

1893.
NEW ZEALAND.

CHARGES AGAINST MR. J. KING, OF AUCKLAND.

(REPORT OF THE COMMISSIONER APPOINTED TO INQUIRE INTO THE CHARGES MADE BY THE HON. E. MITCHELSON AGAINST MR. JOHN KING, OF AUCKLAND; TOGETHER WITH MINUTES OF EVIDENCE, &c.)

Presented to both Houses of the General Assembly by command of His Excellency.

REPORT.

TO HIS EXCELLENCY THE GOVERNOR.

MAY IT PLEASE YOUR EXCELLENCY,—

In pursuance of your Excellency's Commission dated the 3rd December, 1892, and of the subsequent instrument of the 29th of the same month, whereby the time for completing the inquiry by the first-mentioned instrument directed to be held was extended to the 11th February, 1893, I have completed the inquiry so directed, and have now the honour to report the results. The number of days wholly or partly occupied by sittings in this business was six—namely, the 16th and 21st December, 1892, and the 16th, 17th, 18th, and 23rd of January, 1893.

The subject-matter of the inquiry consisted of "certain statements or charges" made by the Hon. E. Mitchelson in Parliament on the 6th October, 1892, against John King, and reported in *Hansard* of that date, pages 719, 720, 721.

The *Hansard* report shows that the Hon. Mr. Seddon promised at the time that the Government would have a searching investigation made. Your Excellency's Commission also recites that Mr. John King had also requested an inquiry, and the evidence taken shows that this was the case.

At the outset of the inquiry Mr. Mitchelson attended and stated that he did not intend to take on himself the office of prosecutor, or to lead evidence in support of the statements he had made in Parliament. Mr. Mitchelson also emphatically asserted that it was the duty of the Government, having promised an inquiry, to appoint some one to conduct it, and to place it in proper shape before the Court.

Mr. Mitchelson, however, handed me in a list of witnesses who, he thought, ought to be called; and I at first expected that he would continue to attend, watching the case and making suggestions as occasion might arise. But Mr. Mitchelson afterwards wrote to me saying that, in consequence of the failure of the Government to employ counsel, he had been advised to withdraw altogether from the case.

I do not pretend to give an opinion as to the correctness of Mr. Mitchelson's view of the duty of the Government; but it is obvious that where there is no one to place a case before the Court, and the evidence on any material point gives a negative result, there is left an opening for saying that something more might have been elicited had questions been put by some one duly instructed by brief. Whether such a suggestion can reasonably be made in the present case will, perhaps, more clearly appear after I have summarised the results of my inquiry.

The statements made by Mr. Mitchelson reflecting on Mr. King fall under the following heads:—

(1.) That Mr. King conducted the business of obtaining census and agricultural statistics in such a way as to put the Government to much greater cost than was the case when the work was done by Mr. Seaman.

(2.) That in many cases Mr. King charged the Government with larger sums as the remuneration of his sub-enumerators than were actually paid to those officers, pocketing the difference himself, amounting to £95.

(3.) That Mr. King, in collecting schedules of industries for census returns, had in some cases caused the persons concerned to sign the schedules in blank, to be afterwards filled in by him, and that he filled them in incorrectly.

(4.) That Mr. King made it a condition of employment of persons wishing to be appointed sub-enumerators that they should insure their lives in the Government office, of which he was an agent, and that this "was done in order that King might take the premiums."

I shall deal with these heads *seriatim*:—

(1.) The difference in cost of returns when taken by Mr. King and Mr. Seaman, respectively, is shown by a return to an order of the House of Representatives of the 7th July, 1892, made on the motion of Mr. Mitchelson. [Exhibit A.]