

before my resignation. I said he had no right to be there, and no one else. He was very indignant, and said he was Mayor and had a perfect right to be there, and would not answer any questions.

69. You have no personal knowledge of his being there; it was only what you heard?—I have seen him coming out of the Town Hall, which has access to my office.

70. Were you prejudiced in any way by the loss of the papers you refer to?—I was ultimately very deeply prejudiced. When I was brought before the Supreme Court I wanted those papers to show my innocence, and a man was sent up from the Court to get them; but he never turned up again, and it is only since then that I learned that he was found dead drunk in a back yard in the borough, and the papers were found upon him. That is only hearsay; but the fact was that he never turned up, and the absence of those papers very much prejudiced me. His name was Skelton.

71. He was sent up to get those papers and never returned?—Yes.

72. You had missed some papers previous to the trial and previous to resigning?—Yes, I had. I found my papers in disorder and missed some.

73. And you tackled the Mayor then?—Yes; and he got violent. He said he would turn me out. I said I had a right to the papers, and could keep them locked up.

74. You were got rid of to make room for some one else?—Yes; for a particular person.

75. What was the document you wanted in the papers: was it a private memorandum or public document, or what was it that you missed?—I really cannot say now, it is so long since. I have never thought of the matter since. I think it was an account of money received, but I cannot be at all sure at this date.

76. It was, as far as you recollect, a memorandum of moneys received?—Yes.

77. Would it help your memory if I asked you if you could not find the papers connected with the report of the Finance Committee?—If I remember rightly, a good many reports of the Finance Committee were gone. That is my recollection.

78. Did you keep the minutes of the proceedings of the Finance Committee?—They were kept on sheets, and were signed by the chairman of the Finance Committee, and some of these I know were not to be found. If they had been found it would have made a very great difference to me at the trial. I heard that Mr. O'Hagan had taken those papers down with him to consult a lawyer in Greymouth, and that he was always running backward and forward to consult that lawyer.

79. The Finance Committee's proceedings and each account were embodied in the minutes?—Each sheet was presented with the accounts passed, and passed by the Chairman.

80. And some of these were missing?—Yes.

81. On the second occasion I understand you accused the Mayor in the presence of Mr. Barnett?—It was not only once that I had words about it. Mr. Barnett might have been present.

82. That is in your mind still, is it not?—That he was in the office and took those papers?

83. Yes?—I am as certain as I am here that he took those papers away, and whether he was afraid afterwards, and destroyed those papers, I cannot say; but that he took them and damaged me I am satisfied.

84. He was intemperate in his habits, was he not? Let us take a more charitable view of the matter: might it not have been that we was in that state when he lost them?—Probably. I know he died a miserable death afterwards, and before he died he expressed contrition for his conduct to me, and practically asked my forgiveness.

85. You used rather strong language in reference to your successor, Mr. Skelton?—Yes.

86. You were then of opinion that in any case you were to be put out, and that they had a man to take your place?—I knew that before. They wanted a creature of their own, and I was too independent.

87. As far as Nathaniel Seddon and myself are concerned, you are positive that we never received any moneys from the borough more than we were entitled to?—Certainly not; it is quite impossible.

88. You were not a man without means?—No; I had real property valued at £1,500 acquired before Kumara was a borough, and I have most of it still, with the Government valuation of £907, having sold part of it; and I am exceedingly surprised that if they thought I was indebted to the borough in any way they did not let me know, and if there had been the least ground for doing so I would have paid it at once.

89. They never made any demand upon you for moneys alleged to be misappropriated?—None whatever.

90. Did they ever ask you to make good any moneys for these small items—contractors' deposits, or anything of that sort?—They never gave me any chance whatever. All they did was to lay an information against me.

91. And the total amount missing subsequently or alleged to be incorrect was under £30?—I think it was only £5.

92. On the first day of your trial you were not in a position to go on with your defence?—I was not. I might throw a little light upon that by saying that I was under the impression that the case would never be tried, because I had been accused of embezzlement instead of larceny as a bailee, and I was given to understand that that charge would not stand for a moment, and that therefore I should not require any defence in the matter. When I came before the Supreme Court it was discovered that there was an Act which had been passed making the two crimes equivalent, and therefore I had to defend myself. When I had to defend myself I thought of these papers, and claimed that they should be produced. The Town Clerk was sent up to get the papers, but he never did produce them, and in default I was convicted.

93. You were acquitted on the other charges, and not called upon for your defence?—I was acquitted, and not called upon to offer any defence.