

He was away two days, I think it was, on account of illness; he sent me word, whether or not on the first morning I do not remember. I believe he saw Dr. Crosby. He had a fortnight's leave when the ovens were under repair. I do not think he made any complaints when he came back. Last Monday week he complained about being ill. The statement appeared in the papers on Saturday, and he complained of being unwell on Monday at 8 o'clock. He asked for assistance in cutting up the meat, and said he thought he must have the influenza. I do not think he has complained about his hours; at any rate, he has made no formal complaint to me to be laid before the doctor. I was present when you called him into the office and questioned him about Kennedy being in the bakehouse. I wrote down roughly at the time the questions and answers given at this interview. This statement I now produce [Statement handed in.]

(To Mr. Davis): When you asked me for a thermometer I said there were plenty in town if you wanted one. You asked me for so many things that I got sick of it. Yes, you pointed out to me that the wood was in the oven, and that it was green.

(To Dr. Levinge): When you were examining Kennedy about being in the bakehouse that evening, the week before last, he said, Yes, he was. You asked him who else was there, and he replied, "Stevens."

DR. CAMPBELL examined.

*Witness* (to Dr. Levinge): I heard you ask the baker if Kennedy was in the bakehouse the week before last, and he replied that he was in the bakehouse. He said Stevens, the patient, was also there. You also asked him if Kennedy had been there that morning—Tuesday morning. He said he was not there then. He said it positively, without any doubt about it.

(To Mr. Davis): I do not remember your saying to Dr. Levinge when he asked you if Kennedy was in the bakehouse on Tuesday, "I believe he was in last night." That was the Monday previous. I have no recollection of your saying this. You were very positive in your statement that you had not seen Kennedy in the bakehouse the previous morning.

*Dr. Levinge*: I have no other evidence as to the baker's unfitness.

*Dr. Levinge* (to Mr. Davis): I was dissatisfied with your bread when you came here. As to my keeping you here eight months if you were unsuitable: the ovens were out of repair for some time, and I decided to see what you would do when they were repaired. For a considerable time after you came back the bread was not satisfactory; but it is better now. I have noticed a very distinct change in the bread which you make now—since that article appeared in the *Lyttelton Times*.

*Mr. Davis* stated: On the 30th August Mr. Russell came to the bakehouse and told me that the doctor wanted to see me. I was busy at the time at my dough. As soon as I got in the office, the doctor said to me, "Was Kennedy in the bakehouse?" He mentioned no time, and I said he was. "When was he in the bakehouse?" I said, "To the best of my belief, he was in the bakehouse last night." That was the Monday. He said, "Was he in on any previous occasion?" I said, "Yes, sir." "When?" he asked. "About a week ago," I answered. "Was any one there?" I said that there was some one there the first time—Tom Stevens, a patient. He said, "What did he (Kennedy) come there for?" I said, "For the loan of a lead pencil." That was on the Tuesday. The doctor asked what he wanted a lead pencil for, and I said I could not tell him. He said, "Will you swear he was there last night?" I said, "Doctor, to the best of my belief, he was there last night." He said, "If Kennedy was to tell me he was there this morning, would he be telling a lie or would you?" I said, "I don't care what Kennedy says, I believe myself to be speaking the truth." He said, "Very well, thank you," and I was ordered out of the office. About half-past 1 the same day, Mr. Russell came and took me from my work; he said the doctor wanted to see me. I was brought up before Dr. Levinge. Dr. Campbell was not present; Mr. Russell was. Dr. Levinge said to me, "The evidence I have proves that Kennedy was in the bakehouse on Tuesday morning." I had said that he was in on Monday, but I was very busy indeed at the time he borrowed the pencil on Tuesday morning, and that is how the mistake arose. I did not exchange any words with Kennedy excepting about the lead pencil; Kennedy went out of the bakehouse and I have never seen him since. There was no gain in my telling a lie; I was simply confused through overwork.

(To Dr. Levinge): When I complained to Mr. Russell of being ill, and he advised me to see Dr. Campbell, it was impossible for me to do so. I told Mr. Russell shortly afterwards that I felt a bit weak, and he told me to remain on the place. I had too much work to do to see Dr. Campbell. I complained to you about having too much work, and you said it was strange that other men had not complained.

ALEXANDER WATT, Messenger, examined.

*Witness* (to Mr. Davis): I remember the morning of the 30th August when Kennedy came into the bakehouse. He was there about one minute. You did not exchange words with him. I saw you come out with the bread, and you passed Kennedy something. I did not hear you exchange words with Kennedy, and I was with you all the time. I was standing only about 9 ft. or 10 ft. away. You were very busy that morning.

*Mr. Davis* (continuing): That is all that I have to say, except that I know now that I made a mistake; but Dr. Levinge spoke to me in such a manner that I was confused. I had no intention of telling a lie.

(To Mr. Beetham): I have not signed these petitions, and I have had nothing to do with them. I know absolutely nothing about the article in the *Lyttelton Times*. On the occasion I was ill I sent up a doctor's certificate next morning.