

No. 2), and taking simply the figures and accounts given by Mr. Harper, without paying any attention to the figures given by me or the evidence taken upon oath, gave a certificate in favour of the Harpers for £2,166 9s. 7d.

The evidence was finished on the 1st of December, 1884. Certificates in both actions were issued on the 11th of March, 1885; whereupon the Harpers issued proceedings in bankruptcy against me, and I was on their petition adjudicated a bankrupt on the 1st of April, 1885.

I thereupon took proceedings to annul this adjudication, and on the 3rd of June the bankruptcy was annulled, on the ground that the Harpers had obtained the adjudication against me for the purpose of stopping me in my claim against them.

On the 25th of June I filed motions to set aside both certificates made on the 11th March, and, although my adjudication had been annulled, yet the Official Assignee appeared in Court, and objected to my right to conduct the proceedings. This continued till September, 1885, when I being now without a solicitor was permitted to argue the case, and the Judge refused to set aside either certificate. This decision left me in possession of my judgment for £2,404 6s. 9d. and costs, and the Harpers in possession of their judgment for £2,166 and costs.

Against this latter judgment I gave notice of appeal; whereupon Mr. Martin, Mr. Harper's solicitor, with the connivance of the Registrar, issued orders which had nothing whatever to do with the cases before the Court. [*Vide* Appendix No. 5.] I, being without legal instruction, and not perceiving the erroneous nature of the orders issued, continued my appeal, which came before the Court of Appeal in November, 1885. [*Vide* Appendix No. 5A.]

It was then at once seen that the appeal could not be proceeded with, inasmuch as the orders made had nothing to do with and did not refer to the certificates which had been issued by the Registrar.

I was thus delayed for six months. In the meantime proper orders were issued [*vide* Appendix No. 4], the appeal was conducted in regular form, and in June, 1886, the case was heard. The only two grounds of appeal by me were—(1.) That the Registrar had only taken the figures given by the Harpers, and paid no attention to the figures given by me and the sworn testimony adduced. (2.) That the Registrar, in defiance of the order of the Supreme Court, had gone behind the settled account of 1873.

A glaring instance of the errors in the accounts is found in the item "Minchin's land," in which matter I had paid Mr. Harper the sum of £250, and produced Harper's receipt, dated August, 1875; and yet I was debited with that amount, and interest £356 4s. 8d., amounting in all to upwards of £600.

"Christchurch, August, 1875.

"Received from the within named George Waldock Ell the sum of two hundred and fifty pounds in full discharge of all principal moneys and interest secured by the within mortgage.

"LEONARD HARPER, Mortgagee. (Stamp.)

"Witness—Thos. Papprell, Clerk to Messrs. Hanmer and Harper, Solicitors, Christchurch."

My affidavit shows that the above were the sole grounds on which I asked the Court of Appeal to set aside the judgment which Harper had against me.

After hearing argument, the Court gave judgment in my favour, set aside the judgment of the Court below and the certificate of the Registrar, and remitted the accounts to the Registrar and Accountant for review. [*Vide* Appendix No. 6.]

The papers in action No. 353 were received by the Registrar on the 28th, as appears by his initials on Mr. Cooper's letter, and the entry in his own books numbered 30, as follows:—"28/6/86.—Received all papers from Wellington." [*Vide* Appendix No. 6.]

I immediately proceeded to Christchurch, and applied to the Registrar to go on with the accounts early in July. The Registrar stated that he had not received the papers from Wellington, and therefore could not go on with the accounts. This continued for four weeks, I repeatedly applying, and always meeting with the same answer.

Early in August Mr. T. S. Weston applied to have me adjudicated a bankrupt, on the infamous claim produced before the Committee of the House of Representatives last year, of £5,138, which was afterwards abandoned by Mr. Weston's counsel before the Court of Appeal.

During the whole of this period, from the 28th June to the 6th August, the Registrar at Christchurch had the whole of the papers in his possession, as he well knew, and could at any time in twenty-four hours have finished the account, and made his certificate thereon, which would have given me a second judgment against the Harpers for a sum of upwards of £1,500, besides costs, and interest at 10 per cent. per annum.

The claims under which I was adjudicated a bankrupt were three—one of Weston's, afterwards abandoned by him; one of Haskin's, which had been fully paid before proceedings in bankruptcy were taken; and one of Austin's, which had also been paid in full long prior to the bankruptcy. [*Vide* Appendix No. 8.] There can be little doubt that these claims were made simply and solely for the purpose of stopping me from recovering against the Harpers, and in the Harpers' interest. [*Vide* Appendix No. 9.] From this last adjudication in bankruptcy I have never been able to get free. Although the claims against me have been abandoned, or proved to be false, I am still an uncertificated bankrupt. The Registrar, to screen himself from the consequences of his delay, in June, 1886, swore before Mr. Conolly that he had only received the documents on the 28th August, 1886, whereas the documents received on the 28th August, 1886, were simply documents relating to the taxation of costs in another action altogether, viz. No. 683, and had been sent by him to Wellington at the end of June or beginning of July, 1886. After repeated examinations before Commissioners, the Government instructed Mr. Graham, the principal Official Assignee of the colony, to employ an accountant to go through the accounts filed with the Registrar in Christchurch, and render his certificate. Mr. Kember, certified accountant, was duly employed, and went to Christchurch. He used the same documents as are on the files at Christchurch, went carefully through the accounts and evidence, and certified that on the 30th