

12. Have you any idea as to the number, approximately?—No, I could not give you a near idea of the number

13. I am only asking for an approximate idea. Would there be nearer twenty or a hundred?—There would be something like sixty or seventy or a hundred.

14. Now, you and your cotrustee, your brother, were desirous, if possible, of obtaining a refund of this money?—Yes.

15. Do you remember signing this petition in 1905 [Petition, Exhibit A, produced]?—Yes.

16. The signature "Brian C. Lysaght, per ex'ors. Jas. R. Lysaght," is your signature?—Yes.

17. How did you come to sign that petition?—The petition was handed to me by Mr Davidson, of Hawera.

18. Was he also one of the west coast lessees who had a claim?—Yes.

19. Did you, prior to signing this petition, have any conversation with or communication from Mr Symes?—No.

20. Did you up to the time of signing the petition know him in connection with the matter at all?—I had had no communication from him in any way

21. Did you know he was going to present the petition?—That I cannot remember. I think that, being the member for Waverley district—the petition had come from that district—I should have expected him to be in charge of the petition when it was presented to the House.

22. Did you, as a result of that petition to Parliament, receive a payment from the Government?—Yes.

23. Did you receive the sum of £347 5s. 4d.? Yes.

24. Can you say the date you received that?—No, I cannot give you the date.

25. But can you give any approximate idea as to how long it was after the petition was presented—whether in 1905 or 1906?—It would be a few months after the petition had been presented.

26. Now, did you see Mr Symes even after the petition was presented?—No.

27. Did you receive any communication from him?—Yes.

28. Is this the communication you received from him [Exhibit D produced]?—Yes, that is it.

29. The document reads, "Executors James R. Lysaght's Estate, Hawera, Dr. to Walter Symes, Stratford.—To commission at 5 per cent. for procuring £347 5s. 4d., amount of costs paid for lifting award under the west coast confirmed leases, £17 7s. 3d. The above commission includes stamps, telegrams, stationery, and time devoted in hunting up documents and evidence, preparing petition, and attending before the Petitions Committee and giving evidence at length on two occasions—£17 7s. 3d.—Stratford, 20th March, 1906.—Xd., W.S."

30. That is the exact document that you received?—Yes.

31. Did you pay the amount?—No, I did not.

32. Did you receive any further communications from Mr Symes?—Yes, I got a letter from him.

33. Will you look at this letter [Exhibit E, produced]?—Yes, that is one of the letters I got.

34. The letter states, "Executors James R. Lysaght's Estate, Hawera.—Stratford, 20th April, 1906.—DEAR SIRS,—I omitted to mention in my claim for commission and expenses incurred that the whole of the work, even the sending of your claim to the Government and getting it before Cabinet, was done by myself; and, although you have long since received the amount of your claim, £347 5s. 4d., my small but just claim of £17 7s. 3d. sent you a month ago has so far been ignored. Had you performed a like service for myself and made a similar claim, I would have sent you a cheque by return post with a letter of thanks. But apparently all men are not built on the same lines. I would not again undertake the work or render similar services, to say nothing of the out-of-pocket expenses, for double the amount of my claim. My business is insurance and general agency, and I cannot afford to work for nothing, and, as I have rendered the service and incurred expense in successfully getting refunded to you £347 5s. 4d., which you had long ago written off as irrecoverable, I expect my claim to be paid. So far, Messrs. P Wilson and T Frere are the only lessees who have paid my claim and thanked me for getting a refund of money they had long ago given up as past recovery. I shall be glad of a cheque by return post.—Yours truly, WALTER SYMES" Did you pay the amount then?—No.

35. You seem to have got a letter dated 1st June. Have you been able to find that?—No.

36. The only other letter you have been able to find is this one, which I produce [Exhibit F]? Yes.

37. The letter reads, "B. Lysaght, Esq., Executor late J R. Lysaght's Estate, Hawera.—Stratford, 28th July, 1906.—SIR,—My claim against the above-mentioned estate for £17 7s. 3d., dated 20th March last, for getting refunded to the estate arbitration costs incurred in 1889 of £347 5s. 4d., also my letters to you of the 20th April and 1st June last, still remain unanswered; in fact, the whole matter has been treated by you in the most discourteous manner, and apparently you mean the estate of your late father to benefit at my expense, for you did nothing beyond signing the petition which was prepared at my expense. Your claim was forwarded by me to the proper quarter. You forgot when sending your claim to me to forward to put sufficient postage on, and I had to pay the deficiency and penalty; but this probably is one of your ways of making money. Do not forget that your own claim is not yet paid, neither is that of your brother, Mr F Lysaght, and I hold the key of the position. I alone have all the information, and at the proper time shall know how to use it. You have treated me with discourtesy, but probably you cannot help it. All the other lessees to whom I sent a claim have paid cheerfully. I am preparing a petition for those lessees who did not sign the last one for presentation this session, but I will take good care that your ungentlemanly conduct shall be rewarded by keeping your name off, also that of your brother.—Yours truly, WALTER SYMES" Now, apparently, Mr Lysaght, you also were one of the west coast lessees?—Yes.