

55. Barton stated that he had to sign the document before he got the cheque?—If he had not signed that bond I do not think we could have retained the cheque, although Barton might have thought he had to sign it.

*Mr. Barton:* I was practically advised to do so—I was not told so in so many words.

*The Chairman:* You were not given to understand that if you did not sign the document you would not get the cheque. You said you were under that impression.

*Mr. Barton:* Yes, but I was not told that.

*The Chairman:* The clerk brought the document and the cheque, and the cheque was handed over after you signed the document?

*Mr. Barton:* Yes.

*The Chairman:* Mr. Barton suggests that at the time the cheque was paid he had lost all claim to legal redress, and he had to pay the amount back if he got any compensation from the Crown. You, Mr. Hammond, say the cheque was only to pay his expenses?

*Mr. Hammond:* That was one of the main reasons.

*Mr. Barton:* I think if you had been in my position you would have been under the same impression. Why did you at the last moment send that document along for me to sign? You must have known the position I was in, and it looked like taking a mean advantage of me.

*Mr. Hammond:* I am sorry you put that interpretation on it. Your solicitor did not put that interpretation on it, and that was not the intention. We gave him the money to defend the case at common law.

*The Chairman:* There was nothing whatever to defend. All he proposed to do subsequent to receiving that cheque was to come to the Crown?

*Mr. Hammond:* I think in my own mind that at the time the document was drawn we thought the Court would open in some way the case the same as in the case of the Farmers' Distributing Company. I thought the whole case would be opened again.

*Mr. Newman:* How did you, Mr. Barton, come to be so certain that £300 was to come to you? This gentleman says it is only about £120.

*Mr. Barton:* The amount I was entitled to under the Workers' Compensation Act is £300.

*Mr. Hammond:* That is the maximum amount you could claim. It is for total disablement the amount would be £300, but the Court uses its own discretion as to what it gives for partial disablement.

*The Chairman:* It would be a matter for the Court. He could sue for £300?

*Mr. Hammond:* Yes.

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