

4125. On the 14th January, 1885, Mr. Tringham foreclosed upon his mortgage, and sold the property by auction on the 27th January?—Yes.

4126. Now, if you refer to the papers, you will find that Mr. Tringham's claim for mortgage money and interest up to the day of the sale amounted to £592 16s. 1d. In other words, the amount of the principal being £560 8s. 3d., the interest and charges that he debited up to the day of the sale amount to £32 7s. 10d., making £592 16s. 1d. What was the amount to the credit of the estate on the 23rd January, 1883?—£32 8s. 1d.

4127. Then you had £32 8s. 1d. to the credit of the estate on the 23rd January. The amount of overdue interest and charges due to Mr. Tringham on the 27th January was £32 7s. 10d.; so that you had quite sufficient money in hand to pay Mr. Tringham his interest and charges?—That is correct.

4128. Then, will you tell me why you allowed the mortgage to be foreclosed and the property sold when you had actually cash in hand sufficient to pay the mortgagee his interest and carry the concern on?—I am afraid I cannot answer.

4129. I want to carry you on a little further, to show you the practical effect of that, as revealed by the papers in the estate. The property was sold for £800 on the 20th January. The charges in reference to it—solicitors, auctioneers, &c.—amounted altogether to a very considerable sum of money, so much so that the net result of the sale, as shown in your ledger, was £117 9s. after the deduction of the first mortgages and charges. When the lunatic was discharged and his maintenance paid for you had a balance of £105 16s. 10d., which you paid to her?—Yes.

4130. When you took the property in hand to manage for the lunatic, in accordance with your statutory provisions, the property was producing a rental of £130 per annum, from which the following deductions had to be made: Insurance of property, £600 for twelve months at £1 15s. per £100, £10 10s.; rates, £11 17s. 6d.; making £22 7s. 6d. to be deducted, leaving a net rental of £107 12s. 6d. out of which to pay interest upon the mortgage of £560 at 7 per cent. In other words, there was a clear profit to the family of some £70 per annum. Now, the practical result, as disclosed by the papers in that estate and by the account in the ledger, is this: that after allowing a certain deduction for wear-and-tear, loss of tenants, intervals when the property was unlet, a clear income of from £50 to £70 per annum has been destroyed to that family because the Public Trust Office failed to pay interest for nine months to the mortgagee, and allowed him to foreclose and sell the property at the very time when, according to your own books, they had all the money in hand that was required to pay him that interest?—It is so. It astounds me. I cannot understand it.

4131. As the story of that estate reflects very seriously on the management of the office, it is only fair to yourself to say that on the 22nd October, 1884, you placed a minute on these papers, "Pay Tringham amount to credit of interest," but those instructions were never carried out. Had they been carried out this property would have been preserved to this family?—We wrote to Mr. Tringham for further particulars of claim, and they never came in.

4132. The matter has been neglected by the office. You appear to have recognised at one stage of the business the importance of paying Mr. Tringham?—All I can say is that there has been an oversight.

4133. You see, Mr. Hamerton, that the thing was more serious than a mere oversight, because the property, as you will see by the papers, was put up and sold by order of the mortgagee. There was no one on your behalf to protect the property, and it was sacrificed for a mere fraction of its value. It only brought £800 gross, and it was then bringing in a rental of £130 per annum, and the property to-day, I believe, is worth nearly £1,500. The evil in connection with the matter is this: that I understand the Government of the country has absolutely been put to the expense of keeping several of these children in consequence of the father being dead and the mother unable to support them. There was no reason in the world why the mortgagee should have been allowed to sell?—No.

4134. What startles one is the fact that an income of from £50 to £70 per annum has not only been destroyed by the neglect of the office—a neglect which you some months before had by minute endeavoured to prevent—but it is a neglect which has involved a family in distress. I do not know whether you can put your finger on the officer who is responsible?—There is no doubt I must be held responsible, because I ought to see that my instructions are carried out. I have been overweighted, and important matters have been evidently neglected. I can say nothing more. If I had the time to study that record thoroughly, and to inquire of Messrs. Tringham, and Carroll, and Buckley and Co. I might be able to suggest some explanation, but I confess it appears to me a very serious oversight has occurred.

4135. It is only fair to Mr. Tringham to say that until this day he entertains a very strong opinion of the unfairness and want of consideration of the Trust Office in the matter; and I do not think, looking at the whole of the facts, that Mr. Tringham is to blame, because he appears to have advanced the money to relieve the estate of a great difficulty, and then found himself in the position of having come to the relief of the estate at the time of trouble, the Public Trust Office receiving every penny of the income and paying him nothing?—Mr. Tringham could have stepped in as mortgagee in possession.

4136. *Mr. Loughrey.*] Do you think, when it comes to the knowledge of the public how this estate has been managed, it is likely to bring business to the office?—No.

4137. Just the other way?—Just the other way, I am sorry to say.

4138. *The Chairman.*] Do you remember the first day on which you met the Commissioners telling them that everything in the office, and the books and papers, were in perfect order, and at your fingers' ends, and that you could put your hand on anything we might require at a moment's notice?—I recollect that.

4139. Well, now, do you think you could do that?—I do not think so. My experience of the tremendous pressure convinces me the system is not as perfect as I had hoped.