

2. Mr. Lewis then informed me that the Hon. the Minister for Native Affairs considered that the Commissioner should receive the same salary and allowances as the Chief Judge of the Native Land Court, and, further, that if I accepted the appointment I should be at liberty to continue the practice of my profession as a barrister and solicitor.

3. I was at that time unaware that the Act had been passed, or, indeed, that any such provision was contemplated, and of this I informed Mr. Lewis.

4. Mr. Lewis explained to me the nature of the proposed appointment, and at his request I accompanied him to his office in the Government Buildings, and he then gave me a copy of the Act.

5. I informed Mr. Lewis that I thought that it was improbable that I could accept the office of Commissioner at less salary and allowances than those of a Supreme Court Judge, but that I would consider the matter and let him know shortly my determination upon it.

6. At the same time I informed Mr. Lewis—as the fact was—that I had in the preceding month of May had a careful balance of my books made for partnership purposes for the four years which had elapsed since the death of a former partner, and that the result showed that I was making a net income of £2,250 per annum.

7. Shortly after this interview I again saw Mr. Lewis, and I intimated to him that I had determined to adhere to my first impression, and that I would not accept the office unless I received as Commissioner the same salary and allowances as those of a Judge of the Supreme Court, and unless I was also at liberty to carry on the practice of my profession, so far as it was possible to do so.

I heard nothing further about the matter for some time, and I considered that the negotiation was at an end.

8. On the 15th October, 1889, however, I received a message from the Hon. the Native Minister requesting me to call upon him at the Government Buildings.

9. I did so, and the Hon. the Native Minister formally offered me the appointment of Commissioner at a salary of £1,200 a year and £1 1s. per day travelling-allowance, with the liberty of private practice. The Hon. the Native Minister also informed me that it was estimated that the work would last from five to ten years.

10. I then informed the Hon. the Native Minister that since Mr. Lewis had spoken to me upon the matter a change had taken place in my business arrangements, and that it was hardly likely that I could accept the appointment, and that if I did so I did not think that I could accept less than I had already stated—namely, the salary and allowances of a Judge of the Supreme Court, with liberty of private practice. I also informed the Hon. the Native Minister that my books had been balanced, and my income from my practice had been found to be as previously stated.

11. I had never met the Hon. the Native Minister before this occasion, and I did not even know him by sight. I had had no communication whatever with reference to the matter except with Mr. Lewis and with the Hon. the Native Minister.

12. After some consideration I determined to accept the appointment, provided I received the salary and allowances of a Judge of the Supreme Court, and I had a guarantee of a three years' engagement, but not otherwise; and I intimated this determination to the Hon. the Native Minister.

13. I received no further communication from the Hon. the Native Minister for some time, and I understood that he had left Wellington shortly after my decision was communicated to him.

14. In the meantime I had an opportunity of reconsidering the matter, and of conferring confidentially with one or two friends from different parts of the colony who are leaders of the Bar, and the result was that I came to the conclusion that my acceptance of the office would practically result in my retirement from the practice of my profession, and also that it was improper upon public grounds that the office of Commissioner should be held by a barrister in practice; and on the 6th November, 1889, I wrote to the Hon. the Native Minister informing him that I must decline the office, even though the Government should be willing to fix the salary and allowances at those of a Judge of the Supreme Court.

15. In the same letter I suggested to the Hon. the Native Minister that the only way in which the Ministry was likely to be able to obtain a leading member of the Bar for the office was by first creating him a Judge of the Supreme Court.

16. A copy of this letter appears upon pages 6 and 7 of the exhibit marked A hereunto annexed.