

Native Minister. I want to know if that came before you in any shape.—I could not say that it did. I have a kind of recollection that Mr. Wilson asserted, as against the instructions of Mr. Fenton about holding Courts, that the previous Minister had wished him to remain in a particular locality.

167. It may not be fair to ask such a question, but would that have any influence in the question of reappointment?—That would not by itself. It is a question, when appointments are being made, who are the men who will satisfy the requirements of the office of Judge, and who are fit men to appoint. There was only one man appointed outside the service, and that was Mr. Brookfield. Considering the large interests involved, it was thought advisable to have among the Judges of the Native Land Court a man with legal qualifications.

168. Would a knowledge of law more than compensate for a knowledge of Native customs in dealing with land?—Well, I think that in a large number of cases, where very considerable interests are involved, and where it is essential there should be no mistake which might involve probably large sums of money, there should be two Judges together, one a lawyer and the other a man with a knowledge of Native customs.

169. Does "a knowledge of the law" refer only to laws as to the Natives passed by the New Zealand Parliament?—No; a knowledge of the law and of legal process generally. The monetary interests passing through the Native Land Court are, as a rule, far greater than those passing through the Supreme Court, and it is exceedingly essential to have men of legal qualifications among the Judges.

170. That is, a man acquainted with more than the laws we pass relating to the subject?—Yes, with law generally.

171. *Mr. Sutton.*] Were not Mr. O'Brien and Mr. Macdonald first appointed subsequent to this Act?—So far as I can recollect they were appointed previously also. As I understand Mr. Macdonald draws his salary as District Judge, and Mr. O'Brien's salary is really his pension.

172. I gathered from the evidence that Mr. Wilson's services were dispensed with at the suggestion of the Chief Judge, and that Government, as a matter of fact, never corresponded with reference to it with Mr. Wilson?—Mr. Wilson called upon me at the time during the session after the Act was passed, and I told him that his appointment lapsed with the passing of the Act.

173. The evidence we got from Mr. Wilson was to this effect: that he was presiding at Tauranga, hearing a very difficult case, and in the middle of the hearing he received a telegram from Mr. Fenton saying, "Your appointment has lapsed, and either myself or Mr. Macdonald will come and take up the case.—I have a distinct recollection of informing Mr. Wilson personally what his position was with regard to the Act.

174. Are we to understand that Mr. Wilson had informal notice that his services would not be required after a certain date?—He had formal notice as well, I take it. This would be formal notice to the Chief Judge.

175. Instant dismissal?—The question of the Legislature having passed an Act by which his commission was cancelled.

176. When other Judges were reappointed, and Mr. Wilson was not, was that at the suggestion of the Chief Judge?—I could not say it was done at the suggestion of the Chief Judge, because I think the fresh gentlemen appointed were determined on—not without conference with the Chief Judge; that is, he was consulted.

177. It seems that the whole of the Judges were reappointed with the exception of Mr. Wilson and Mr. Halse?—I think there was another—Major Heaphy was another.

178. Can you tell us whether the state of ill feeling between the Chief Judge and Mr. Wilson was at all the Chief Judge's fault or not?—I cannot say; I never went into that.

179. We have evidence that when Mr. Wilson was once carrying on a Court he was refused supplies by the Chief Judge, and had to apply to the Minister who authorized them?—I hope the Committee will take evidence as to that; the records will show if it was so.

180. We have it from Mr. Wilson, and also from Mr. Sheehan, that such was the case?—I should not like to give evidence on it without seeing the records.

181. *Mr. Swanson.*] I think you said that under the law the Government have no power to order the Judges where to hold Courts; which Act did you refer to?—I think neither in the last Act nor the present is it contemplated that the Government should order the Judges about. The administration is by Act absolutely vested in the Chief Judge.

182. Mr. Sheehan led us to believe that he, as Native Minister, had power to direct where Land Courts should be held, and to direct a certain Judge to sit at a certain place?—I think if the Committee will look at the Act they will see that was not contemplated. My own feeling is that Parliament expressed its wish that the Government of the day should not be practically interested in the administration of the Court by having the power to order the Judges about. It was distinctly the will of Parliament that the Court should be independent of Ministers, and that the administration should be disposed of by the Chief Judge.

183. In appointing Judges you appoint men of known efficiency?—Yes.

184. If a man had been in a particular district for a long time, and had a large knowledge of all the Natives and the several hapus, and all the circumstances connected with the land, that man surely would be likely to be as good a Judge there as a stranger who had never been there before?—Yes, presumably.

185. Mr. Sheehan gave it in evidence that Mr. Wilson was ordered to quit a district where he knew everything and go to a place where he was a stranger, while a Judge who knew nothing of his district was to take his place. This was ordered by the Chief Judge. The Government had large transactions in the district Mr. Wilson was to be moved from, and he was thought to be pre-eminently the man for the place. Mr. Wilson was quite willing to go, but Mr. Sheehan stopped him and told him to stay in his own district and settle the business. In this case was Mr. Wilson right in obeying the Minister instead of the Chief Judge, or did the Minister exceed his power in your opinion?—I do not wish to express an opinion upon the acts of a previous Minister, but I should not consider myself justified in giving absolute instructions upon a matter that the law left to another person.