

or Magistrate. The Government stand to the colony *in loco parentis*, and are bound to look to the interest of the colony in these matters.

17 *Captain Kenny.*] Do you not recognize that the Government is responsible for the judicious exercise of their prerogative in appointing officers to the law Courts, and not that the public should wait to find out that an officer is corrupt or incompetent?—That is a very wide question for me to answer. We know perfectly well that the Government is often deceived in its Judges and Magistrates. For instance, an excellent counsel will sometimes make a very indifferent Judge, whilst a very indifferent counsel will make an excellent Judge. We know that at Home there are many Judges whose decisions are frequently reversed, but I have never heard of a Government being asked to compensate a suitor for the action of a Judge. Under certain circumstances, as I have stated, the Government of any country might be reasonably called upon to compensate the losers by the Court's action.

18. *Hon. Mr. Dick.*] You suggest that you should be appointed Deputy-Judge for a time?—Yes; for two or three days.

19. Is there such an office held in the colony at present? Yes; Mr. Macdonald is District Judge and Resident Magistrate for the Auckland District, and I believe that Mr. Fenton, the Native Land Court Judge, was appointed as his deputy, so that during Mr. Macdonald's absence Mr. Fenton could supply his place.

20. Then there was nothing illegal in the appointment you sought?—Not so far as I could see. There certainly would have been no illegality in my appointment, and there could have been no quibble on my part because I volunteered my services as Deputy-Judge.

21. The telegram from Mr. Rolleston to yourself says, "As I am advised it would not now be competent to deal with the matter by making the appointment of a Deputy-Judge"?—Yes; I replied to that telegram. I pointed out in my message that, if the Minister of Justice had, during the month of October, notified to me the future arrangements of the Government, and the appointment of Mr. Broad to succeed me, I, as a matter of duty to the Government, and in honor to the people of the district, should have advised the Government as to the when and how Mr. Broad should relieve me. As I have already said, I have received no intimation of the appointment of a successor. If the Government had been frank with me, and had sought my co-operation, I should have been happy to accord it to them.