

nearer than himself, and clause 37 of "The Administration Act, 1879," directs what you ought to do?—[No answer.]

3046. *Mr. Macdonald.*] Did you believe him to be the son, or not the son, of Mrs. Dallon?—Yes, we believed him to be Mrs. Dallon's son.

3047. Then, the Act says he was entitled to the property, and the department ought to have given it to him?—It was for the Public Trustee to say so.

3048. It comes to this: You shield yourself, so far as this particular matter is concerned, under the Public Trustee—that you were acting under his direction. Do you throw the whole onus of the action in this estate upon the Public Trustee, as far as concerns the action in refusing to send this property to the son?—Yes. If the Public Trustee directed it to be sent to the son I would have sent it.

3049. *The Chairman.*] Let us now look at the part you have played in connection with the winding-up of poor Mrs. Dallon's estate. You were conversant with the 37th clause of the Administration Act?—Yes.

3050. You were aware that Mrs. Dallon's son telegraphed to the Public Trustee, and afterwards wrote to your office, asking that his mother's watch and other articles might be kept for him?—Yes.

3051. You are aware of that—no doubt about it?—I am aware he asked for certain articles to be kept.

3052. And those articles he asked the Public Trustee to keep from his mother's effects were sold in March, 1890?—Yes; fifteen months after the death.

3053. They were sold by direction of the Public Trustee?—Yes.

3054. And they were in your custody up to the time of going to the auction-room?—Yes.

3055. And by direction of the Public Trustee you sent them to the auction-room?—Yes.

3056. And by direction of the Public Trustee you attended the sale of those effects?—Yes, I did.

3057. You have no doubt about that?—No.

3058. And by direction of the Public Trustee you bought the watch belonging to that young man's mother?—Yes.

3059. For the Public Trustee?—Yes.

3060. For the purpose of what? Why did you buy that watch for the Public Trustee?—For the purpose of closing up—

3061. No, no. Why did the Public Trustee want that watch?—To make a present of it.

3062. To whom?—To his daughter.

3063. Then this watch that you, the second officer in control of the Public Trust Office, kept from the son of that poor woman whose estate you were administering, and you purchased it; you were the active person in bidding at auction for the Public Trustee for a portion of your trust effects?—Yes.

3064. And there were two rings sold on the same day, which were also purchased?—Not by me.

3065. However, you bought Mrs. Dallon's watch?—Yes.

3066. Now, apart from your official position here, you hold a high and sacred position, inasmuch as you are a gentleman in holy orders?—Yes; that is so.

3067. How long have you occupied the latter position?—Since 1875.

3068. Now, do you consider it consistent with your position in the Trust Office, and with the honourable and sacred profession to which you belong, that you should be a party to a transaction of that kind?—To purchasing for Mr. Hamerton?

3069. Yes, to purchasing part of the effects of a trust estate which the Public Trust Office, of which you as one of its chief officers, was administering?—I did not see any objection.

3070. Well, then, in view of the fact that the son was entitled by Act to his mother's jewellery, do you think you were justified in purchasing it either for yourself or for your head officer, the Public Trustee?—No; I think we committed an error.

3071. But, in any case, do I understand you to say you see no wrong in yourself, or the Public Trustee, or any officer of that sacred trust, purchasing parts of effects of estates which the office has to administer?—I did not see the slightest wrong in it, or I would not have done it.

3072. Then, I feel very sorry for you, if that is your condition of mind. Now, can you tell me why this packet of lace—we will not go into the question of value just now—was kept in the private drawer of your writing-table in your office, and out of the strong-room?—It ought to have been tied up with the others. Sometimes I do tie them up like that, intending to tie them up with the rest of the things; but I have not done it.

3073. Now, was it ever your intention to dispose of those packets of effects?—Not by auction certainly.

3074. Would you have disposed of them privately if you had got an offer?—No.

3075. What were you going to do with them?—They ought to have gone to the son.

3076. And the lace also?—Yes.

3077. Now, you would be prepared to send them to the son?—Yes, if directed to do so.

3078. Have you any other effects belonging to any other estates in the same condition?—I do not think so.

3079. You told us that you destroyed the private letters?—I must ask you to allow me to withdraw it.

3080. We cannot allow you to withdraw it, but you may amend it.

3081. Are these several answers you have given to the Commissioners in reference to having destroyed the letters in this estate incorrect?—Yes. I was under a misapprehension. I destroy a great many letters, and was under the impression I destroyed those which I sealed up.