

have always endeavoured to do all I can to put everything in the way of solicitors. I refused absolutely, and sometimes against the Public Trustee's wishes, to do anything which is in the least degree complicated in another district. For instance, where there was property to be sold at Nelson, with a difficult title, I have refused to have anything to do with it, but have said "Send it to the local solicitors," and I have written the letter of instructions, and the matter has come out clean and right. I, at a distance, had never seen the property, and know nothing about the surroundings of the matter, and very likely I should have made a bungle of it.

2314. Supposing a similar case happened in the precincts of Wellington, how would you deal with it?—If it led to anything litigious I would refuse to deal with it. I only do what is called *ex parte* work. What I do is probates, orders to administer, petitions to Court. For instance, the other day the office wanted to raise an advance on a child's share in a tolerably valuable estate, and to do that it necessitated getting authority from the Court to mortgage. The Public Trustee wanted me to prepare a petition for a Court order allowing the mortgage. I said "No. If you expect to raise this money through Messrs. Buckley and Co., the office solicitors, you want them to have the petition as well, because it is not etiquette we should do one part and they another. Moreover, as they have the preparing of the mortgage, it is only right the whole matter should be in their own hands and done perfectly." There are a heap of other *ex parte* things I do. For instance, I advise all office leases—that is, all Native reserve leases, and leases of absent-heir lands, what we call seven-year leases, and any leases in any estate of an ordinary kind for which the office charges under regulations; also ordinary conditions of sale. If there is any difficulty of transmission, a clerk in the office will come to me of his own motion. I advise any clerk upon any point of difficulty. If they do not thoroughly understand they will come to me, and say, "I do not know quite how to do this," and I tell them straight away.

2315. Then, looking at your services in a professional way, do you think that a solicitor connected with a staff like that of the Public Trust Office can keep in touch with the advancement of his profession?—No.

2316. Then, you would be apt to get stale?—Yes.\* I cannot afford to buy books. I have my own private books. I am using my own private statutes up to 1886. There is not a law-book in the office for the use of the office—not an atom of law material for the use of the office.

2317. *Mr. Macdonald.*] Have you not the run of the Supreme Court library?—I go there, of course, but if there were half-a-dozen leading books in the office it would be better.

2318. Have you ever represented that state of things to the Public Trustee?—Not officially. It was no use.

2319. Have you represented it privately, so as to arrive at the conclusion that it was no use asking officially?—Not thinking it would be of any avail, I have made no official representation.

2320. *The Chairman.*] Then, if you continue in this office, or in the event of any other solicitor taking your position in the course of time, you or he must become out of touch with the advancement of the profession?—It is both yes and no, because when a man is so well grounded as I am the case is different. I am in a groove, because I have only certain branches of the law to trouble my head about. I do not trouble myself with the internal working of an office like this, but I do with wills and trusts, questions of domicile, &c.; but the great body of the law is not affected.

2321. Have you often to give advice in respect to the realisation of estates in connection with the Public Trust Office?—I could not say I do often; I do occasionally.

2322. Are you aware that officers in the service of the Public Trust have become purchasers of portions of the assets of different estates which the Public Trustee has had intrusted to him to administer?—I never heard of it.

2323. If you had been asked your opinion as to whether it was proper or legal for any of the officials of the Public Trust to become purchasers under such circumstances, what would you have said?—I know now what you are alluding to. I was thinking before of big things. There is no doubt that when personal property has been sent to auction, such as a watch or a thing like that, there may have been purchases made at the auction by officers. I have bought two myself. When you first put the question I only thought of land.

2324. I want your opinion on the principle of the thing, as a lawyer?—The principle of the thing is, it is going close to a danger-line undoubtedly; but I do not know what others have done. I do not hesitate or mind telling you, if it went into print: knowing one day that a silver watch was for sale, the clerk of the auctioneer was told to bid.

2325. For whom?—For myself. On another occasion, a binocular being for sale, he was also asked to bid. I was not present on either occasion. I got them both afterwards. Those are the only two instances I have to mention.

2326. Do you not think this: that officers on the staff of the Public Trust Office are part and parcel of that Trust Office?—I suppose so.

2327. They are part and parcel of the Trust Office, and in the position of trustees?—Well, putting it in the abstract, I dare say they are.

2328. I am speaking now to a lawyer of very long and varied experience. Supposing any of the beneficiaries disputed possession acquired by any of the officers of any articles belonging to an estate which had been in this office, could it be defended?—In a big matter undoubtedly, I suppose, it could not; but in these little matters, where the values are small, and there is no appearance of anybody, I should be very much surprised if any question could possibly arise. When sales are made of such things as I have spoken of they are in intestate estates, where the property has been kept for a good many months, and the beneficiaries are not in the colony.

2329. That is the supposition perhaps. Am I to gather from your opinion that because those portions of estates were comparatively small, the law would say that, although the principle was wrong, the amount and value involved was small, and therefore it would be tolerated?—Tolerated is another matter.