

opinion of the Hon. Mr. Stevens had the effect of making you very cross, because, as I gather, it cut direct against the intrigue originated by the Hon. Mr. Hislop and the Hon. Mr. Fergus to oust me from the Ministry. You had not the courtesy or the honour to allow me to see the Hon. Mr. Stevens's opinion. I then went to Auckland to discuss the matter with Sir Frederick Whitaker. When Sir Frederick had decided upon the form of his opinion he read it to me in his office. It was to the effect that the Commissioner of Customs had acted wrongly in many ways; but it concluded with a paragraph couched in general terms, the purport of which was this: that the Commissioner had not acted corruptly or in a manner deserving of condemnation. That I believe to be its purport. And as to the matters in regard to which, in Sir Frederick's opinion, I had acted wrongly, a minute was added by Sir Frederick to the effect that I was to have the right to explain those matters to the Premier upon my arrival in Wellington. Again I say that, as a matter of honour, that opinion should have been submitted to me upon my arrival in Wellington, in accordance with Sir Frederick Whitaker's desire, so that I might explain the points upon which explanation was required; but, as in the case of the Hon. Mr. Stevens's opinion, it was withheld from me. This was quite of a piece with your discussions of the general subject in Cabinet in my absence. I am assured that had the matter been discussed in full Cabinet, and in my presence, a different result would finally have been arrived at; but it was frequently and principally discussed with none present but yourself, the Hon. Mr. Hislop, and the Hon. Mr. Fergus; and the hostility and the unfairness of these two gentlemen towards me is now very well and generally understood. It is true I said I would not again meet the Hon. Mr. Hislop to discuss the particular brewery case; but when it came to discussing my honour and my position in the Ministry, I had every right to claim to be present to protect myself against the influence of that malignant spirit which had manifested itself in such a wanton and cruel manner in the cases respectively of Mr. Justice Ward and Mr. C. Y. O'Connor. I knew that, as had been the manner of their treatment behind their back, so, in the case of such colleagues, would be their treatment of me behind my back.

I, too, wish to make a short recapitulation of the facts connected with the Junction Brewery cases. The sequence of my instructions was this: On the 7th December I sent a telegram to Mr. McKellar, Secretary of Customs, asking him to stay proceedings in Gilmer's case until my return to Wellington. On the 10th December, as a result of a communication from the Hon. Mr. Hislop, I again wired to Mr. McKellar, "Refer Gilmer's matter to Hon. Mr. Hislop." On the 12th December the Hon. Mr. Hislop ordered the prosecutions to proceed. On the 14th, on my arrival in Wellington, I saw Mr. Bell at his office, when he mentioned to me a small case against Staples's Brewery for not entering four or five sacks of malt, which it was proposed not to go on with. This case is quite distinct from the larger Staples's case, which was settled by Mr. Glasgow on the 21st September. I said that all cases must go on. I then returned to my own office, and gave Mr. McKellar instructions to proceed in all cases. Mr. McKellar, in his telegram to me of the 14th December, confirms this. As to my first interview with Mr. Bell at his office on the 14th December, Mr. Bell, in his letter to you of the 10th April, says, "I think Mr. Fisher did say that he would not care as 'long as all were dealt with alike.'" But he says that was not an "instruction" by the Commissioner of Customs. I do not attach any importance to this refinement of language. For me it is sufficient that Mr. Bell says I wished all to be dealt with alike. On the 17th December I saw Mr. Bell at his private house in connection with a pending action against me in the Supreme Court, Dunedin. I had been to Mr. Bell's house on the same matter on two or three previous Sundays. It was the only day I had free to attend to my own private business. On this particular occasion the Junction Brewery matter was incidentally mentioned; but what the terrible secret is that Mr. Bell possesses I do not know. I said that Mr. Gilmer was an honourable and a kindly man—I say so everywhere and always; and I was sorry he was in any trouble, because he was a man who constantly assisted in cases of distress in the town. He and I had been brought together in assisting in many such cases. I think I mentioned that I considered he was being persecuted by Mr. McCarthy, for the papers in the case showed this; but whether I said so or not I thought so, as still do numbers of other people in the City of Wellington. Mr. Bell is again correct when, in his letter to you, he says that "there was no reason why the cases against the Junction Brewery should not be delayed until the others had been dealt with. There really was no reason in the world why they should not be delayed; but the 'secrecy,' and the 'mystery,' and the 'concealment,' is certainly at this moment a very great mystery to me. The natural inference to be drawn from language employed in this mystic and suggestive form is that I made some corrupt and improper proposal to Mr. Bell, and that Mr. Bell, consenting to act in concert with me in the carrying-out of this corrupt and improper proposal, swerved from the strict line of his official duty as Crown Solicitor. If that is not what is meant, then language ceases to have any meaning. This is Mr. Bell's letter, written as the result of our incidental conversation:—

"Sir,—

"Wellington, 18th December, 1888.

"I think it may be as well to proceed with the informations against Hamilton and Edmonds at present, and to lay no information against the others complained of till after the cases have been decided on Friday. I shall therefore delay further informations unless you instruct me to the contrary.

"I have, &c.,

"The Collector of Customs, Wellington."

"H. D. BELL, Crown Solicitor.

The letter is simple enough. To my mind it reveals no trace of any motive upon which can be founded any unworthy imputation. Delays took place, but Mr. Bell himself, in his letter to you of the 10th April, furnishes this explanation of the cause of delay: "At that time it was supposed that these cases would be dealt with in the course of a week at most; but the engagements of the Magistrate and of counsel were afterwards found to be so constant on other matters, and the evidence was so protracted, that unexpected delays occurred." This mystery, indeed, resembles "that unpleasant feeling which was created in the minds of several members of the Cabinet," who