

10. Will you look at the top of page 20: "I gave him an outline of what the report contained. I did not show him the report. I told him I was sorry to say that the report contained some damaging statements against him. I told him the report charged him with having paid away a sum of £220 to a man named Seddon; also a further sum of £164 to himself, besides keeping several deposits on contracts; and I said, if these things were true, it involved a question of suspension, or something worse. Accused said these were a parcel of monstrous lies. I told him we had the report containing these statements from the special auditors, who said they were true. Defendant then asked what was the best for him to do under the circumstances. I replied that I did not know, but I would not like to submit him to the indignity of reading the report to the Council. Defendant then said that he had better resign until the matter was cleared up. I said perhaps so. This was all that took place on this occasion. The defendant did resign. Defendant has never accounted to me for any discrepancies in the matter of deposits"—I may say that evidence was adduced by the Crown in the charge against the accused in the Supreme Court. After that I particularly cross-examined this Crown witness on that point, which you will see mentioned in the same page.

11. Will you go further down the page, to Mr. Harper's re-examination?—Yes: "The special auditors' report was published in the Kumara district on November 8. The information against prisoner by Simmonds was laid after the report was printed. I recollect Keenan paying his deposit of £2 in the Town Clerk's office. There was a meeting on that occasion. The over-payment I refer to was not paid to Mr. Seddon, the councillor, but to that gentleman's uncle."

12. Then this evidence with respect to over-payment, notwithstanding what Mr. Harper said yesterday, was brought out by the Crown Prosecutor?—It was.

13. In the prosecution on the first day of the trial before the Supreme Court on the trial of the first indictment?—It was. I may add also that, in my opinion, the Crown acted most unfairly, as I thought at the time, and still think, in using that report, which was circulated in the district where the jury were empanelled from in order to prejudice the defence of James Wylde; and that is one of the reasons why Mr. Richard John Seddon was called as a witness to show the incorrectness of the report.

14. Was ever any attempt made, either in the Magistrate's Court—notwithstanding this was used in both cases—was any attempt made to prove the correctness of the allegations with respect to the overpayment?—No evidence was brought to prove that.

15. Mr. Spence gave evidence?—Yes; he was one of the special auditors, and Mr. Palliser was the other.

16. Did the Crown ever ask them any questions as to the correctness of paragraph in "C"—as to the over-payment to Mr. Seddon?—To the best of my recollection, they did not; because, I think, some note of it would have been found, either in the notes of the evidence taken by His Honour the Chief Justice, or in the report of the trial in the *West Coast Times*, which gave full and accurate reports of what took place. I may add that there was a great deal of feeling in regard to the case at that time, and the newspapers took special interest in the case by publishing full reports of the proceedings.

17. Are there any points upon which you would like to give evidence with respect to that part of the proceedings on the other counts?—No; I think not. But there was a point mentioned yesterday upon which I said that I could not give evidence without the consent of the client I acted for.

18. Are you in a position to give material evidence about it?—I could give his explanation as to how the auditors made a mistake in the statement about these alleged overpayments to Nathaniel Seddon.

19. *Mr. Massey.*] Whose explanation?—Mr. Wylde's. I am referring to the overpayments with regard to Nathaniel Seddon.

20. *Rt. Hon. R. J. Seddon.*] Do you remember Mr. Wylde himself being called upon before sentence. Turn to page 26, Exhibit D?—Yes.

21. Will you give that to the Committee? I want you to verify whether that is a correct statement of what took place, as far as you recollect?—I have read the report. "James Wylde was brought up for sentence. In answer to the usual questions, the prisoner said he was sixty years old. He also, in a voice broken by emotion, said: 'I wish to say a few words, your Honour. I believe the jury acted conscientiously, according to their interpretation of the evidence brought before them; nevertheless I am perfectly innocent of the crime for which I have been tried. I am the victim of party spirit, carried to an extreme. It is useless for me to enlarge upon the artifices used to get rid of me and place a tool of some of the councillors in office. The abstraction of my paper, to prevent my defending myself, was only one of the means used. I wish to say that I was appointed to the Borough Council because I was a skilled engineer and all the public works had to be done—not because I was an accountant. I have nothing more to say. I shall be grateful for leniency.'" As far as I recollect, that was what the accused stated to His Honour the Chief Justice when he was called upon to make a statement.

22. Did Mr. Wylde complain of papers which would have materially helped in his defence having been taken away, or that he was not allowed to have them?—Well, there were different books and vouchers. He made one suggestion or statement that Mr. O'Hagan had taken them, because he had heard that he was in the habit of going in and out of the office when he (Mr. Wylde) was absent, and it was clearly proved in the course of the proceedings that certain memoranda and books which Mr. Wylde had kept in his office were missing, and could not be found. Mr. Wylde said that they would have assisted him to clear up many of the discrepancies which the auditor found.

23. On this allegation (A) I have nothing further to ask, Mr. Guinness, so I will go on to (B).

24. *Mr. Massey.*] Mr. Guinness stated just now that Mr. R. J. Seddon was called to prove the