

gold in solution out of the tailings, slimes, &c., and precipitates the gold out of the cyanide solution by means of an electrical current. That is, in short, the Siemens-Halske process.

3. The process, I think, is generally known as the electrolysis process, is it not?—Yes, but generally the Siemens-Halske. The difference of this process in comparison with the other cyanide patents is that by means of the electrical current we can precipitate the gold out of a very weak cyanide solution, weaker than the cyanide solution used by the MacArthur-Forrest patent and others, and by making use of a very weak cyanide solution we work more economically. This process was introduced in South Africa on the goldfields in the year 1892 and has been adopted there, if I am right, by a dozen mines at Johannesburg. Further, the process works in New South Wales, in the Gibraltar Mine, in Victoria, in the Mount Hepburn Mine, and in some places in Siberia, as far as I know. That is all I have to say about the process.

4. Would you kindly state your profession?—I am a mining engineer, and I am attorney of the General Exploration Company, mining in this colony.

5. How long have you been connected with this process?—About three years.

6. You have been connected with it before you came to this colony?—Yes; in South Africa and Australia.

7. For long?—About a year and a half.

8. Do you also understand chemistry?—Yes. This process has been purchased by the General Exploration Company, and therefore I represent that process (the Siemens-Halske process) in this colony.

9. *Dr. Fitchett.*] In reference to the appeal case in England, was your company or your patent represented by the defendants in that case?—No; Mr. Pielsticker, my predecessor in office of my company, brought the action.

10. Was it the same patent in principle?—Yes; nearly the same. It is an electrical patent too.

11. Have you any observation to make on the following portion of the judgment. In giving judgment the Court said as follows: "As regards infringement, the defendants, during the first five days of the trial, strenuously insisted that their patent, which was said to be an infringement of the patent of the plaintiffs, was for extracting the gold from its ore by the conjoint current of electricity and cyanide of potassium, and was therefore no infringement of the patent of the plaintiffs, the electricity which they used being a material part of their invention"?—That was not our patent. That was the patent of Mr. Pielsticker.

12. The electricity which they use is practically part of their invention, but when their evidence was being cross-examined and they were challenged to prove that the way their electricity as used was not, in reality, a new method, they refused to do so, and admitted that they were infringers of the patent of the Cassel Company?—Mr. Pielsticker brought the gold in solution by cyanide, but at the same time he brought the electrical current through the cyanide solution to dissolve the gold. He brought, therefore, the gold into solution not exactly in the same way as the Cassel Company does, and after he precipitates the gold by means of the electrical current. The first part of the Siemens-Halske patent is exactly the same as the Cassel Company and most of the other cyanide patents, but in the second part we differ. This patent of Mr. Pielsticker is a private one, and differs from ours.

13. Your patent is not the same?—It is similar, but different.

14. Do you claim your patent is a good patent?—Yes, we do.

15. I know it is validly granted, but do you claim its validity as a patent? Could you sustain an action for infringement?—Yes; with exactly the same right as the Cassel Company. The first point we have got the patent for is the making use of the cyanide. The Cassel Company have got the patent for that too. If this point of the patent can be upheld at all, our patent is as good as that of the Cassel Company. Apart from this, we claim the patent for the use of electricity.

16. I understand your position to be this: You do not claim your patent for cyanide has any validity nor the Cassel Company's patent has any validity. You uphold cyanide cannot be patented?—Yes.

17. And therefore your patent has no validity?—No, as far as the first point of it is concerned.

18. *Dr. Findlay.*] As a matter of fact your patent does claim exclusive use of cyanide. Then you admit that claim is invalid?—Yes.

19. Since when have you admitted the claim is invalid?—We never have admitted it. We never attached any importance to it.

20. Still you seriously claim it in your specification?—We have made it a claim as others have, but we have never tried to enforce it,

21. You admitted the exclusive use of cyanide is invalid?—Yes.

22. And you allege, so far as the Cassel Company's claim is concerned, it is also invalid?—Yes.

23. The essential difference is this: the Cassel Company precipitate the gold in solution by fine threads of zinc, you precipitate it by electricity?—Yes.

24. The words of your claim are—you have given up the first part—"for separation of various metals by electrolysis." That is the only part of the patent you rely on?—Yes.

25. The conflict arises through the second part of the two methods?—Yes.

26. Would you be content if the Bill we are here dealing with merely provided for the purchase of the Cassel Company's patent rights without any more?—We do not oppose that. But we do not want to pay any royalty as far as cyanide is concerned.

27. Suppose the Bill went no further than to provide for the purchase of the Cassel Company's patent rights?—If we were not excluded.

28. Supposing you were excluded, would you object if it provided for the purchase of the Cassel Company's patent rights?—Yes.

29. Apart from the Bill you could not use your process, if the Cassel Company's patent is valid, without the leave of the Cassel Company?—That is what we contest