

quash the conviction, being so necessary to obtain damages sought, particularly when you promised me so often you were going to do it, and actually kept me waiting at the Supreme Courthouse while you said you were applying for it?—In the first place, I have only to say that I never kept you waiting at any Courthouse. In the second place, I beg to state distinctly that I told Mrs. McManus I would do nothing of the sort. Quashing the conviction had nothing whatever to do with costs or damages in the District Court.

109. When the case was entered, why did you postpone it from sitting to sitting until two months had elapsed, and the Justices were free by law?—I never postponed it, so far as I know, in the slightest degree. I am not conscious of having postponed the case in the slightest degree. Sometimes cases are postponed for the Judges or for witnesses when they are not obtainable. I used what speed I could in the case. This case against Roth had nothing to do with the action against the Justices.

110. Why did you not produce the characters from Mr. Brodie, of the Thames, and Mr. Bigelow, boatbuilder of Auckland, my son's late employers, which I gave you for that purpose?—On what occasion? When the case was at trial? I do not remember receiving any characters in the first place; and secondly, they had nothing whatever to do with the case. I took the case in for false imprisonment. I did not expect to get damages, nor did Mrs. McManus. She wanted the whole circumstances brought out, and they were brought out.

111. Why did you not compel Roth to produce the forged indenture?—Simply because that if there were a forged indenture, it had nothing to do with the case. I might as well have produced his certificate of baptism.

112. Why did you not object to a felon's evidence being taken against my son? And why did you absent yourself when you should have addressed the Bench on my son's behalf?—I have no knowledge of absenting myself when I ought to have been present. I may state that a practitioner may be away in the Supreme Court when a case is called in the District Court. I might have asked Mr. Joy to get a case which had been called adjourned until 3 o'clock. That is very likely to have happened.

113. Why did you charge me one guinea for telling me that Roth was liable for forgery and perjury, put me to the expense of bringing up my son and Mr. McLean from the Thames, paying their expenses in Auckland, and then throw up the case because I thought £5 too much for a Police Court case, after all you had taken to get me 1s.?—I do not recollect anything about it. I do not recollect anything about that.

114. *Mrs. McManus.*] That was at our last interview?—That may be. When Mrs. McManus spoke about prosecuting Roth, I said that to take up cases of this sort, although the man may be liable and has actually broken the law, a solicitor must see that everything is done professionally, and I declined to take it up simply as a matter of feeling. I was not bound to identify myself with the feeling that Mrs. McManus was wronged. I should like to say this in relation to the charge made against me, that to the best of my ability, both as a lawyer and a gentleman, I did what I could for Mrs. McManus, and fulfilled her instructions. As to the prosecution of Roth for perjury and forgery, there were some words at the last interview about this matter. Although, technically, the man might have been guilty, I was not bound to rush into the case and accuse citizens of forgery and perjury. She could have done it herself if she was desirous of doing so; but that has absolutely nothing to do with this case against the Justices. The first time she came to see me I told her the position I occupied in relation to Mr. O'Neill, Mr. Isaacs, and Captain Daldy, and I would not act. I told Captain Daldy that I would not act for him either; that I considered the Justices had done wrong, and they should give some apology, but I would not act in the case. As far as I am concerned, I tried to do my duty, and I am quite astonished at the charge which has been made against me.

APPENDICES.

APPENDIX A.

MEMORANDUM for the CHAIRMAN of the PETITIONS COMMITTEE.

I THINK it is due to the other Justices, Captain Daldy and Mr. Isaacs, that their evidence should be taken, and also that evidence be obtained from Mr. Cunningham, Clerk of Court at Auckland, and from Mr. Broham, Inspector of Police (now at Christchurch); for some of the questions you put to me yesterday, whilst giving my evidence (as one of the Justices referred to in petition), could only be answered fully by the officers of the Court. The evidence of Mr. Roth, the employer of the apprentice McManus, should also be taken; and, as I understand the petition and the evidence of the petitioner reflect seriously on the action of the Justices, I respectfully submit that, in common fairness to all parties, the Committee should not hesitate to obtain the fullest information possible. I have since yesterday ascertained that the Act under which the boy was convicted was "The Master and Apprentices Act, 1865," clause 17. The case and the power of the Justices appeared at the time perfectly clear.

Wellington, 28th July, 1877.

CHARLES O'NEILL.

APPENDIX B.

MR. T. KELLY to Captain DALDY.

(Telegram.)

Wellington, 27th July, 1877.

THE Public Petitions Committee have requested me to inform you that a petition of Mrs. McManus has been laid before them, which states that her son was illegally imprisoned for one month on the charge of absconding from his master, and she prays for redress. It appears that Messrs. Daldy, Isaacs, and O'Neill, Justices of the Peace, sat on the Bench on the occasion when the conviction was made. The Committee consider that the above Justices should have an opportunity of being examined, or of offering an explanation in writing, before the Committee comes to any decision on the matter.