

58. *Mr. Bell.*] At any rate, Dr. Buller was entitled, or any one else, to see the records of this paper?—No; not any one else, unless they could produce authority from some person interested in the matter.

59. Do you recollect, as a matter of fact, if Mr. Studholme was at the Northern Club, or any circumstance of that kind?—I judge by this memorandum that he was there.

60. Have you any independent recollection of it?—No, that is all I know.

61. Was there any communication between you and Mr. Studholme?—None whatever. Only yesterday I found, on looking over the Native Land Court papers, that the registration of the lease and everything connected with this paper was not done by myself—that I did not minute a single letter or anything else previously to the two telegrams.

62. Were there any business relations between you?—I do not find any, as the registration of the lease was done by Mr. Munro.

63. I ask you was there any private business relation between you and Mr. Studholme?—None whatever.

64. Was there any arrangement between you and Mr. Studholme or any one else as to the determination of the Court in this matter? I am obliged to ask you the question?—That question is an insult.

65. I very much regret, but I am obliged to ask the question. However, I will leave the Committee to judge by your reply?—I apologize to you for that remark. My head is not as good as it was two months ago—before I saw this paper.

Hon. Sir R. Stout examined.

66. *Mr. Bell.*] If the Committee will permit me, I will break off the examination, and put a question to Sir Robert Stout, if he does not object?—I do not object to answer any question at any time. I shall be glad to give any information.

67. I wish to ask you whether it was or is intended by this memorandum to infer any act of corruption, or, say, collusion, against the late Chief Judge of the Native Land Court in respect to these blocks?—I make no charge whatever. I think from the documents which I have seen that he has acted improperly in several cases. I do not believe there was any corrupt bargain—if I may use the term—whatever between himself and Mr. Studholme or Dr. Buller; and I never said so. I do not believe so.

68. The word “impropriety” is capable of varied construction. May I ask whether the suggestion is that Mr. Fenton’s conduct as Judge has been illegal?—I believe it has.

69. Or improper?—Well, I do not think he has acted properly, nor legally. I do not wish to jump at conclusions, as Mr. Fenton may have excuses to offer to my satisfaction. For instance, to-day he says Dr. Buller’s statement in the telegram to Mr. Dickey is untrue. I assumed in my memorandum that what Dr. Buller said was true; but Mr. Fenton says it is not true. I have no prejudice or bias in the matter, and if Mr. Fenton can explain other things in the same way, I shall be the first to acknowledge it. He says Dr. Buller stated what was untrue, and I shall believe him, and shall assume that Dr. Buller has wired to the Clerk of the Native Land Court an untruth.

70. Do I understand, with reference to what took place at the Court which sat at Napier for the purpose of a rehearing, that you suggest that there was impropriety on the part of the late Chief Judge?—Well, as you say “impropriety,” I think so; but I do not mean or believe that the Judge has done anything corruptly.

71. Do you mean in law or in morals?—I do not know what you call morals. I do not think he has done anything immoral. I do not think so. I suppose, to put it that way, that a man who acts immorally is one who wilfully does wrong.

72. What I want to know is whether I have to defend the character of a private person—the character of Mr. Fenton. Are the charges in your memorandum against his character?—Again, if you mean in his character as a Judge, I think he did things he ought not to have done. I do not think he was conscious of having acted immorally, as you say, and I never said so. I did not charge him with corruption at all.

*The Chairman:* I think the Committee will have to form their own opinion on the memorandum of Sir Robert Stout, as we cannot take as evidence his interpretation of his own words.

73. *Mr. Stewart.*] I think, if Mr. Bell will allow me, that his question is to this effect: Did Sir Robert think Mr. Fenton had any sinister object in doing what he did?—I understand that Mr. Fenton is here to answer any questions put to him. I do not pretend to know anything beyond these documents. Mr. Fenton has explained one document, for instance, by saying that Dr. Buller has wired to his Chief Clerk what was untrue, and a second document by saying that Mr. Studholme was entitled to the information. I do not agree with that, but it does not matter.

*Mr. Bell:* The point, if I may be permitted to ask it, is upon the question which Mr. Fenton treated as an insult just now. I would not put such a question to him as to a corrupt bargain. There is a suggestion current through the memorandum which seems to show that there was some understanding.

*Mr. Fenton:* I see what Sir Robert Stout means: that I was wrong in my position as Judge as to law, and so on. I do not agree with that, and I am prepared to argue that question—if argument is the proper word—with the Attorney-General.

*Hon. Sir R. Stout:* I do not object to any argument. Will you name a paragraph, Mr. Bell, which shows such an inference as you assume.

74. *Mr. Bell.*] There is one, I think, on page 10: “For what purpose did the Chief Judge require this information? Was it to enable Mr. Studholme, through his solicitor, Dr. Buller, to interview the applicants for a rehearing?”—Well, I would explain that in this way. If you refer to the original document you will find that Mr. Rolleston declined to give information to Mr. Donnelly,