

man for belonging to a club is not committing a crime; but if a gentleman is always at his club, then it is not conducive to business.

4274. Did you never belong to a club?—I do not think I have ever belonged to a club in any part of New Zealand.

4275. And yet you are in a position to give an opinion on the desirability or not of belonging to a club?—It was not my opinion. It was one of the reasons stated to me.

4276. That private letter marked "Confidential" in red ink is marked on the outside "From J. C. Martin. Received 17/11/90." Is that your writing, in red ink, marked "Christchurch agency. Confidential. J. C. Martin. Received 17/11/90"?—That is Mr. De Castro's writing.

4277. Has Mr. De Castro read that letter?—I could not say.

4278. Did he make it up and put that sealing-wax on it?—I was not aware it was sealed up in wax.

4279. Did Mr. De Castro do that?—I cannot say.

4280. You must have given him the letter open, after you had read it, to make up?—I do not think so.

4281. Then, did he take upon himself, without your knowledge, to write "Confidential" on a letter, and without your authority?—I must have given him authority.

4282. Did not Mr. De Castro read that letter?—I do not know.

4283. *Mr. Macdonald.*] I understood from Mr. De Castro that he opened all letters which came addressed to the Public Trustee and read them in the first place and passed them out, submitting those which were important to yourself, and sending those which were less important to the various departments, where they were dealt with by those in charge without special reference to you?—That is so.

4284. If that is the case, did this letter, now sealed up and amongst the papers, not reach Mr. De Castro in the first instance to be opened by him and then submitted to you?—Yes. If not marked "Confidential" on the envelope he would open it, as a matter of fact.

4285. Probably he opened it first and then submitted it to you?—The probability is so.

4286. *The Chairman.*] Then, you considered that letter a secret, and in a manner a sacred, letter?—Yes.

4287. Did Mr. De Castro also consider it a secret and sacred letter?—I have no doubt he did.

4288. Then, why was it, when he found it was necessary to seal it up, he did not use black wax?—I cannot say.

4289. Who is J. C. Martin?—He is Crown Prosecutor at Christchurch.

4290. Then, he is the writer of this letter?—I believe he is the writer, because, if the letter is the one I received, it is his writing.

4291. Will you now open it and satisfy yourself?—I prefer not to do so.

4292. I ask you, as Chairman of this Commission, to open that letter and satisfy yourself and the Commissioners. As far as our authority goes, I instruct you to do so now?—I will open it. [Sealed letter opened by witness.] It is marked "Private. R. C. Hamerton, Esq., Public Trustee, Wellington."

4293. Then, before we go further, do you find that the letter you have just taken out of this red sealing-waxed envelope has been previously opened?—Yes.

4294. By whom was that letter opened?—By me, previously.

4295. And therefore it was opened when you gave it to Mr. De Castro to put into that enclosure?—Yes, in the envelope.

4296. Will you be good enough to hand that letter to the Commissioners?—No, unless I am forced to do it.

4297. Well, is it not amongst those papers; and will you put it back amongst those papers?—Yes. [Letter put back amongst the papers by witness.]

4298. Now, Mr. Hamerton, you have opened this envelope marked "Confidential" placed amongst these papers by your instructions. You have been shown the letter just taken from the envelope, and you have stated it does not relate to your private affairs—that it merely and solely relates to the business of the Public Trust Office?—Yes.

4299. Well, as you have declined to read its contents to the Commissioners, and to remind you of its contents, and for your further edification, I will take upon myself to read it:—

DEAR MR. HAMERTON,—

Christchurch, 19th November, 1890.

Barns called on me, and told me that he had been in communication with you *re* his dissolution of partnership, and that, in order to let you satisfy yourself that he was not to blame, had referred you to Stevens and myself. I then suggested to Barns that, as I know you have more work than you can get through, that I should write to you, and he said he would be glad if I would do so. I know nothing of what the relationship between the partners has been, but I do know that it has been a matter of wonder amongst business men that Barns did not get rid of his partner long ago; for, whilst Barns is a general favourite—shrewd, honest, hard working, steady, and reliable—his partner was neither hard working, steady, nor reliable, and I hear that he is now drinking like a fish, besides going in for other vice.

I have written plainly, as I know that this will not go beyond yourself, and if I can be of any assistance please let me know.

Yours truly,

JAMES C. MARTIN.

4300. Now, Mr. Hamerton, this gentleman is your trusted solicitor and adviser?—Yes; in Christchurch.

4301. And yet you consider that you can trust a man in that position who will stab his fellow-man in the dark, as this man has done?—I have every reason to be satisfied with Mr. Martin.

4302. With a man of that inclination and disposition?—I have every reason to be satisfied with Mr. Martin.

4303. Then, I will ask you this: You remember the estate of Wright?—Yes.

4304. You remember that this same professional gentleman acted for you in connection with that estate?—Yes.