

it was under discussion, and before it was finally settled. I considered that the opinion I got was in favour of the view I had taken of interpreting the Acts.

305. That the Government were acting legally in their dealing with these sinking funds?—I never asked him that. I cannot say that Sir Robert Stout understood at all why I was asking him. The question I asked Sir Robert Stout was about the general principle of interpreting Acts of Parliament.

306. *Mr. Tanner.*] A question in the abstract, and not in connection with any particular case?—Yes.

307. *Hon. Mr. Ward.*] Did you have any conversation with Sir Robert Stout on the matter?—I think not.

308. If Sir Robert Stout said you had, he would be mistaken?—I cannot say that; I cannot recollect any conversation.

309. In asking an opinion of this sort in the abstract, would you not allude to a particular Act bearing on the sinking funds?—I cannot say. I have a very indistinct recollection of what I said in that note, so much so that I have only an indistinct recollection of having written at all.

310. *Hon. Mr. Seddon.*] Have you a copy of that note?—Oh, no; it was only a private note. I do not know whether he ever wrote a reply. I know the whole question in my mind at that time was the discussion between myself and my colleague as to whether we had any right to take what Parliament intended, or to take the Acts as they stood.

311. *Hon. Mr. Ward.*] That would be in April?—It was at the time the opinion was given to the Treasury.

312. *Hon. Mr. Seddon.*] Had you taken Sir Robert Stout's opinion about the same time on anything else?—Not that I know of.

313. If the answer was in writing, do you think you could find it?—I am sure I could not find it.

314. You said you could tell the date you sent the letter from the records?—No; only I could tell from the records about the time the matter was under discussion.

315. But, from your recollection, it would be before you finally gave your certificate?—Yes; only a short time before.

316. Whether the reply was in writing or by conversation, it convinced you that your view was correct?—It confirmed my opinion as to the interpretation of Acts of Parliament—as to the principle of interpreting Acts of Parliament.

317. You have never requested Sir Robert Stout to act for you in this matter or anything else?—No; I merely consulted him as a friend.

318. It has been stated here that about this time things were not going very smoothly with the Treasury in respect to scrip, promissory notes, I.O.U.s: does that refresh your memory?—I do not know what you mean.

319. Was there any friction between the Audit Department and the Treasury about giving scrip, promissory notes, and I.O.U.s?—I do not know to what you allude.

320. Do you remember issuing a precept?—Yes, perfectly well. That had nothing to do with scrip or I.O.U.s. It had entirely to do with my asking the Secretary of the Treasury to bring certain documents to my office, which he declined to do.

321. Did you ask Sir Robert Stout to appear for you in respect to that question?—Yes, I did.

322. Why did you say you had never asked him at any time?—You are referring to an entirely different subject now.

323. I asked you whether you had asked Sir Robert Stout to appear for you at any time as counsel, and you said "No."—I thought you were referring to the other point.

324. There was at this time friction between the Treasury and yourself?—Not on the subject under consideration.

325. Was there any friction at that time?—It depends on what you call friction.

326. Were the two things concurrent?—I do not think they were.

327. If you refresh yourself from the papers would you say positively it was not so?—I say positively and distinctly that any question as to friction had nothing whatever to do with my giving an opinion on the question before the Committee. I do not think what you refer to occurred at the same time, and it had nothing to do with it, and did not influence my mind one way or the other.

328. Quite the reverse, that your opinion being with the Treasury would be proof to the contrary, would it not?—No, I do not think so. I am quite capable of giving an unbiassed opinion in favour of a person on one point and against him on another.

329. You have not mentioned this question of sinking funds to Sir Robert Stout?—I do not think I have. I have no recollection of ever having mentioned it.

330. You state decidedly that you never mentioned anything to Sir Robert Stout with respect to this £145,000?—I have no recollection of anything passing between Sir Robert Stout and myself with respect to this subject, with the exception of the one question of the interpretation of the statutes.

331. You do not know whether the answer was in writing or was oral?—I do not remember.

332. You have no record of it?—No.

333. You did get a reply?—Yes; I got a reply of some kind.

334. Whatever it was, it strengthened your conviction that you were acting in accordance with the law?—That the Acts of Parliament were to be so interpreted.

335. And on that you acted?—On that I gave my opinion. I want it to be clearly understood that the whole question between me and my colleague was simply whether we were to take the Acts as they stood, or whether we were to infer what was the intention of Parliament on a certain subject from the general tenor.

336. And you are still of opinion that what was done was done within the law?—Yes; I am of