

91. An investigation committee was set up?—Yes; and Wylde would not attend.

92. Now, it has been stated that I blocked consideration of the auditors' report: is that correct or otherwise?—I do not know what you mean by "blocking." I know you tried to have it considered in committee instead of sending it to the borough solicitor, which most of the Councilors were favourable to if Mr. Wylde would have attended it. He was an oldish man with a family, and had a good deal of sympathy. The whole thing seemed to be surrounded by a sort of cloud.

93. Were our Council sittings at night long?—Yes; there were a good many long sittings, for we were a new borough.

94. The first meeting that this matter came up at we adjourned at 1.30: that was not unusual, was it?—No; once I remember sitting longer than that.

95. At the second meeting our ordinary business was finished at 6.30, when we passed O'Hagan's motion to refer the matter to the solicitor?—Yes.

96. If the records show that the ordinary business took until 6.30, there was an unusual occurrence. Do you remember a claim by Davidson?—Yes.

97. And there was a pretty strong feeling?—Yes.

98. His friends were there in force?—Yes.

99. And it took us till about 6.30 discussing this matter of Davidson's?—Yes, about that; but I would not be sure of the time.

100. Then, after that we commenced upon the report and considered what we should do with Wylde?—Yes.

100A. Was two hours and a half a reasonable time for consideration of that report?—No; because we were trying to convert one another—some were trying to get it sent to the solicitor, and others were for referring it to a committee.

101. The opinions were so even that, though you gave your vote for the motion to prosecute, you asked the Mayor to give us a casting-vote and hold the matter over?—Yes; that was the case.

102. Beyond that difference of opinion there was no ill-feeling between us?—None that I am aware of. There was no ill-feeling outside the Council, and we generally wound up with a glass of whiskey.

103. If any attempt was made to show that there was a strong feeling on the part of the ratepayers resenting the action of the Council, was that correct?—No; some were very bitter, but the general feeling was that all were sorry for the man getting into trouble.

104. And anything was on account of my good nature in trying to help Wylde?—Yes, that was so.

105. Who succeeded Mr. O'Hagan as Mayor?—Mr. Barnett; and he was Mayor at the time, getting in with only two or three votes to spare.

106. And subsequently Mr. Hannan was elected, and you contested the election with him?—Yes, I did.