

*The Chairman* : You are allowed to bring any witnesses you please to support your own statement, but you must do so at your own expense.

*Mr. Phillips* : Mr. Deller, the Mayor of Carterton—I should like to have him summoned as a witness.

*The Chairman* : That rests entirely with you.

*Mr. Phillips* : You debar me bringing the evidence necessary to prove my case.

*The Chairman* : I do not debar you making any statement by which you choose to substantiate your case. You are at liberty to bring any witnesses you choose. The Committee will summon them for you so long as you are prepared to pay the expenses of those witnesses.

*Mr. Phillips* : That does not appear to me to be fair. However, I am prepared to make a statement. The witnesses will probably come if they are subpoenaed; they will not all come at my request. I have produced two, Mr. H. D. Bell and Mr. Buchanan. There is the case of Armstrong making a false affidavit and swearing to the contrary. I can prove that. The present case is a question whether Armstrong's conduct was purely mistake or deliberate partisanship. It may have begun by a mistake, but directly he found the advantage it gave Mr. Hornsby he stuck to his mistake for purely partisan purposes. He was asked by Sir Robert Stout, "Why did you make that affidavit, seeing that it is false?" (substituting "11" for "12" or "12" for "11" in his affidavit). Armstrong said it was "wrong," that he had "made a mistake." He was again asked how he came to make a false oath. He said it was "wrong" and that he had "made a mistake." When he was asked why he had also sworn falsely in Court, he said it was a "mistake." Any person can see at once that a man who would do such things as these only makes "mistakes" to suit his own purposes. Then he went into the box to try and show that "12" was "11." In both cases he admitted he was wrong. Armstrong was to have been a candidate himself. I will put in an extract from the *Wairarapa Weekly Times* of the 11th November, 1896, which will show the position. [Extract put in, Exhibit No. 9.] Mr Armstrong, instead of being a candidate, was appointed Returning Officer. This jealousy between the townships was recognised to the extent that Mr. Seddon was advised to nominate an outsider, and Mr. Hornsby was sent up. What I say is that he, Armstrong, should never have been Returning Officer. Mr. Armstrong invited Mr. Buick (who had been member for the Wairau) to contest the seat against Buchanan. This is an extract from the *Standard* of the 29th October, 1896. [Exhibit No. 10.] Armstrong went to "Mr. Seddon's meetings," to Mr. Hornsby's "party meetings" and "committee" meetings until he was warned by men of his own side to keep away. I can prove that, for this is Armstrong's evidence before the Court, in which he says that he "attended political meetings." He said he had attended political meetings after the writ was issued. Was that right of a Returning Officer? Here is a report of the trial of Mr. Buchanan's election petition from the *Wairarapa Observer*, 9th February, 1897, got up principally at Armstrong's instigation. In order to show there was no mistake in my case, and that the matter was one of deliberate partisanship, he afterwards, as Returning Officer for the Licensing Bench, refused to receive the nominations of two other gentlemen. That was done purely out of partisanship. I can prove that from his own words at the trial. He said he "would not defend his own action in the licensing matter." A man must be pretty bad who would not defend himself. Armstrong also stated that there were two solicitors engaged: only Mr. Bell was engaged. Then, again, his office was the head-quarters of Mr. Hornsby's party. As Returning Officer, I do not think he ought to have shown that bias. Then, Mr. Armstrong stated that he had not spoken to Mr. Deller since 1882. I do not think that I have spoken to Armstrong since 1882 either. The reason was—I do not like to use a strong expression, but I must use the word; there is no other term to apply to it. He "swindled" me out of £60 by getting me to indorse a promissory note under false pretences.

*Mr. Armstrong* : What date?

*Mr. Phillips* : I cannot state the precise date, but it was about the year 1882. And he treated others the same. I have never recognised Armstrong in the street since, nor spoken to him, until these election matters took place, and I had to go to him to give in my nomination-papers. The thing was so cold-blooded that I could not get rid of the thought of it. That was one of the reasons why honourable and straightforward settlers were surprised at Armstrong being appointed Returning Officer. The Committee may think, in the matter of refusing my nomination, that I should have taken action under the electoral laws. I wish to point out to the Committee why I could not do so. Armstrong is a man of no substance: he has been twice bankrupt, and is well known to be impecunious still. I am sorry to have to say it. The position of a Returning Officer is different from that of a private individual. When the Election Act of 1880 was passed Resident Magistrates were the Returning Officers. At present there is no remedy against a Returning Officer if he is impecunious. The only remedy against a Returning Officer who has been twice a bankrupt is by petition. May I be allowed to quote a precedent?

*The Chairman* : Yes.

*Mr. Phillips* : At the time of the Stuarts—

*The Chairman* : You are reading some paper, will you put that in?

*Mr. Phillips* : I will. In the year 1685 the King sent officers of his guards practically to act as Returning Officers and manipulate the elections then being held in England. It was a Parliament of about four hundred and forty members. The King got returned four hundred members, most of them exactly "suited to his mind." There were not more than forty members he could object to; but petitions came up from all parts of the country complaining of the partisanship and violence used at the elections. That was many years ago, and under the Stuarts, one of the worst periods in English history. My reason for referring to this is that Mr. Seddon made a mistake in coming up to Carterton at all. His interference caused Mr. Armstrong to completely lose his head.

*The Chairman* : That is your opinion?