

is a professional one, and I understand the case is being watched by my professional brethren in New Zealand.

(2.) The subject of the charge is a public one, and therefore the public have every right to know the whole facts.

(3.) Some one is responsible for this lamentable state of affairs, and until the matter is sifted it will not be possible to say who is to blame. In my opinion this can only be done in public.

(4.) As the correspondence on which the charge is based shows the evasive proclivities of the Administration, it is necessary that evidence should be taken on oath, and that the witnesses be subject to cross-examination. I have every confidence in your impartiality, but I regret that the powers conferred on you by the Hon. the Acting-Premier to inquire into this charge are not sufficiently wide to deal with it in a manner to satisfy either the public or myself.

I must therefore respectfully decline to go on with the charge or give evidence there anent at the present juncture.

Sir Robert Stout.

I have, &c.,

C. M. DAWSON.

D.

Mr. HOSKING to SIR ROBERT STOUT.

YOUR HONOUR,—

Rarotonga, 12th June, 1911.

With reference to the interview I, with other complainants, had with you on the 10th June, 1911, in the Courthouse, Avarua, wherein you most courteously and kindly afforded us information as to the scope and conduct of the inquiry you have been asked to conduct into Hospital and other complaints which might be brought before you, I have the honour to inform you that it is with regret that I have to lay before you my refusal, in writing, to proceed with the laying of further charges, at this stage, supplementary to those already submitted to the Minister in charge of the Cook Islands by Mr. R. A. Wright, M.P. I regret that I shall not have the pleasure of laying before you some twenty charges, for I realize that I should have had an impartial and unbiassed hearing from your Honour. I must further refuse, with all due respect to your Honour, to give any evidence in this inquiry.

These steps I have been forced to take for the following reasons, which I lay out in detail for your Honour's information :—

(1.) Your Honour has notified us that the Minister's instruction to you is that evidence is not to be taken on oath. This may be the usual course in inquiries, but with all due deference I have come to the conclusion, not easily to be shaken, that in view of the want of veracity of certain individuals, and the tactics they have adopted, it is absolutely necessary that both sides should be put in a position that will insure truthfulness, and will put perverters of the truth within the grasp of the law. I, personally, am fully willing to give evidence and make statements on oath, and am willing that I should be adequately punished if found to have committed perjury or distorted facts for my own ends, and it seems reasonable that this should apply to both sides.

(2.) Your Honour has informed us that you have decided, as you have power to do, that while here you think that you will be able to get more and better evidence in private than in public. With your Honour's wide and long experience, your decision I may not dispute; but I would beg to again draw your Honour's attention to the fact that I consider that, as I have been attacked by several persons and called by sundry approbrious names, in speeches in the honourable House of Parliament, it is only fair that I should have a chance to refute these statements in public, so that garbled tales may not be spread abroad in these Islands and elsewhere. I have said my say so far in public, and I wish to continue to do so. Your Honour, I stand unafraid of the law, for I have been law-abiding in so far as one is able to disentangle the law in these Islands.

(3.) Your Honour has further told us that your authority to hold an investigation comes not from His Excellency the Governor, as we had expected, but from the Acting Prime Minister, and that your report will be sent to him. And your Honour can give us no assurance that this report will be made public. I, your Honour, am averse to having my own evidence or that of my witnesses transferred to the Minister of these Islands, even though he be Acting Prime Minister, for his verdict. That would be too much like asking a Minister to pass judgment on himself and his Department, and is not to be thought of for an instant. The Dilly, Dilly, come and be killed, idea does not appeal to me, your Honour.

I think I am justified in saying that my friends and myself are desirous of giving evidence *only* before an open inquiry, and if an inquiry were held by your Honour under warrant of His Excellency the Governor, with a certainty of the full publication of evidence and your Honour's report, we might possibly come forward. The gravity of the charges is too serious to allow of anything in the way of a hush-up—not by your Honour, be it understood, but by other persons.

I again repeat, we wish an open, unbiassed, and legal inquiry, with the evidence on oath, and as it does not seem to be in your Honour's power, at present, to afford us that, we must stand by the refusal we made on Saturday, and which I repeat, with all due deference now.

I have the honour, in conclusion, to inform your Honour that I shall now carry the matter, and those charges for which I am sponsor, into and before the honourable the House of Parliament in New Zealand.

I have, &c.,

His Honour the Chief Justice, Sir Robert Stout.

RUPERT V. HOSKING, D.D.S.