

yet. He looked past me and saw some man making a sign to him, and he left me. I then inquired and found out who he was.”

Lambert's reply to that is to deny it (page 46):—

“After I was committed for trial I saw Henderson at Otautau. He said he was sorry for me; he thought I could get a better counsel. He said he was better than McAllister. He did not come again. I think I told him to go to a warm place. The evidence I gave in Supreme Court is what I believe to be true.”

So that the subject was not even touched as far as one can gather from Lambert's story there, but, of course, he will be here to tell it first hand to this Commission.

*Mr. Justice Edwards:* Was Mr. Henderson in practice at that time?

*Mr. Atkinson:* He was Registrar of the Supreme Court in 1887, and a private practitioner in 1895.

*Mr. Justice Edwards:* He appears on these notes as “Arthur Chillas Henderson, solicitor, Supreme Court of New Zealand, formerly Registrar Supreme Court, Invercargill.”

*Mr. Atkinson:* Then, the last, perhaps the strongest, single witness of all the new witnesses was McGeorge, whose testimony I have already quoted, your Honours, on the question of chronology, and also on the question of the loan of these skins. It was at page 39 of that evidence, which your Honours may have noticed. His cross-examination contains an important point for Meikle. The witness's remark that he left two skins hanging on the wire fence alongside Lambert's hut is very material to my client's case. It was stated by Lambert in 1887 that the skins were spread on bags in the smithy. It was stated by the police and company's servants that the skins were found in the middle of a pile of Meikle's skins, about fifteen of which were stretched on a beam or rafter in the smithy. They were laid along there all together.

*Mr. Justice Edwards:* Not one on top of another?

*Mr. Atkinson:* Yes, your Honour. As I read the evidence, they were laid along one on top of the other. There was some attempt made in 1887 to indicate the marks on these. There were special marks on them. That was the manner in which the skins produced had been treated in order to produce the marks that had been on them. I need not go into that point, because it was a small point then, but it became an exceedingly material point in 1895 with McGeorge's evidence to support it. Alexander Grieve's evidence (page 41) states that he was manager of Pine Bush Station, and had a good deal of experience with sheep. I am instructed that he was an entire stranger to Meikle at the time of his trial. Apparently he was down to see what was on at the trial. He says:—

“If sheep-skins are dried on a wire fence they show the wire mark. I inspected two skins produced at Police Court at Wyndham in connection with this matter. They had indications of having been dried on the wire. The wire mark was on them.”

At this stage the Commission adjourned until 10.30 a.m. the following day.

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DUNEDIN, WEDNESDAY, 2ND MAY, 1906.

*Dr. Findlay:* If your Honours please, I desire to bring before you what technically, I take it, is a contempt of this Court. Mr. Meikle last night, between the hours of 7 and 8 o'clock, grossly insulted Mr. Fleming, a respectable man, and a witness I have brought from Invercargill. He happens to be staying at the Grand Hotel, and outside that hotel Meikle told him that he was in conspiracy with Mr. MacDonald, who sits besides me here, and Judge Ward to injure him, and that he (Mr. Meikle) and Mr. Meikle's family would hound Mr. Fleming as long as he lived. This was said in a very high tone, with the utmost threat and violence of demeanour, and Mr. Fleming is very much upset by it, this having taken place in a public street. I can establish that by calling Mr. Fleming and witnesses who heard it. I ask your Honours to protect us from that kind of conduct on the part of Meikle.

*Mr. Atkinson:* I can only say my friend mentioned to me a moment ago that he was going to mention the matter to your Honours, and I had only time to consult my client while my friend was speaking. I can only say, your Honours, that I entreated my client yesterday to leave the other witnesses absolutely alone, and hold no conversation of any kind with them. It does not appear he sought out this man—it was in the street—and, though I am not in a position now to challenge my friend's statement, I can only say, so far as I am concerned, I deeply regret there was any conversation at all, and it will not be with my consent that there will be conversation of any kind whatever.

*Mr. Justice Edwards:* We shall call upon Mr. Meikle to show cause at 10.30 a.m. to-morrow.

Address by counsel continued.

*Mr. Atkinson:* Your Honours will understand from some remarks in my opening yesterday the difficulty I have in respect to the matter just mentioned. I refer to the way my client is overcome by his troubles. I am glad your Honours have given us time to look into the matter between now and to-morrow morning. The point I was at yesterday, your Honours, when the adjournment was taken was as to McGeorge's evidence, and as to his gift of these skins to Lambert a few days before he left. I pass McGeorge's evidence, but I shall put it to your Honours that McGeorge's evidence and cross-examination as to his leaving skins hanging upon the wire fence was confirmation of the point of which something had been endeavoured to be made in the cross-examination of 1887, and also of direct evidence that was called upon the point to supplement Mr. Meikle's case against Lambert in 1895. Lambert's statement, as your Honours may remember, was that the skin was left on some bags of lime in the smithy, and the statement of the police and those with them at the search was that the skin was found among a bundle of a dozen or so of the