

"A" from the place where a solicitor's name is usually put to documents prepared or copied by him, and where the said Henry Smythies is in the habit of indorsing his name.

29. That the costs of the said Henry Smythies furnished to me by him before taxation, are exhibited to me at the time of my swearing this affidavit, and are marked B.

30. That my letter of the twenty-second day of June, one thousand eight hundred and sixty-seven, to the Registrar of the Supreme Court, and his replies thereto, are exhibited to me when swearing this affidavit, and are marked respectively C and D.

JAMES U. RUSSELL.

Sworn at Dunedin aforesaid, this twelfth day of June, one thousand eight hundred and sixty-eight. Before me,

EDWARD FRAS. WARD,

A Solicitor of the Supreme Court of New Zealand.

In the Supreme Court of New Zealand, Otago and Southland District. No. 2833.

In the matter of "The Law Practitioners Act Amendment Act, 1871;" and in the matter of HENRY SMYTHIES, at present of Naseby, in the Province of Otago, Gentleman; And in the matter of the Petition of the said Henry Smythies, under the said Law Practitioners Act Amendment Act.

I, BRYAN CECIL HAGGITT, of Dunedin, in the Province of Otago, New Zealand, Gentleman, a Barrister and Solicitor of the Supreme Court of New Zealand, practising in Dunedin aforesaid, make oath and say:—

1. That I am one of the members of the Council of the New Zealand Law Society.

2. That acting in conjunction with Mr. Howarth, the only other member of the Council of the said Society in Otago, I recently caused steps to be taken to ascertain whether the feeling of the profession in Otago was adverse or favourable to the re-admission of Mr. Henry Smythies to the practice of his calling in New Zealand.

3. That telegrams were forwarded by Mr. Howarth and myself to all the solicitors practising in the province, and who are now resident in Dunedin, inviting them to say whether they were in favour of or opposed to Mr. Smythies' admission. Of the solicitors so communicated with, twelve replied that they were opposed to Mr. Smythies' re-admission; two declined to express any opinion; two were indifferent; and two sent no reply.

4. That the members of the profession practising in Dunedin were expressly invited to attend a meeting at the Library of the Supreme Court House, to consider the case of Mr. Smythies, and a meeting of the members of the profession was held at the place aforesaid, on the twenty-fifth day of April, one thousand eight hundred and seventy-two, at which sixteen members were present.

5. That at such meeting it was unanimously resolved, "That the Attorney-General, as President of the Law Society, be requested to appear and oppose Mr. Smythies' petition."

6. That in accordance with such resolution, the necessary instructions have been given to the Attorney-General.

B. C. HAGGITT.

Sworn at Dunedin aforesaid, this eighth day of May, one thousand eight hundred and seventy-two. Before me

GEORGE COOK,

A Solicitor of the Supreme Court of New Zealand.

In the Supreme Court of New Zealand, Otago and Southland District.

In the matter of "The Law Practitioners Act Amendment Act, 1871;" and in the matter of HENRY SMYTHIES, at present of Naseby, in the Province of Otago, Gentleman; and in the matter of the Petition of the said Henry Smythies, under the said Law Practitioners Act Amendment Act, 1871.

I, JAMES MACASSEY, of Princes Street, Dunedin, in the Province of Otago, New Zealand, Gentleman, make oath and say:—

1. I have read a copy of the affidavit sworn herein by the above named Henry Smythies.

2. In regard to the first paragraph of the said affidavit, I beg to refer to the twenty-second paragraph of an affidavit made in the cause of Russell v. Barton, and sworn on the twelfth day of June, one thousand eight hundred and sixty-eight, wherein is set forth an extract from a letter from the said Henry Smythies to the said James Ure Russell, in the following terms:—"If you have no confidence in me, you can of course engage some other solicitor; and if you have no confidence in your case, tell me what you will take for your interest in the station and sheep as it now stands."

3. In regard to the statements contained in the third paragraph of the said affidavit, I am informed that the deed therein mentioned was executed in confirmation of a previous deed containing a release and discharge, and that both deeds have been forwarded to the Registrar of the Court of Appeal by the Registrar of the Supreme Court.

4. The statements contained in the fourth paragraph are somewhat inaccurate, inasmuch as the said Alfred William Smith did appear, I acting as his solicitor and counsel, and also without the indemnity as alleged.

5. In reference to the allegations contained in the eleventh paragraph of my affidavit, sworn herein, on the eighth day of May last past, I say that the fact in the said paragraph mentioned can, I believe, be vouched by several witnesses, to wit, John Hyde Harris and Gibson Kirke Turton, of Dunedin aforesaid, Gentlemen, my former partners. I have been unable to find any papers tending to throw any light upon the transaction referred to in the said eleventh paragraph, for the reason that upon the dissolution of the late firm of "Harris, Macassey, and Turton" in March, one thousand eight hundred and sixty-eight, the papers connected with all settled actions were taken into the custody of the said Gibson Kirke Turton, and owing to his having changed his offices on two occasions since, some