

from Mrs. Dallon's box, you state what is not correct?—I am not quite sure whether Morrison put it into that box, or whether Morrison brought the box to the counter.

3021. If Mr. Morrison states that he brought the jewellery in the first place to Mr. Hamerton, that Mr. Hamerton referred him to you, and that he took the jewellery then and delivered it to you, will you say that is not correct?—No.

3022. Then that is correct?—It may be correct. I rather think it is correct.

3024. Then, if you have stated previously that you took the jewellery out of the box either at Morrison's house or at the auction-rooms, that statement would be incorrect?—If Morrison says he delivered them to me I would not contradict him, because I cannot be positive whether I took it from the box or got it from him; but I rather think I got it from him.

3025. If your memory is so defective in the matter of receiving parcels of valuable effects, how can you depend upon it in relation to one particular article of jewellery?—The box was in my possession; there it was, locked up.

3026. Then, as to the packet of lace which Mr. Morrison states is worth a good deal of money—over £12, that particular piece—if Mr. Morrison states that it is worth that, would you say that it is not?—No; I have no idea of the value; I should have thought it was not worth much.

3027. Would it not have been better, seeing it was among the effects handed to you in Mrs. Dallon's estate, if it had been sent also to the auction-room to have been sold, and so to have allowed the public to appraise it?—As it is there, it is for the son if he chooses to receive it.

3028. But you did not choose to keep the other articles which the son so much prized?—It may be an error of judgment on my part that it was not sent, but I did not think it was of any value.

3029. *Mr. Loughrey.*] Why should you keep some articles for the son, knowing or thinking he had no right to them, and sell others?—He might have proved his right.

3030. Why did you not keep the other articles?—I sold under directions.

3031. In the face of what he had written, asking you to reserve everything from sale, stating that he would pay costs and expenses for keeping the effects in his mother's estate, you sold the articles?—The Public Trustee sold; I did not sell.

3032. *Mr. Macdonald.*] Do we understand that you got a special instruction from the Public Trustee in reference to this estate?—It is on the records. I never sell anything without the Public Trustee's direction.

3033. You told me, in answer to a question of mine yesterday, that this young man was not entitled to anything, because of his illegitimacy?—Yes, I did say so.

3034. And you refused, therefore, to give him a single thing in consequence of your belief?—The Public Trustee refused to give him anything, in consequence of what he believed his illegitimacy.

3035. I presume you, and every other officer of the Public Trust Office, are acquainted with the statutes under which you are working?—I know there is a provision, but it is for the Public Trustee to act upon it.

3036. Which provision are you referring to now?—Section 37 of "The Administration Act, 1879," which is as follows: "Where, after this Act comes into operation, any female shall die intestate, leaving no husband or legitimate children, or their issue her surviving, but leaving illegitimate children or their issue, such illegitimate children or their issue shall succeed to her real and personal property in all respects as if such children were legitimate."

3037. Is not that mandatory, absolute? I want to know what your own reading of the statute is?—There is no doubt he is entitled, if he is the son of deceased.

3038. Do you think that it was honest, commonly honest, when the son of this deceased person cables from Queensland the moment he ascertains his mother's death, and requests that all her effects shall be preserved for him, and that he will pay all expenses, and you in the meantime have sold a portion of them—do you think it was commonly honest, after the receipt of that cablegram and that letter, for you to retain in your possession and sell the balance, the most treasured of the articles, and deliberately refuse to carry out the plain provision of the statute, not only as far as the jewellery is concerned, but refuse to hand over to the son the balance of the estate, and to treat his communication with contempt?—We never refused to do so.

3039. You absolutely refused to communicate with the man, and have branded him with the stain of illegitimacy, although there is a provision in the Act that, notwithstanding that stain, he is entitled to the property?—I have not said he was illegitimate.

3040. *The Chairman.*] You have said it more than half-a-dozen times—and in the face of that section of the Act—that you could not deal with this man until he proved that he was entitled to the effects?—[No answer.]

3041. *Mr. Macdonald.*] I must confess I was not aware of this provision, and, with that section staring the department in the face, their conduct in reference to this matter has been of the most monstrous character?—[No answer.]

3042. *The Chairman.*] I never heard of such a thing—never could I have contemplated that directions as they exist under the Administration Act of 1879 could have been so disregarded—that the Public Trustee, or any chief officer of his, could have treated this estate in the way that it has been treated. Now, you were conversant with the 37th section of the Administration Act of 1879?—Yes.

3043. You have told the Commissioners on each occasion that you have been before them that, in regard to this estate, you could not send to the son any of the effects now in your possession until he proved that he was entitled to them?—Yes.

3044. Are you justified, then, in coming to that opinion in the face of that mandatory clause referred to in the Act?—No; but at the same time we did not know officially, we could not prove, that he was illegitimate. Therefore we waited until he substantiated his claim as a legitimate son.

3045. Then why did you want him to substantiate his claim when you knew of no next-of-kin