

few chairs there, and that the furniture at the house belonged to your wife?—No, I never said it, because it would not be true. I did not say it.

389. Did you never tell Mr. Ritchie or Mr. Henderson that there was nothing they could seize belonging to you except this table and a couple of chairs?—I never did.

390. Then, you said it was suggested to you to inquire as to how you were situated as to a settlement on your wife. Did you do so?—No, I did not.

391. Then, you have not ascertained yet?—No.

392. You do not know whether the furniture is settled on your wife or not?—I know it is not.

393. You said you thought your trustees had instructed you to settle it on your wife?—Yes.

394. And he recommended you to see the trustees to see how it was, and you have not done so?—No; I have not done so.

Re-examined by Mr. CHAPMAN.

395. *Mr. Chapman.*] Have you ever had any account rendered to you by the company?—In this matter?

396. Yes?—No.

397. No claim made upon you? Then, you do not know to this day who paid for the opinion that was taken when Messrs. Perry and Perry suggested an appeal?—I know that they said they would consult Mr. Haggitt, and beyond that I know nothing.

398. No. You have been asked some questions apparently suggesting some evidence that is to be given hereafter?—Yes.

399. Mr. Scott, you knew, presumably, that you placed yourself under some liability to the Government?—Yes.

400. Did you ever undertake, with Mr. Ritchie or Mr. Henderson, to bear that entirely yourself?—I did not.

401. Was there anything in your conversations with them to suggest that you were to take the whole of that burden, and that they were to go scot-free?—Certainly not.

402. Did they ever explain to you that the result of the position they intended to put you in would be that you could not fall back upon them?—No; they did not.

403. Now, in these conversations, was it ever particularised who was backing you—that is to say, whether it was Mr. Henderson himself, or the company, or any one else?—No; it never was particularised.

404. It never was particularised whether Mr. Henderson himself or the company was backing you or employing you?—No.

405. Did you ever make any agreement with them to give them the use of this run that was taken up in your name?—Never.

406. Now, at the time when this conversation took place in which you suggested that no money should pass then, had the question of dummyism appeared in the newspapers?—Oh, yes.

407. And you knew it had been said you were a dummy for somebody?—Yes.

408. Something had appeared in the newspapers suggesting you were a dummy, and after that you suggested to Mr. Ritchie that perhaps no money had better pass?—Yes.

409. You say he assented to that?—He did.

410. When you paid those five guineas to Messrs. Perry and Perry, how did you pay it?—By cheque.

411. Did you keep books?—Yes.

412. To whom did you charge it?—I think it was charged to the National Mortgage Company.

413. There was one matter I omitted to put in the examination-in-chief. I ask leave to put the question. Do you remember the name of Preston cropping up?—I do.

414. In conversation with whom?—In conversation with Mr. Barron, late M.H.R.

415. You cannot give us that. There was a conversation with Mr. Barron, in which reference was made to Mr. Preston?—Yes.

416. Did you report it to Mr. Henderson?—I did.

417. Now, can you tell us when it was?—It would be at the early part, before I was fined at Timaru, I think.

418. You reported the conversation to Mr. Henderson; what did you tell him?—I told him I had heard from Mr. Barron that Mr. Preston had bought some runs adjoining, and that he possibly might buy this run. Mr. Barron had advised me to sell the run to Mr. Preston—that possibly I might sell it to him. So I went to Mr. Henderson and repeated this, and all Mr. Henderson did was to tell me that Rattray was the agent, and to send me along there. I inquired if Mr. Preston was in town, but Mr. Preston was not in town, and nothing came of it.

419. Mr. Henderson sent you to him?—He did not send me to him, but told me where I would find whether Mr. Preston was in town.

420. What did he say about commission?—He said, "If you sell it to him you might get a commission."

WALTER LOGIE, Clerk to the Plaintiff, J. R. Scott, examined.

421. *Mr. Chapman.*] Do you know the defendants, Messrs. Henderson and Ritchie?—By sight, yes.

422. When was your first connection with this matter of this run Mr. Scott took up?—The first personal knowledge was on the 26th May. It commenced by my writing, to Mr. Henderson's dictation, a letter to Messrs. Perry and Perry, of Timaru.

423. Was Mr. Scott in the office at the time?—He was; yes.