

be made, by which Mr. Martin was to advance you money to carry on the work?—In January, 1870? In January 1870, there was an arrangement between Mr. Martin and Mr. Clayton by which Mr. Martin was to carry on the work.

437. Answer my question. Was there not a proposal, to which you and Mr. Clayton were parties, by which you were to carry on the work and Mr. Martin was to assist you with money?—No; nothing of the sort. I recollect nothing of the sort.

438. Do you know, or recollect, whether or not Mr. Martin did not object to assist you in any such way?—I will tell you what did happen. Mr. Martin objected to advance any more money beyond the £700 until the £100 turned up.

439. Then he objected to advance more and yet gives you £100?—It was his own arrangement, or Mr Clayton's. I was up a tree.

440. What was the date of that arrangement?—I think it was January the 13th.

441. Had this arrangement been made at time for Mr. Martin carrying on the work?—No; I don't think so. I heard nothing about it that day.

442. Then why do you say the cheque was not given to you?—Well, because it was not advanced to me.

443. Then to whom was it advanced?—It was given to Mr. Clayton by Mr. Martin, for me to pay.

444. Who was to repay it?—I had to pay the money to the men, and did so.

445. Then, you tell the Commissioner on your oath that you do not know to whom that money was advanced?—I only know that Mr. Clayton had the cheque for £100, and I got it on Saturday morning and paid the men; and what arrangement Mr. Martin and Mr Clayton made I do not know.

446. You say that arrangement between Mr. Clayton and Mr. Martin was not made at that time?—Not within my knowledge.

447. You say within your own knowledge it was made afterwards. Why do you say so?—I told Mr. Clayton to go down and arrange with Mr. Martin for the money.

448. *Mr. Brandon.*] Were you not responsible to Mr. Martin for the amount?—I suppose I should have been responsible to Mr. Martin if I had been able to pay.

449. *Mr. Attorney-General.*] Now, at the time of which you are speaking, about the 11th January, was there not a proposal that you should assign your contract to Mr. Martin?—There may have been, but I don't recollect the fact.

450. Here is a letter from Mr Clayton to you on the 11th January, 1870: "In any transfer or assignment you may make of your contract for the new Government House, I have to remind you that the following orders in favour of Messrs Turnbull, Reeves, and Co., which you instructed me to deduct from your progress payments will be stopped from the same." Do you recollect that letter?—I remember that letter now I see it.

451. Here is another of the 11th January, with regard to the insurance on the carpenters' risk; another on the 13th January, the same day as you got that cheque, and another on the 19th January, with regard to substituting plate glass for Chance's sheet glass. Now you say, although these three letters are written to you between these dates, that on the Saturday you were out of the contract, when that cheque was given to you?—I never said anything of the kind.

452. What do you mean when you say that the cheque was not given to you, because Mr. Martin had determined not to advance you any more money?—I said most straightforward that the cheque for £100 was given to Mr Clayton, and he gave it to me.

453. And you wish the Commissioner to believe that the £100 was advanced to Mr. Clayton?—I understood that my arrangement with regard to Government House was a myth.

454. How so?—Because I had no more money to carry on with, and the whole thing went over to Mr Martin.

455. What I wish to know is why you say this £100 was not advanced to you?—Because Mr. Martin would not advance more money to me. I was done with it entirely.

456. Did you ask Mr. Clayton to go down and induce Mr Martin to pay the £100 for the wages?—Yes. I can't state more than what happened.

457. Now, I ask you to say whether it was after you state, upon your oath, that you were out of the contract, and had nothing more to do with it, that Mr Clayton wrote to you?—I never said that; I said I was a myth. I was there until I failed.

458. Can you fix the date of that conversation between Mr. Clayton and Mr. Martin, when you were outside the door—the conversation at which you say it was arranged that Mr Clayton was to receive his commission from Mr Martin for carrying on the work, and that you were to be out of it?—It would be some time about the end of January or beginning of February. I could not tell the date, for you had better believe I was in such a state of trouble at the time that I could not give particular dates.

459. Although you were so tender about paying the men, and could not, how was it that you carried on till the end of January?—Under the belief that Mr Martin was going to carry on.

460. And yet you tell us that it was not until the end of January that you heard this conversation?—Yes. I said the conversation was about the end of January or beginning of February.

461. You believed that, although this conversation did not take place until the end of January, yet there was an arrangement between Mr. Martin and Mr. Clayton to pay the wages?—I believed that Mr Martin had the thing in his own hands, so that when the time came round he would pay the wages.

462. How in his own hands?—It was just a casual conversation, that he had arranged something with Mr. Clayton, and made it all right.

463. When did Mr. Martin say he had made it all right with Mr. Clayton?—I think it was on Thursday or Friday, before the fortnight's wages became due.

464. Were you not very much surprised when Mr. Martin said he had made this arrangement with Mr. Clayton?—You had better believe I was surprised when I went down to get the money to pay the wages, and when he said, "My boy, I'll pay nothing more until I have a full understanding with Mr. Clayton. I will find no more wages."