

Can you produce that statement?—I cannot produce it now, but I feel confident that that statement was made and was talked of very much in Samoa at the time.

*Mr. Baxter.*] Do you think you would be able to affect the result of the work of the Legislative Council very much at the present time?—No.

Why not?—Because we are constantly outvoted.

Are you likely to be the permanent minority on questions that are brought up in the Council?—Yes.

How would you regard yourself concerning figures as compared with Mr. Gurr and Mr. Smyth?—I do not profess to be well up in figures. I am not a clerical man, and I naturally took it for granted that their figures would be correct.

In other words, you felt that it was no use arguing about figures prepared by these gentlemen, because you had confidence in them?—Exactly.

*Mr. Slipper:* I propose now to deal with the Legislative Council. One point has been referred to me by Mr. Baxter to which I would like to call your attention, and it refers to Mr. Gurr. The official report of the American Samoa Administration was referred to as stating that he was dismissed for malfeasance in office. The published official copy says, "His connection with the American Government was severed in 1908."

*Mr. Meredith:* I read the statement out to Mr. Gurr, and I asked him if it was correct and whether he took any exception to it, and he said that he did not.

*The Chairman:* The question must be regarded as having ended. The report was handed to Mr. Gurr and it was read by him, and Mr. Gurr knows whether he was dismissed or not, and he knows the cause of the dismissal.

*Mr. Slipper:* I should think so; but I submit that the correct report should have been put in front of him.

*The Chairman:* I do not think there is anything further to say.

*Mr. Baxter.*] We have it in the Act that the Legislative Council in its present form was constituted in 1923: you are a member of the Legislative Council, are you not?—Yes.

At what election were you first elected?—In January, 1924.

That was the first election?—Yes.

And you were elected a member then?—Yes.

When was the next election?—The 30th November last year.

You were re-elected at that time with the other two sitting members?—Yes.

Were you opposed at that time?—Yes.

Was there any interest taken in the election?—Very great interest.

The political condition was such that there was a great deal of interest taken in the election?—Yes.

Was your majority increased or decreased?—The majority in our favour was increased.

We know that the Legislative Council considers the estimates: what other matters does it consider?—The passing of local Ordinances, and sometimes questions are raised.

How often does the Legislative Council sit?—Usually about twice a year.

And might be a little more or a little less?—Yes.

How many official members are there at the present time?—Six.

And how many elected members?—Three.

How is the voting upon all these matters?—Well, on the most important matters there are six usually for them and three against.

On any contentious subject has there been any occasion when an official member has voted away from the officials and voted with the elected members?—Never.

Do you know whether this is a matter of their all thinking the same way, or is there any other cause?—I understand they are influenced to vote one way. The question was brought up at one time.

Where?—In the Council, by Mr. Nelson. On one occasion, in taking the votes, the Administrator did not raise his eyes to look who was voting. This was objected to by Mr. Nelson. The Administrator informed him that, if he liked, he would take the vote again—as much as to suggest that in his mind there was no doubt as to how the official members would vote. On another occasion when some comment was made about the voting, so far as I remember, the Administrator said that the officials would naturally be expected to vote according to the policy of the Government.

*Judge MacCormick.*] You said that the voting was always six to three?—There were occasions when the elected members have differed—for instance, over the discussion with respect to the wharf, the elected members differed on that; but I might say that it is very seldom they do.

*Mr. Baxter.*] Is your opinion not sought at any time, apart from sitting on the Legislative Council: are you asked to discuss matters at any other time?—No.

*Judge MacCormick.*] Has that always been so, or has it been the practice only since the recent events happening?—When we were first elected the Administrator did discuss problems with us, but that was very soon dropped. There has been very little discussion outside the Council during the last couple of years. I thought that when the Council was first formed it would be more in the form of an advisory body and not to be run strictly on parliamentary lines, and I think all the elected members were under that impression.

*Mr. Baxter.*] What do you mean by that exactly: are you referring to the Standing Orders being too strict?—Yes.

May I put it this way: you thought that you would go through and discuss the matter like you would do in an ordinary committee meeting?—That was what I thought.

And not have a lot of formality?—That is so.

*Judge MacCormick.*] Regulations have been drawn up?—Yes.

The statutes provide for that?—Yes.