

Hawke's Bay, to the Public Trustee, in which he said: "Dear Sir,—I have now respectfully to apply to you for payment of £11 5s., under the following circumstances: I am the owner of Allotments 14 and 15, Block IX., Whangarei, Auckland, which were conveyed by Dr. Persten, who subsequently died intestate, and whose estate you obtained an order to administer on the 13th August, 1878. Under that order you sold thirty-two allotments for £162 to a Mr. Vines, and in the conveyance were erroneously included the above-mentioned allotments, of which I am owner. The fact that this conveyance has been registered against these allotments so seriously prejudices my title as to render the allotments unmarketable; and, in order to remove that prejudice, I had to pay to Dr. Vines, for deed of confirmation, the sum of £11 5s., the amount paid by him to you in respect of the two allotments in question, which he is entitled to be repaid, and which he assigned to me on my paying him that sum. The conveyance made by you of my allotments was done by mistake, in ignorance as to a matter of fact. You took no estate in them, and could therefore give none. Vines, as already stated, is entitled to a refund of the purchase-money. This debt he has assigned to me. I shall therefore be glad to receive a cheque for this amount in the course of a fortnight.—Yours faithfully, WILLIAM KERR."

820. So that the Public Trustee had sold two sections belonging to Kerr without any authority from him?—Apparently a mistake had been made.

821. Now, will you let us have the reply of the Trustee to Kerr's letter?—"1st July, 1885.—In reply to your letter, I have to inform you that this estate has long since been wound up, and that I have no funds with which to pay your claim.—R. C. HAMERTON, Public Trustee."

822. What was done in this matter to put Mr. Kerr right?—He wrote on the 17th July, 1885, threatening an action. Then I referred it to the Assistant Law Officer to be good enough to advise what action should be taken. That was on the 22nd. The Assistant Law Officer advises, "If there are no assets, and the claim is a stale one, I do not see what else can be done than allow Mr. Kerr to proceed with his application." The receipt of that letter from Mr. Kerr was simply acknowledged.

823. And nothing has been done to indemnify Mr. Kerr for the loss that he has sustained owing to the mistake of the Public Trustee?—Nothing has been done.

[The witness here explained that he should like a little time for preparation in order to answer further questions, and the Commissioners agreed to postpone the further examination of the Public Trustee until a future day.]

Mr. JOHN CHAMBERS, MOGINIE examined.

824. *The Chairman.*] Mr. Moginie, the Commissioners propose to commence your examination to-day in relation to whatever you may have to say on the duties and work performed by you; but, before proceeding, if you desire to make any statement yourself in the first instance, the Commissioners will be glad to hear you before putting their questions?—Well, I do not know that I have any statement to make unless you indicate the direction it should take.

825. Then, what is your position?—I am Accountant in the Public Trust Office.

826. How long have you been in the service of the Public Trust Office?—Since October, 1880.

827. Did you come into the office as Accountant?—Yes.

828. Will you state what had been your experiences to fit you for your present position before you joined the Public Trust Office?—Well, I was a little over three years in the Treasury, and prior to that I was nine years, or very nearly, in the service in Auckland—first in the provincial service, and then, when the provinces were abolished I was kept on, my services being continuous since the 6th December, 1868.

829. So that you have been in the public service altogether, how long?—A little over twenty-two years.

830. If you were retiring now from the public service would you get any consideration?—I should be entitled to my compensation.

831. No pension?—I hardly know what my position is with regard to that. Sir Frederick Whitaker, when Resident Minister in Auckland, transferred me to Wellington. He said that if I agreed to come to Wellington he would secure me full rights under the Civil Service Act, and on fuller consideration I accepted that proposal, and came to Wellington. He said I should have full rights, and that, I believe, entitled an old provincial officer to a pension; but how that has been affected by subsequent legislation I do not know.

832. Do you know whether the promise of Sir Frederick Whitaker was fulfilled or recorded, and whether these rights have been secured to you?—I do not know.

833. You never thought it necessary to inquire?—No; I took his word, and came to Wellington. Within the last few years my doubts have been excited by what I have seen. It seems to me that my rights would vest on his promise, and that nothing has been done to take those rights away.

834. However, it is hardly relevant to the inquiry, perhaps, at this stage. What were you doing before you joined the public service?—Immediately before that I was engaged in the South Sea trade.

835. In business for yourself?—No; supercargo for a firm at Tahiti.

836. Then, where did you get your first knowledge of book-keeping?—In a counting-house in London.

837. A mercantile firm?—Yes.

838. How many years were you there?—Four or five years; then I came to New Zealand, and, after sundry experiences, went into the service of Messrs. Lewis Brothers, merchants, in Auckland. I was there for some twelve months or two years; and I may say that after I joined the Provincial Government service Messrs. Owen and Graham, large warehousemen in Auckland, offered me the post of book-keeper in their establishment.