

*The Chairman* : Yes ; we have not got that yet.

86. *Mr. Izard* : Mr. Fitzgerald, is this a correct statement of the moneys you have paid for professional assistance, for witnesses, and for moneys out of pocket ?—Yes ; you have the receipts and vouchers here.

87. They total together, do they not, to £770 0s. 3d. ?—Yes.

*The Chairman* : £735 7s. 11d. is the amount stated in the petition ?

*Mr. Izard* : This is an amended statement that has been carefully made out.

*The Chairman* : Then, you will supply us with a copy. [Put in, marked "K."]

*Mr. Izard* : Mr. Fitzgerald wishes me to state that Dr. Faulke, who was one of the examining doctors on our behalf, and who was a Public Vaccinator in England for four consecutive years, obtained the Government bonus for the vaccination of the largest number in each year.

*Mr. Fitzgerald* : They give a bonus to the one who performs the most vaccinations in any one year, and Dr. Faulke was the successful vaccinator to receive that bonus for four years.

*Mr. Izard* : I do not know whether you would like to hear Dr. Faulke.

*The Chairman* : Oh, no.

Mr. LAMBERT examined.

88. *The Chairman* : What is your name ?—George Lambert.

89. What are you ?—An insurance agent.

90. What company ?—I represent the National Fire and Marine Insurance Company.

91. Do you carry on any other business ?—Yes, I act as general commission agent and rent-collector.

91A. Do you act in any other company outside an insurance company—any association ?—No, sir.

92. How long have you been in Wellington ?—Over twenty years.

93. And in business twenty years ?—I have only been in business for myself two years and a half.

94. And before that ?—I was with the Australian Mutual Provident Society for twenty years.

95. You know Mr. Fitzgerald ?—Yes, for a number of years.

96. And you know that man Roberts whom the action is about ?—I did not know him until quite recently.

97. And you paid a visit to Mr. Fitzgerald's shop one day, suggesting that he should compromise some case ?—That was Mr. Roberts's suggestion to me.

98. Perhaps you might detail it ?—In my capacity as attorney for Dr. Campbell I sent this man an account for professional attendance. He came to me and said he was in great difficulties and unable to pay the amount at the present time, and he was commencing a lawsuit against Mr. Fitzgerald, and after that was settled he was going to pay all his debts. I was interested to know what it might be against Mr. Fitzgerald, and he told me it was a vaccination case. Well, he told me a lot of rignmarole, and I told him I did not believe it. I considered that it was simply preposterous. However, I told him I thought he might approach Mr. Fitzgerald privately instead of rushing into the hands of the law, and he deemed that proposition practicable, and said, "Well, really I think the same myself. I do not get much benefit out of it, and if I could just get enough to pay my expenses I would be glad to conclude the case." I must admit that, being a friend of Mr. Fitzgerald's, I thought it would be a good way of getting out of the difficulty. Mr. Fitzgerald promptly refused to entertain the idea for a moment. He said it was a case of blackmail. I took the liberty of arguing it from a business point of view, and said I thought it was better to pay it, if it was blackmail, than risk an action ; that if he did win it would cost him more money ; and Mr. Fitzgerald said he would wash his hands of it. I told Roberts afterwards that Mr. Fitzgerald would have nothing to do with it, and Roberts called on me again and asked if something could be done, as he was really sick of it, and I told him that I had been again, and I had seen Mr. Fitzgerald ; that he had still been opposed to me about this, but that he had told me that I could consult his solicitor, and if he was agreeable, then he would decide. Then I saw Mr. Izard, and I put the case in such a pleasing light that Mr. Izard said if the plaintiff was willing, and the business was properly done, he (Mr. Izard) would concur.

99. *The Chairman* : After leaving Mr. Izard where did you go ?—I went back to my office. This fellow called on me again, and I said, "If you are still willing to accept this money we can get it settled."

100. Was any sum mentioned then ?—Yes, £60. He had totted up the list of bills, which came close on £60, but I would not like to speak accurately ; but I should say that they included one item of £12, which included his solicitor's (Mr. Young's) charges, and he said the case would be settled. Then I said, "Before I can do anything with you you must go to your solicitor ; you must discontinue the action."

101. What solicitors acted for you ?—Messrs. Skerrett and Wylie.

102. You are a representative of the Mercantile Association ?—Yes.

103. But I asked you if you carried on business in anything else, and you said "No" ?—Well, I did not understand your question.

104. What is the operation of the Mercantile Association ?—It is a general commission agency.

105. When did you go to Skerrett and Wylie ?—After I had seen Mr. Izard.

106. But why did you go to see Messrs. Skerrett and Wylie ?—To prepare the necessary document.

107. But why did not you go to Mr. Young, the plaintiff's solicitor : did not you see him at all ?—No, sir.

108. But why not ?—It never occurred to me to go to him. I might explain that Skerrett and Wylie are the solicitors to the Mercantile Association. They do all our collecting and summoning.