

Mr. Sievwright.  
10th Dec. 1879.

93. "Received retainer and fee from Mr. Sievwright on account of costs for Ngatiawa and Taranaki Natives, £150.—W. L. REES." You see that is very general?—I understood it was in relation to West Coast claims which were to be investigated by a Commission. The receipt does *may* not bear that *very plainly*, but you will see it was taken in accordance with the imprest warrant.

94. "4th August.—Received from Mr. Sievwright the sum of £150 on account fees for Natives, Taranaki." That does not appear to be more specific?—It is about the same.

95. Is it clear what it was for?—Perfectly clear; it was understood what he and I were to do in order to have these claims properly cared for and investigated before the Commission.

96. Then in the event of the prisoners being tried in the Supreme Court, Mr. Rees would not be justified in appearing to defend them?—I cannot say that I understood that was part of the work I was appointed to do.

97. Then you did not retain Mr. Rees to defend the Native prisoners in the Supreme Court?—I certainly did not; I did not acknowledge that to be part of the work I was to undertake.

98. Then Mr. Rees' retainer from you was for the purpose of protecting the interests of the Natives, on the West Coast, in the event of a Commission sitting?—Precisely so.

99. Was any commission appointed at the time?—I do not think so; it was only *meant proposed* that a commission should be appointed.

100. It was a provisional arrangement?—Yes.

101. Is it customary in retaining gentlemen to represent a particular interest before the tribunal has been appointed, when it is non-existent, to give him the full amount of the retaining fee, in anticipation of the possibility of such a tribunal being brought into existence?—I think it is quite usual when it involves preparatory work, as in this case, that the fee should be paid before, and Mr. Rees refused to do any work until he was paid. The custom is to pay counsel's fees in advance. I do not know what Hoani Nahe had in his *view mind* at the time, but my knowledge of the thing was limited to an investigation of the West Coast claims. I did not understand about anything else.

102. *Mr. Montgomery.*] What were the instructions that you received from Hoani Nahe?—Am I bound to communicate the instructions that my client gives me?

103. I ask the question.—~~Mind~~ I do not want to refuse *any reasonable information*, but as a solicitor I do not know whether I should *am not prepared* to answer a question as to any course of procedure which a client may instruct me to pursue. I think that is a matter which is confidential.

104. *The Chairman.*] I shall take the sense of the committee upon the question.—(*Witness*) *Mr. Sievwright knows the power of the committee, and he will take the consequences of refusing. Mr. Sievwright ought not to be threatened with consequences. As a solicitor I am not entitled to divulge my client's instructions.*

105. *The Chairman.*—If a question of that kind is put, and the witness declines to answer it, I should ask the witness to leave the room while the committee is considering the subject. I would just ask you first whether you decline to answer that question?—I consider the matter confidential, and I am not bound to communicate my instructions. I do not know that there is anything to conceal, ~~and~~ *but* I do not care to take any responsibility in the matter. I am only acting as a solicitor.

106. *Mr. Ballance.*] Do you refuse to answer on the ground that it is contrary to professional etiquette?—Certainly, because the question you put to me shews that you want to know my relations with Hoani Nahe, and I do not choose to reveal anything. *am not entitled to give any information relating to my client's business.*

107. *Mr. Reader Wood.*] That may be perfectly right as regards the ordinary relations between a solicitor and his client, but this is a case which involves the payment of public money, and I should fancy that in a committee of the House there ought to be no secrecy of this kind, because, in point of fact, the public become your clients, and Mr. Nahe was simply the exponent of the views of the public at that time.—*I regard Mr. Hoani Nahe just as I would any ordinary client, whose communications to me I have no right to divulge.*

108. *The Chairman.*] The only point I would call Mr. Sievwright's attention to, and it is perhaps fair that it should be done, is that Mr. Hoani Nahe was a Minister at the time, and that Mr. Sievwright received money from the public treasury, for which we hold his receipt. It is a matter for Mr. Sievwright's consideration whether the public are not his clients, and whether that does not appear on the face of the papers?—~~I have heard that, and do not understand it;~~ I had no communication with the Government or any of its members, *and I was not employed by the Government.*

109. The Treasury voucher is made out in your name?—Yes.

110. And it appears your receipt is approved by the Minister; and is simply signed by Hoani Nahe to be paid to you, not as his own money, but as public money to be paid to you?—I confess I did not know it was public money that was paid to me, but I have since *been so informed.*

111. I do not want you to be under any misapprehension?—I suppose you want to get out why I disbursed the money, and how I disbursed it. Shall I retire?

112. I should like to know before you retire whether you refuse to answer the question or not?—I think Hoani Nahe employed me in his individual capacity to ~~consider the case of these Natives, act for West Coast Natives in regard to their land claims,~~ and I regarded him as in the position of an ordinary client. He got ~~possession of~~ *as a gift, as I believed, towards the costs the sum of £300,* and it was paid to me. I may be right or wrong, but I consider I acted under his instructions.

113. *Mr. Montgomery.*] I asked a simple question—what instructions did you get from from Hoani Nahe?—As to this £300?

114. Certainly. He was the person who employed you, either for himself or for the Government, and I wish to ask you what instructions he gave you?—I think you will find from the bill of costs what instructions he gave me.

115. I want to know what Hoani Nahe wished you to do?—I think you will find my bill of costs will shew what he instructed me to do. It was simply to ~~watch the~~ *attend to the interests of the Natives*