

you had seen Sir Julius Vogel?—I cannot say. I saw the Solicitor-General once, but whether we read the Bill through or only discussed part of it I do not know. I cannot tax my memory.

60. Were you not satisfied that substantially the Bill which the Government introduced did, in some respects at least, do what the Bill you had drafted would have done had it been introduced and passed?—Yes; in very many respects it answered the City Council's views, though in some respects it did not.

61. *Mr. Curtis.*] I should like to draw your attention to this item:—"June 22. Long conference with the Premier upon the clauses drafted, when he agreed to accept most of them, subject to revision by the Government Draftsman and conference with the Solicitor-General, £5 5s"?—I may say at once I am not responsible for the wording of that document in any way.

62. Were the clauses put in at your suggestion?—The Government agreed to certain clauses which the City Council wished for.

63. And which you suggested?—I cannot say that the clauses appeared as I drafted them.

64. *The Chairman.*] And you received fees for that?—I think my evidence shows exactly the contrary. I have distinctly stated that the bargain was made to draft a Bill for a lump sum, which bargain was carried out.

65. *Hon. Mr. Gisborne.*] Your partner was unaware of that bargain?—Yes.

66. And his attempt to furnish items, was I suppose, simply to make the account more palatable or more clear?—Yes; but he made it considerably more than the amount. He clearly was not aware I was bound to a specific sum.

67. Some of your suggestions were adopted in the Government Bill?—My impression is that they were.

68. Did you waive your Bill under express directions from the City Council, or in the exercise of your own discretion, after you had interviewed Sir Julius Vogel?—Under the direction of the Mayor. I telegraphed to him what had been done, and he said of course if the Government would do what the Council wanted, it would be so much the better. He telegraphed to that effect or wrote; most probably he telegraphed.

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FRIDAY, 5TH OCTOBER, 1877.

Mr. LUSK's examination continued.

70. *Sir George Grey.*] I find from the papers that on the 29th September you addressed your constituents up North?—Yes.

71. And that on the 9th October you left Auckland for Wellington again?—My impression is that I left Auckland on the 9th October, but I am not certain. However, I was in Auckland for a few days towards the latter end of September or the beginning of October.

72. This account of yours went in on the 4th October?—No; on the 16th.

73. It is dated on the 4th, and was sent in on the 16th?—That appears to be the case.

74. You must have been in Auckland then when the bill was made out?—I am not in a position to say. I can only say, as I have said before, that I was not aware of such an account being sent in until I met the Mayor. I am certain I never saw it.

75. You were in Auckland at the beginning of October, but never saw the account?—No; I may say it will be an unusual thing for me to see it. It is seldom that I see accounts sent out of the office.

76. You did not furnish details to Mr. Beale?—No; my memory absolutely serves me in that respect; but, irrespective of that, I am certain that I could not have done so, because the details are incorrect.

77. *The Chairman.*] Was it not rather singular that, if you were in Auckland at or about the date this account was sent in, your partner should send in an account giving details without consulting you, although you were in Auckland?—I do not think it is to be regarded as remarkable under the circumstances, which were these: I went to Auckland owing to very bad health. The Assembly sittings here had completely knocked me up. I was almost blind, and when I went to Auckland I was forbidden to use my eyes, and I was not to transact any business. I was simply in Auckland in search of health. It is true I addressed my constituents at a meeting, but I did not do any business. The business of our firm was carried on almost entirely without my aid, as if I were still in Wellington.

78. Did you see your partner when you were there?—Yes, more than once; but I did not see him in reference to this matter, or hear anything from him in respect to it.

79. He did not consult you, although you were at that time in Auckland—although you were in Auckland at the very time this account was sent in?—Well, I do not know for a fact that it was. It is dated the 4th October, but I do not know if it was made out on that date. It was not sent in until the 16th. But as there is a date fixed to it I am willing to accept that. Nothing was said to me about the account.

80. *Hon. Mr. Reynolds.*] Did you have a conversation with your partner about it at that time?—No. If I had, I must have told him that a bargain was made for a certain amount. I could not have allowed him to send in that account.

81. *Sir George Grey.*] I observe that the account is made out on the 4th October?—I understand that to be the case.

82. It was not sent until the 16th October?—So I gather.

83. You still believe that the items in the account must have come from Mr. Beale?—It must have been compiled by him. He did not get the information from me though.

84. *Mr. Curtis.*] You have no doubt that you were in Auckland on the 4th October?—I was in the Province of Auckland—either in town or country; I do not know which.

85. *Hon. Mr. Stafford.*] Mr. Beale not having been present in Wellington, and knowing