

1404. Mr. Studholme?—Yes.

1405. Nothing in connection with this particular block of land?—No. I have never had any knowledge of this particular block of land. I did not even know the name when I saw in the newspapers that I was in disgrace about it.

1406. Then, you appeared simply as solicitor for the firm in which Mr. Studholme is interested. That is your business since?—Yes.

1407. *The Chairman.*] Do you say you have acted as solicitor for Mr. Studholme lately?—No; I do not say that.

1408. How are you acting for him professionally? In what respect?—I was engaged by Mr. Green, of Messrs. Whitaker and Russell, for the Messrs. Studholme and others.

1409. As solicitor?—Yes.

1410. *Hon. Mr. Bryce.*] Solicitor to the company or firm of which Mr. Studholme was a partner?—Yes.

1411. That was not till last year?—No.

1412. And you retired from the judgeship three or four years ago?—Yes—in 1882. If there is anything else the Committee would like to know I shall be pleased if they will ask me.

1413. *The Chairman.*] Have you anything further you wish to tell the Committee of your own accord?—I understood you to say that Mr. Bell was to do that.

1414. If you have anything further to say we shall be pleased to hear it, but we cannot allow you to comment on the evidence?—I should like to ask the Committee to consider the utterly unworkable character of the Act of 1873. I drew the attention of the Government to it in the early times, and asked that the Act might be repealed or amended at once, because we could not work it without evading it or disregarding its provisions altogether. But Sir Donald McLean seemed to think I was making difficulties in the working of the Act. Upon that I gave up office, or asked for leave of absence for twelve months, intending to give it up altogether if any one else succeeded. Dr. Pollen, who was in office at the time, asked me to go on with it and do the best I could; which meant, I may say, a disregard of a very considerable portion of it. I wrote a letter—which I cannot find—to the Government about two sections, and asked for authority to disregard them altogether.

1415. *Mr. Montgomery.*] Disregard what?—These two sections altogether. I got authority, and promise of an Act of Indemnity; but it is not in writing—at least, I cannot find it.

1416. *Hon. Sir R. Stout.*] That dealt with the plans, did it not?—No; the two sections to which I referred were clauses in which the Judges had to examine all the sellers or the parties to the deed, which, of course, is impossible. They are scattered, in some cases, all over New Zealand. I then withdrew my resignation, and went on trying to make the best I could of it, though there were a great many difficulties to contend with. I would also ask the Committee to consider that the Judges were sitting in the Courts amongst noise and disturbance, people talking, and every description of interruption; so that they must not expect us to be as strict in our observance of law as the Supreme Court, for the thing is quite impossible. In our early days we ran considerable personal risk sometimes. We made the nearest attempt we could to regularity; but these matters, I presume, are known pretty well to the Committee. What concerns me, I confess, in this paper is myself. I have been in the Government since 1851—I think thirty years—in fact, all my life—in many positions; and during the whole of that time there has not been a stain or an imputation cast upon my probity or integrity. I believe I have been looked upon rather as a cynical man. Ministers have not liked me sometimes, because I objected to their interference with me; but I am not aware that anybody till this time has ever suspected me of doing anything that was dishonourable.

1417. I am not aware that I have charged any corrupt action against you, as you seem to imply?—If you can understand me, it is what is left unsaid in your memorandum, more than what is said, that insinuates dishonour. A note of exclamation at the end of a remark is very expressive, and the memorandum abounds in them.

1418. I have already stated that I did not mean to imply so. If you wish it, I shall make a statement to that effect, to go on record with the evidence at the close of the inquiry?—I shall be very grateful to you if you will. My friends were very much distressed in Auckland. This paper has been scattered broadcast through New Zealand, and has formed the subject of many articles highly deprecatory of me. One paper stated, "How are the mighty fallen! Now, for the first time," &c.

*Hon. Sir R. Stout:* I shall make a statement at the end of the inquiry to that effect, so that it shall appear perfectly plain on the papers that I did not mean to imply it in the sense you mean. What I meant to say is this—and I think so still: that I did not think the Natives' title had been properly investigated of these two blocks; that people have been left out in the cold, and have not received justice. And I still think so. But I never meant to imply that as far as Judge Fenton is concerned; and it will be seen that the main charge is nothing with which he has to do. He only comes in at the rehearing. I shall make a full statement, so that it will be bound up with the papers; and it will show that I did not mean to cast a stain upon his character, as he seems to imply. I do not think he acted rightly, but that is a matter for the Committee to consider.

*Hon. Mr. Bryce:* I think it happens to be within my power to show that Sir Robert Stout did not mean to impugn your integrity in any way. This paper had been printed for the information of Ministers previous to its circulation, and a copy was put into Mr. Rolleston's hands and mine. I met Sir Robert on a matter of business in his office, before its general circulation, and we spoke about this. I said to Sir Robert, "I do not believe for one moment that Mr. Fenton has been corrupt;" and he said, "Nor do I. Such a thing as his being corrupt never crossed my mind. I did not mean to make any such assertion at all." This is what took place before the paper was circulated at all.

*Mr. Stewart:* There is no one thought there was an attempt to charge corruption against him. What is suggested is that he was swayed improperly.