

680. Were you present?—I was subpoenaed by Petford, and was present.
 681. Was the work done after the insolvency?—Yes.
 682. Do you remember what date it was done?—The work was in hand for a long time.
 683. But all after the insolvency?—Yes.
 684. You were present in the Court?—Yes.
 685. Was Mr. Martin there?—Yes.
 686. Was Mr. Smith there?—Yes.
 687. Did he give evidence?—Yes; both of them did so.
 688. Who conducted the case for Petford?—Mr. Allan.
 689. Who was the Magistrate who decided the case?—Mr. Crawford, the Resident Magistrate.
 690. Do you remember when this matter was tried?—It must have been about fourteen months ago—about February or March, 1871.
 691. You heard Mr. Smith give his evidence?—Yes.
 692. Did he or did he not say whether he was contractor at the time this work was done?—He said he was contractor.
 693. Did he say what Mr. Martin was?—I don't recollect his saying what Mr. Martin was.
 694. And did Mr. Martin pay in the end?—Yes, I think so.
 695. You heard the evidence given?—I won't say I heard the whole of the evidence.
 696. You were there when the contract came to an end?—Yes.
 697. Did Smith say anything to you then?—He made some remark to the effect that he was going to have £2,000, but I put it down as some of his other remarks. I did not take much notice of it. He said something about keeping the key.
 698. What was that?—He made some remark about not giving up the key unless he got £2,000.
 699. Was that at the termination of the works?—About the termination of the works.
 700. He said nothing about Mr. Martin having this £2,000?—No.
 701. You were in Court when Mr. Martin was examined?—Yes.
 702. Do you recollect any question being asked him about wages?—Yes.
 703. What was the answer?—Mr. Allan asked him whether he was not in pay of Mr. Martin—whether he did not receive a salary from Mr. Martin, and he said no.
 704. Do you recollect the amount of the claim?—No.
 705. *Mr. Brandon.*] Did Mr. Smith at any time say whether there was any arrangement as to his obtaining any money if there was a surplus, and on what grounds?—No, I don't remember Mr. Smith saying that, or alluding to any particular circumstances.
 706. You say he said he was to have £2,000 out of the surplus; did he say when, how, and where.—No. As I said before, it was merely a passing remark he made about keeping the key. I didn't pay any attention to it at the time.
 707. Against whom was he to keep it?—Really it was a mere matter of conversation, and I did not think anything of it at the time.
 708. You took it as all "bosh"?—I took it as merely talk.
 709. Did you not know yourself that Mr. Smith was not finding either material or money for labour?—It was pretty plain he was not.
 710. You knew who was finding the material and labour?—It was always known that Mr. Martin was the man with the money.
 711. Had not Mr. Martin to be there frequently?—Frequently.
 712. Had you ever any communication with Mr. Martin?—No.
 713. Do you know who supplied the material?—I apprehend that it came from several yards, from the tickets that passed through my hands.
 714. Do you know on whose responsibility?—No.
 715. You did not suppose for one minute it was on Mr. Smith's?—It was generally supposed that all the parties were paid by Mr. Martin for anything they supplied.
 716. Who was the party sued by Petford in these proceedings you have referred to?—Mr. Martin, I think.
 717. And Mr. Martin had judgment given against him?—I am pretty sure it was so.
 718. Then, in fact, there was nothing very definite in the conversation between you and Smith?—No.
 719. Nor with Mr. Martin?—No.
 720. *The Commissioner.*] Do you know why Mr. Martin was sued by Petford, and not Mr. Smith?—I don't know anything more than that it was generally understood that Mr. Martin was to find the money for all these works.
 721. Do you know if there was any difficulty, after the contract was completed, in the Government getting possession of the building?—No; there was no difficulty. The Government placed some of the Armed Constabulary in possession on the Saturday.
 722. Why?—Simply because it was understood that they had possession of the building. But on the Monday they had orders that no one was to be admitted to the place except they had an order from Mr. Clayton, and Mr. Smith came up to the works and made an entry himself.
 723. The police were then in the building?—Yes.
 724. For what reason did he make an entry?—Some of his property was in the building.
 725. You don't know anything about his refusing to give up possession?—No.

TUESDAY, 16TH APRIL, 1872.

Mr. W. P. JAMES in attendance, and examined on oath.

726. *Mr. Attorney-General.*] You are second clerk in the Resident Magistrate's office, Wellington?—Yes.

727. Were you so in February, 1871?—Yes.