

921. The regular course. Ever since you have had to do with runholding, every single man who did not pay the rent of the lease chucked up his run, and the Government forfeited?—I have never had much experience as a runholder, but I expect that is so from what I have seen in the newspapers.

922. You have had experience of the company for years?—Four.

923. And you have heard of other cases?—I have seen every other day that the Land Board accepted surrenders.

924. You never knew a man sued for rent, did you?—No.

925. Still less arrested?—No.

926. You have known men prosecuted for not killing rabbits, but you never knew a man sued for a large sum for the cost of exterminating them?—Not during the last four years.

927. That was a new experience? The whole thing was a new experience; you did not know it? The suing for rent instead of forfeiting, and suing for the cost of exterminating rabbits, are both new things in your experience?—Yes.

928. And certainly were not thought of by any one at the preliminary interviews?—The risk he ran with regard to rabbiting was thought of.

929. The risk with regard to the rent was not?—It was; but he anticipated he could surrender.

930. And you anticipated the same thing?—I thought the same thing.

931. *Mr. Solomon.*] But you told him he ran all the risk?—All the risk after the first six months' rent.

932. That was all the interest you had in it?—That was all the interest we had in it. It ceased then.

*Mr. Chapman:* There are two or three things we have called for from time to time we should like to get, your Honour. First, the memorandum—Logie's memorandum. If Mr. Henderson makes a further search for it, no doubt he will find it. Then, the bill of costs of Messrs. Perry and Perry handed in to him.

*Mr. Solomon:* We do not admit we ever had it.

*Mr. Chapman:* We will ask Mr. Henderson to have a search made. It is traced to the office.

*Mr. Solomon:* Mr. Henderson says he does not remember it.

*Mr. Chapman:* I do not suppose he does, or he would have brought it; but Mr. Logie says he gave it to Mr. Henderson personally.

*His Honour:* The memorandum? Did he keep a copy of it?

*Mr. Chapman:* Yes; but we want to see the original. Then, there is the bill of costs; we should like to see that, too, that Mr. Scott sent in. I should also like to see a copy of the telegram sent to Mr. Ritchie by Mr. Henderson on the day of Scott's arrest; and we should also like to have what ought to have been produced—the original telegrams sent to the Timaru office and the Christchurch office.

*Mr. Haggitt:* The ones at the Timaru office we cannot get; we have tried, but they are lost.

*Mr. Chapman:* The telegram sent by Mr. Ritchie on behalf of Mr. Scott?

*Mr. Haggitt:* It cannot be found.

*Mr. Chapman:* We have a particular reason for asking for that.

*Mr. Haggitt:* We have given a copy.

*Mr. Chapman:* I should be glad if you would telegraph again.

*Mr. Haggitt:* The only consequence of not producing is that secondary evidence can be given.

We have given the press copies from our own press copy-book. We will do anything in reason.

*Mr. Chapman:* That is in reason.

*His Honour:* There are these two documents, it is suggested, Mr. Henderson will find in his office if he makes a search.

*Mr. Haggitt:* As to one of these, we have admitted secondary evidence; as to the other, Mr. Henderson has no recollection. However, as far as searching is concerned, we will have a search made, though what purpose can be served in having the originals if a copy is admitted—

*His Honour:* If it can be got, there is no harm in having it.

*Mr. Haggitt:* We admit what they say is a copy of what was delivered. How can it possibly help the case; to search for the original document is admitted, and the fact that it was delivered is in no way disputed.

*Mr. Chapman:* As we have an object—my friend may take my word for that—I should prefer that a search should be made for that.

*His Honour:* However, as to the bill of costs, it is not admitted that that has been received, and Mr. Henderson, in looking through the papers for the bill of costs, might just look for the other.

*Mr. Haggitt:* How will it help them if it is found? The fact is proved that the money was paid by Scott, and that is the only material matter. All these allegations are admitted in the statement of defence. From our view of the matter it was no interest of ours to deny them. We say we are not responsible whether the money was paid or not. Why should we look for Perry and Perry's bill of costs when we admit it was paid by Scott?

*Mr. Chapman:* Does that mean that you decline to look for it?

*Mr. Haggitt:* No; but it is simply putting us to trouble.

*Mr. Chapman:* The amount of trouble is exceedingly small.

*Mr. Haggitt:* But if we undertake to make a search it will not be done in a perfunctory manner.

*Mr. Chapman:* Then, there is another matter which ought to have been mentioned in the affidavit of documents—that is, the report to London. He has given us a list, no doubt to the best of his ability, of everything bearing on the transaction, and has ultimately produced documents,