

*Mr. Phillips* : That makes no difference. That should show you that I was right away at the Taueru.

*Witness* (to *Mr. Phillips*) : When did you get the delivery, *Mr. Phillips*?—On the Monday at the Knoll.

249. *Mr. Phillips*.] At any rate, you knew that I came to you on the Thursday, knew I had not put in my nomination-paper, and knew of the 1896 Act. Could you not have said, "Well, I will accept this nomination"?—Did I not tell you to sit down and show me where I had power to accept it, and did I not state that then I would do it?

250. I took that as bluff?—If you had shown it to me I would have done it.

*Mr. Armstrong* : With reference to those letters that *Mr. Phillips* made so much of, and *Mr. Deller's* saying hosts of people have complained of me, I ask *Mr. Deller* to name any people that complained, and he will not do it. They will only make general allegations. I simply say to those allegations, when put to the test, they are not prepared to name anybody to prove them. It is only hearsay evidence.

THURSDAY, 16TH DECEMBER, 1897.

The Right Hon. R. J. SEDDON examined.

1. *The Chairman*.] I understand, *Mr. Seddon*, that you appear before the Committee to give evidence on the petition of *Mr. Coleman Phillips*?—Were it not that there have been statements made that the appointment of *Mr. Armstrong* was an improper one I should not have deigned to have said anything in reply to statements made by *Mr. Coleman Phillips*. As to *Mr. Armstrong* having lost his head, the same thing has been said in respect to *Mr. Coleman Phillips*, and it is not for me to say whether either or both of them have, in respect to this matter, been troubled with an affliction of that kind. I must say, coming back to the first question, it is of importance to the Government, namely, the appointment of the Returning Officer for the district, it having been decided that the Resident Magistrate could not act as Returning Officer, and which evidently had been anticipated, because at that time there was a report current that Magistrates could not act. It became necessary to appoint a Returning Officer for this and other districts. The first intimation we had was the recommendation made by the member for the district, who recommended the clerk of the local body to be the Returning Officer. Then an application came from the clerk of another local body. Then there was an application by a local practitioner there. The Government made inquiries, with the result that they appointed *Mr. Armstrong*. At that time, as far as the Government knew, *Mr. Armstrong* was a man held in high respect in the district, capable of performing the duties; and, as far as we were concerned, we had every confidence that things would be done efficiently and well. As to my meeting, I received a requisition in the ordinary course to address the people in that part of the colony, as in other parts, and in response to that invitation I visited the district, met the people, and held the meetings. The innuendo that the result of this was *Mr. Armstrong's* appointment is absolutely incorrect. That *Mr. Armstrong* did attend those meetings and lost his head I should say is very far-fetched, and there is nothing in it at all. We then come to what occurred. I may say, when there, the people I met looked upon *Mr. Phillips's* standing as a joke. I may say *Mr. Phillips* has kept back something from you which he might have given you—namely, I had communications from him, in which he wanted me to interfere. He said if left alone with *Mr. Buchanan* he could win hands down—I think that was the general purport of these communications—and that brings me to the point which I absolutely deny with respect to the nomination of some one outside. I say *Mr. Phillips* must, of course, have been drawing upon his imagination in respect to that statement. The Government are not in the habit of nominating people over the heads of those standing in the district, nor did we nominate *Mr. Hornsby* over the heads of people in the Wairarapa District, or because they could not agree amongst themselves locally. As far as I remember, there was a meeting of the supporters and friends of the party, and they advised, and acting on that advice *Mr. Hornsby*, I think, contested the election, so that again *Mr. Phillips* is wrong there. Then, with regard to *Mr. Armstrong's* action in refusing the nomination, my own opinion on the matter was, it was wrong. Of course, the Government cannot lawfully interfere with the Returning Officers either to advise or dictate. The Returning Officer is there, and has the responsibility, which is his, not the Government's. To my mind it appeared that he (*Mr. Armstrong*) had committed an error of judgment, but the responsibility for the whole thing rests with Parliament. The Act is so vague that other Returning Officers put upon it the same construction, and fixed the last day for receiving at an earlier date than the interpretation of the Act would imply. I am satisfied in doing this *Mr. Armstrong* still believed he was within the law, and it certainly was not done with a view of injuring *Mr. Phillips's* candidature. My own feeling in the matter is, as far as the Government candidate's chances were concerned, *Mr. Armstrong* could not have done the Government candidates a greater injury than the refusal of *Mr. Phillips's* candidature. The support *Mr. Phillips* got would have been support which would have come to the Government. When *Mr. Phillips* first spoke to me I expressed my regret in very strong terms to him at what had occurred. Not that I expressed regret at *Mr. Armstrong* having lost his head, or anything with regard to *Mr. Armstrong's* conduct. I said I certainly regretted he was not a candidate, because his not being a candidate militated against the Government candidate's election, and, as I had been in the district, I knew the support given to *Mr. Coleman Phillips*—he was strong; he had been lecturing round the local places for months. Those who were favourable to him were not Government supporters. *Mr. Phillips* is entirely wrong if he thinks it was on any other grounds his nomination was refused. I reckoned myself that *Mr. Armstrong* lost us that seat by not accepting *Mr. Phillips's* nomination. Again I say I am positive that *Mr. Armstrong* did not do that for the purpose of stopping *Mr. Phillips* being nominated, or from any improper motives; it was simply the interpretation he placed upon the Act, and some of our oldest Returning Officers have done the same thing. As to