

109. Why did not you let Mr. Izard prepare the papers: why did you go to Skerrett and Wylie?—Well, I did not think Mr. Izard should do that, as I have a regular charge with Skerrett and Wylie. The £60 was to cover everything. And, to tell you the truth, I would as lief let Mr. Izard prepare the document, or Mr. Young.

110. Well, then, did the £2 2s. paid to Skerrett and Wylie come out of the £60?—It is not paid. Well, to tell you the truth, I was so ashamed to let a scoundrel take down a friend of mine that I have undertaken to pay it. This scoundrel himself walked into my solicitor's office and proffered his thanksgiving in a most servile manner.

111. Was the discontinuance signed that day?—No, sir; the discontinuance was signed in my office on the Saturday, in the presence of witnesses, and Roberts thanked me most profusely for what I had done. On the following Monday he called on me again to go round to Skerrett and Wylie's, and thanked me before Mr. Wylie for what I had done for them. [Put in, "M."]

112. Then, the discontinuance was in your hands on the Saturday?—Yes.

113. *Mr. Crowther.*] Was the discontinuance witnessed?—Yes, by a young man named Cording, who wrote a note testifying to this effect.

Mr. Izard: This is what Mr. Cording says in his letter [letter read, "L"].

114. *The Chairman.*] Well, then, you handed the papers over to Skerrett and Wylie on the Monday?—I would not be sure.

115. Well, you handed them over?—Yes, I handed them back.

116. Why did they fail to discontinue?—I do not know.

117. I suppose they had not any money?—Well, they were in the habit of doing anything I told them to do.

118. *Mr. Crowther.*] How long were the papers in your possession?—Only on the same Saturday that they were signed. Well, you see, I thought I was dealing with honourable men, and I took no notice of these events, and I went and told Mr. Fitzgerald that the thing was done to our entire satisfaction.

119. Well, when you left Mr. Izard you took it up on behalf of the Mercantile Agency?—Yes.

120. What commission did you get out of the £60?—I got none.

121. *The Chairman.*] You got none?—No; I collected sundry accounts against him.

122. *Mr. Izard.*] You get a commission on the accounts?—Yes.

123. *Mr. Crowther.*] You collect doctors' accounts?—Yes. This fellow said to me, "There is £12 that I am going to give Mr. Young." I said, "Oh, I will save you the trouble of going up to Mr. Young."

124. *The Chairman.*] I cannot understand why you did not see Mr. Young?—This man had been to his solicitor, Mr. Young, and he told me that he had seen Mr. Young; and when I heard that Mr. Young had acquiesced in it, what more could I do?

215. *Mr. Fitzgerald.*] Will you tell the Committee what position Messrs. Skerrett and Wylie took in regard to myself in the following week? They appeared against me in the Supreme Court six days afterwards, did they not?—Well, I heard that Mr. Skerrett was acting with Mr. Young, and I asked Mr. Wylie, who is a solicitor to the Mercantile Association, "Is it true that Mr. Skerrett is a solicitor on the other side on such a case as this?" and Mr. Wylie said that when Mr. Skerrett took up the brief he knew nothing of what had transpired between himself and me. He gave me to understand, as an honourable man, that Mr. Skerrett was not aware that his firm had completed the negotiations and fixed them as it did.

126. *The Chairman.*] Was not Mr. Skerrett told before the trial commenced?—I never saw Mr. Skerrett, only Mr. Wylie.

127. Then, it was Mr. Wylie's duty to tell Mr. Skerrett; a partner is responsible for his partner's mistakes. Well, speaking of yourself, did you come out of the thing better than you expected?—Well, I tried to act better. Mr. Fitzgerald is an old friend of the family, and I must admit that I should never undertake such a thing again. This £60 was to cover everything, including legal expenses, so that Mr. Fitzgerald was to be put to no further expense in the matter.

The Chairman: That will do, Mr. Lambert.

EXHIBITS.

EXHIBIT A.

Wellington, 5th September, 1898.

Memorandum for Mr. W. C. Fitzgerald, Chemist.

I CERTIFY that I have examined your vaccination diaries from 29th September, 1884, to 3rd September, 1898, both days inclusive. The number of vaccinations shown therein as having been performed is three thousand one hundred and twenty (3,120). But in this period there is a gap from 25th November, 1887, to 23rd May, 1890, both days inclusive, about two years and a half, during which time you were, I understand, not in business, and for the most part of the period absent in England.

The total number of vaccinations shown from 8th October, 1897, to 26th July, 1898, inclusive, being 292 days, or 9·57 months, was nine hundred and eighty-seven (987), or an average per month of 103·24 vaccinations.

After 26th July, 1898, to 3rd September, 1898, latter day included, there were fourteen (14) vaccinations, being thirty-nine days, or an average per month of 10·91 vaccinations.

D. T. STUART, F.I.A., N.Z., Accountant.