

24. Were they appointed under the Act of 1880?—Some were and some were not?
25. Did any of them remain on the Bench?—No; they were reappointed.
26. Then the Government considered it would be necessary to reappoint the Judges?—Yes.
27. And you were one who was not reappointed?—Yes.
28. And with regard to your Commissionership, what became of it?—I resigned that office by direction of the Government three or four months afterwards.
29. Did you make any claim for compensation at the time you ceased to be a Judge?—No; I was told to make a claim for what I was legally entitled to, but I did not do so.
30. Why did you not do so?—Because I did not believe that the interpretation of the compensation I would be entitled to would be sufficient to meet my claims.
31. Did you make any claim at all to the Government?—Yes. I claimed my salary three different times. I asked for three months' salary at £50 per month. I was doing duty for three months after I ceased to be a Judge. I was in my office for three months afterwards.
32. You state in your petition that when you accepted the position of Judge there was some understanding come to with the Native Minister?—Yes. Mr. Sheehan can tell you what our understanding was. It was come to in Auckland, but was not reduced to writing. It was not unusual with Ministers to make verbal arrangements with me. I could not dictate to Ministers in these matters.
33. But how can the Committee recognize any arrangement between the Government and an individual when that arrangement has not been reduced to writing?—The Committee can take evidence on the subject.
34. Is there any official record of this arrangement?—I do not think so?
35. Do you consider this arrangement binding on the Government.—Yes.
36. But do you not think there ought to be some record in the office in such a case as this?—Yes, certainly there ought to be.
37. You say that you removed a manufactory from Auckland to Tauranga, and that that removal cost you £400. What was the nature of the manufactory?—It was for the manufacture of sheep-wash, and I was working it at the time I was appointed to the Judgeship.
38. Why did the Minister ask you to move the manufactory to Tauranga?—He wished it done in order to please the people of Tauranga.
39. Then you went to this expense of £400 at the request of a Minister in order to please the people of Tauranga?—I removed at Mr. Sheehan's request.
40. Was the business carried on afterwards by yourself at Tauranga?—It is not working now. I paid an overseer to look after it.
41. There is a reference in your petition to the Chief Judge, who, you allege, unduly interfered with you in the performance of your duties. Had he an over-ruling jurisdiction?—The administration of the Native Land Court is entirely in the hands of the Chief Judge. The financial arrangements of the Court, the appointment and removal of officers, the arranging of the time of sitting, &c., all these things are entirely in the hands of the Chief Judge, or of his subordinate, Mr. Dickey. I do not intend the paragraph in the petition which you have read to apply to Mr. Dickey.
42. Mr. Fenton, the Chief Judge, could not interfere with your decisions?—No.
43. Then in what way did he interfere with your duties?—As an instance, by keeping the Court without funds. Everybody connected with the Court except myself was in debt. In fact the Court must have been in debt at one time to the extent of £275.
44. Are there not proper regulations for the payment of the necessary moneys to the Court?—Yes, but Mr. Fenton refused to pay over the money to the Court. The Court was called in the ordinary way as provided by the Native Land Act: that is to say, the Chief Judge ordered the Court to sit, and appointed me to be the presiding Judge.
45. Where was this Court held?—At Maketu. Mr. Fenton refused to provide the Court with funds because, he said, nothing came of it. I was then compelled to appeal to the Minister of Justice.
46. What reply did you receive?—I got from the Minister of Justice a portion of the funds I required.
47. Is the Committee to understand that you required this money for the usual current expenses of the Court?—Yes, the money was required for paying travelling expenses for the Clerk and the Assessor, each at 12s. 6d. per day, and the salary of the Assessor at 10s. a day; also the Interpreter, £1 1s. per day; also the Judge's travelling expenses at £1 1s. per day, and horse-hire, portorage, &c. The money was required for the purpose of carrying on the Court.
48. You were appointed to preside over that Court by the Chief Judge?—Yes; I have the letter of appointment in my possession.
49. And after a Court is appointed to sit, how is it ended?—After a Court is opened the presiding Judge carries it on until the business is finished or until the Court is adjourned. On this occasion the Court was ended through my having been informed that the new Act had come into force.
50. Did anything of that sort ever occur before?—Yes; at Opotiki I had to do without officers, as I was told that I could not be supplied with a Clerk and an Interpreter. I then offered to find an Interpreter, and I did so, and then I was told that the Clerk of the Resident Magistrate's Court would perform the duties of clerk. The Resident Magistrate, however, could not spare his clerk, and I had to find one myself, and the Court was only half an hour late in opening. But when I sent in the vouchers for these men's salaries the Chief Judge refused to certify them. The Government then returned them to me demanding an explanation, and I had to write a long explanatory memorandum before I got the money.
51. Do you know of any other Judge of the Native Land Court who has been dealt with in the same manner as yourself?—I have heard of a somewhat similar case, but I do not know the facts. I have heard Judge Halse was treated in the same manner.
52. What reason was given for treating you in this manner?—No reason was given.
53. What was the state of feeling between yourself and the Chief Judge?—We were almost strangers to each other. I think, as Judge, I had had only three very short conversations with him.