

or did the Government consider he was not fit?—I scarcely think that the fact of the nonappointment of a man must necessarily be a slur upon him at all. I think the Government are responsible for any appointments they make, but I think it would be scarcely just to individuals to give reasons for not appointing them. Of course I am quite willing to give the Committee any information I have from recollection now. It is no longer, of course, in my department.

133. Then his not being reappointed might be from circumstances apart from his fitness or previous conduct—there may be some other causes?—Yes; I think there may be. I think if a man showed a disposition to be obstructive, however good a Judge he might be, and created difficulties, and if there were other men, in the opinion of the Government, equally qualified, I think the Government would be perfectly justified in putting them in, supposing the cases to be fairly equal in other respects. There was a disagreeable correspondence in this case immediately after the passing of the Act, before any other appointments were made.

134. Previous to the passing of the Act cancelling the commissions was there any difference between Mr. Wilson and the Chief Judge or the Government which rendered his reappointment undesirable?—My belief is that he did not work harmoniously with the Chief Judge. I think the papers would show that, or the Chief Judge would if he was asked to appear here.

135. I presume, in making new appointments to the Land Court, the Chief Judge is consulted?—Not necessarily, and as a matter of practice his recommendations have not been taken in all cases.

136. But he makes recommendations, I suppose, in all cases?—I do not think the Chief Judge made any recommendations at that time. He knew who were to be reappointed, but it was not done at his instance. Mr. Puckey and Mr. Williams were appointed at that time, both of whom had been for a very long time in the service of the Government.

137. What power has the Chief Judge in dealing with the other Judges?—The general powers laid down by the Act for fixing the holding of the Courts, and so on; a general determination as to sittings of the Courts, but not to interfere with the judicial functions of the other Judges.

138. It rests with him to shift the Judges about?—Yes, I presume so.

139. Does he determine the necessary expenses?—He passes all vouchers.

140. Could he stop them if he thought fit?—They would go to the Government with his remarks, and the Government would have the final settlement of the matter.

141. A complaint is made by the petitioner that the Chief Judge did prevent his Court being properly carried on by not allowing the necessary expenses. Are you aware if that was so?—I cannot speak from memory. It may have been so. As I told you a number of differences arose with Mr. Wilson in the administration of his Court; but the Chief Judge would give you evidence on that.

142. In making the reappointments, the Minister who dealt with these cases would have these matters in his mind at the time?—I do not know that I had these matters of finance in my mind; but I had the fact that Mr. Wilson refused to give up the seals, and also that, in respect to the Tauranga office, he put the Government to a large amount of inconvenience—that is with respect to his office as Commissioner.

143. For that office he got no salary, I presume?—Well, nothing was voted for it; but practically the two offices were put together as offices constantly are, and he was to hold the two for the one salary.

144. There is a statement in the petition that when he was appointed Judge in 1878 he surrendered all claims he had against the Government as a Land Purchase Commissioner on the understanding that he was to receive the appointment of Judge permanently. Are you aware of any such engagement?—No, certainly not. I should not be a party to such an engagement with any officer.

145. But this was between Mr. Wilson and Mr. Sheehan.—I know nothing of that at all.

146. The statement is that Mr. Sheehan could not appoint him as Judge until he had surrendered a claim for over £1,000 against the Government. He claims that he surrendered that in good faith on the understanding that he would be permanently appointed, and that the engagement has not been kept.—Do I understand that he purchased his office by foregoing claims to money against the Government?

147. No. Mr. Sheehan says he could not appoint any person to office who had claims against the Government, and that Mr. Wilson surrendered his claims.—I know nothing about it.

148. There is no record of it in the office?—I could not say; it never came to my knowledge.

149. Was any inquiry made with regard to these differences between Mr. Fenton and Mr. Wilson?—No, I do not think so. That did not affect the question of reappointment at the time beyond this, that I was aware there had been conflicts in the past. I was also aware of Mr. Wilson's action with respect to the calls Government made upon him, which was very inconvenient and troublesome to the Government.

150. Then the difficulties with regard to these papers that he would not surrender occurred before the commission was cancelled?—No; anything that happened before that were departmental questions between him and the Chief Judge. This was after.

151. Is it not usual when there are differences between a chief officer and a subordinate for the Government to interfere and settle it?—These differences had merely to do with the question of amount on some vouchers, I think.

152. But are we to understand that if there was any conflict of opinion between the Chief Judge and Mr. Wilson, the effect of which would be detrimental to the public service, the Government would inquire into it and decide who was right and who was wrong?—Undoubtedly, if an appeal was made to them to do so.

153. Supposing that had been done, and that Mr. Wilson had been in error in former conflicts, would not the fact be brought under the notice of the Government in some shape or other at the time of the reappointments?—I do not know that that entered into the consideration of the Government at the time. I do not remember the merits of that conflict.

154. I wish to ascertain did anything occur before the cancellation which induced the Government not to reappoint Mr. Wilson?—Well, I could not say now at this lapse of time. I can only say this,