

there was the smallest chance of winning, and scarcely thought it was worth the trouble so far as my chances were concerned.

784. The matter stood this way: that you thought your chances were so small that you did not think it worth while until Mr. Peebles gave you the paper and said he would find the cheque. You were quite willing on that consideration being offered?—That was not consideration.

785. Did you at any time offer the money back to Mr. Peebles after you knew you were the successful applicant?—Yes, I told him he could have the money. He said, “You can have it if you like: I mean to have the section.” I said, “You may get it, but I am not going to act as a dummy.”

786. Do not you think, if you were in for the land for your own use, that you would consider it your duty to discharge your obligation to Mr. Peebles by sending him a cheque for the amount?—I told him when he came into the office that he could have it.

787. *Mr. Cowan.*] If Mr. Peebles asserts that he made this offer to you which you acknowledge was made to you about a fortnight ago—if he says he made it when you signed the declaration, will that be true or false?—He never made me any offer at all.

788. Did he not say that he would deal liberally with you?—Yes, a fortnight ago.

789. If Mr. Peebles asserts that he made you an offer the day he gave you the cheque for the amount deposited, is that statement true or false?—It would be false.

790. Before whom did you sign the declaration?—Before Mr. Burnett, solicitor.

791. What did you do with the application upon which the declaration was?—I sent it to the Board in an envelope. I gave it to Mr. Peebles. As for the cheque, I never had it at all.

792. You gave your application to Mr. Peebles?—I gave it to Mr. Peebles, as, when he was going to town, I said, “You may as well take it, and save me the twopence.”

793. What explanation have you to give us for that? Why did you not send in your own application direct to the Board?—That is the only explanation I can give—that he was going to town, and I asked him if he would take it down with him. I thought it might be late if I posted, as applications have got to be in at 10 o'clock in the morning. It was doubtful whether it would be in time for receipt. I am not sure even yet.

794. On the day of the drawing of this section, who represented you at the Land Board?—Nobody. Of course, there were only a few down there.

795. By whom was the deposit lodged?—It was lodged with the letter.

796. That is what I have been asking you about. After you made this declaration, and fixed up the application, what did you do with it? You tell me you gave it to Peebles, and told him to put it in the letter. What letter did you put it into?—It was put into the envelope.

797. The envelope addressed to whom?—The Commissioner of Crown Lands.

798. In the envelope was there a cheque?—There was no cheque in there with the application.

799. How did the cheque reach the Waste Lands Board?—He said he would go for the cheque, and put it into the envelope, and take it down.

800. You did not close the envelope?—After I put in the application form? No; by no means.

801. Mr. Peebles has told us to-day that he offered to find you the deposit, which he has done, and the reason for his doing so was that, in the event of your drawing that section, he would treat you liberally. Did he offer to find the money without any consideration on his part?—Yes. Of course, there was no consideration; there was only a chance that I might get the section. There was no great difficulty about that; I have known him well enough.

802. Will you explain why you did not get your own cheque?—There was such a hurry about it; there was hardly time to think about it. It was all done in a moment.

803. You say you had not sufficient money in the bank?—I say I could easily have arranged it with the bank if I had gone down to see Mr. Cooper, the manager.

804. You accepted the cheque of £40 8s. 9d., which is a marked cheque, and you knew that it had been sent on to the Waste Lands Board in an envelope?—Yes.

805. And you still assert that, on the day that Mr. Peebles told you he would give you this marked cheque for your application, the question of consideration did not pass between you?—He never named it to me until a fortnight ago or three weeks ago—until after the result of the trial was published. No consideration has been named at all.

806. *Mr. Kerr.*] If Mr. Peebles had not come into your office would you have made the application at all?—As I have explained already, I might have done if I had got the paper on Saturday, but after that I thought it was not worth while.

807. Then, your answer is that you would not have done?—Very likely not.

808. In fact, you could not have done if he did not give you the cheque?—I might have arranged it with my banker if I had had an application-form.

809. *Mr. Whyte.*] The position now is that Mr. Peebles handed in the application for you; he also paid the deposit for you, and he apparently did that, according to your statement, as an act of friendship to you, and it is a fact that he and all his family were applicants for the same section?—Yes; and a large number of other people.

810. Have you been a Justice of the Peace long?—Not on the official list. I have been acting *ex officio*, as Mayor, for three years now.

811. How long have you been on the official list?—Since January, I think. I was Mayor at the time I witnessed these papers.

812. *The Chairman.*] Do not you think that your whole conduct, at any rate, has been sufficient to induce Mr. Peebles to suppose that you were taking up the section for him?—I do not know why it should.

813. You were very anxious to go in for the section, you say, and you did not take the trouble to get a form of application. You waited until a day before the applications went in, when Mr.