

is that there is as to this question but little oral evidence to be given, and therefore a smaller consumption of time and expense is involved, while the same relative advantages which I indicated a little while ago will be achieved. As to the other particulars, I would say, without absolutely deciding, that the notice at present seems to me to have regard to the seizure. There are certain general words in the notice which, however, I am inclined to say also have regard to the seizure. I expressed the opinion the other day that it would be very unfortunate if these other matters were not disposed of; and I venture to ask both sides, those on behalf of the Crown, to consider whether they should not treat these questions in the arbitration as if they had been covered by the notice, as they would have been if it had been a little larger; and to ask the company to consider whether they will press the claim that this should be dealt with in case the Crown persists, as it has a right to do, in declining. After an intimation I will reconsider the question. In the meantime I have to deal with two points as to the particulars which have been furnished. First, the suggestion of Sir Robert Stout on behalf of the Crown that the particulars in the first two paragraphs are entirely too vague. That is quite true, as it was with reference to the like particulars on the first reference. I understand that counsel for the company has attempted to remedy that vagueness in his opening speech. If on consideration the Crown thinks a written communication of particulars in some respects is required—and in some respects it was promised—I shall be glad to receive an application on the matter, but would suggest that they take care that early steps are taken, so that there may be no difficulty on the ground of surprise. In general, with reference to both matters, I would suggest, without presuming to make any order, for the consideration of counsel, whether it would not conduce to the expeditious treatment of the subject that copies of all official documents, which are to be tendered in evidence, should be handed to me, marked blue and red for the Crown and the company. I understand these official documents are bulky, and if I have the opportunity in moments of leisure I shall be able to study them, and shall be the better able to appreciate the arguments as to their admissibility and contents than if they were thrown down before me at the moment. That, however, is for the counsel to consider on both sides, and I submit the suggestion to them. I undertook with extreme reluctance the additional burden of this second umpirage, and only did so because the arbitrators pressed it upon me, because of the probable length of the proceedings. I am afraid, therefore, that I shall have to ask you, gentlemen, to sit long hours, and to take care that there is no delay on account of the absence of witnesses. I am sure you will recognise the spirit in which I make this remark. I do not want to unduly press anything, but, so far as your proceedings are concerned, I hope you will conduct the business with as much despatch as is consistent with the attainment of justice.

Mr. Hutchison: I shall endeavour to give effect to your suggestion, Sir.

Sir R. Stout: As to the first point suggested, the Crown would like until Monday. As to the second point, we have all the correspondence relating to the new contract, or modification, from 1892 up to the present day, and I think we could get the other correspondence put into shape by Monday.

Hon. E. BLAKE: I observed by the papers for the first time yesterday that there are certain other points stated in the original notice for the second reference which do not appear in the company's particulars, and I assume that you limit yourselves. There are suggestions on points on which you have probably not come to a difference.

Sir R. Stout: If the arbitration comes to the conclusion that we have wrongly seized, an order will be made to that effect.

Hon. E. BLAKE: Quite so. I shall now call upon counsel to lead evidence.

MINUTES OF EVIDENCE.

ROBERT WILSON sworn and examined.

1. *Mr. Hutchison*: Your name is Robert Wilson?—Yes.
2. What are you?—An engineer.
3. You have certain qualifications?—I am a Fellow of the Royal Society of Edinburgh; a Member of the Institute of Civil Engineers, London; a Member of the Institute of Mechanical Engineers, London; and a Fellow of the Royal Geographical Society.
4. And your present official position in the company is?—Engineer-in-chief and general manager.
5. When did you first enter the service of the company?—In 1886.
6. Before that, what position did you hold?—I was joint consulting engineer for the New Zealand Government in London, and, of course, had other work there.
7. While joint consulting engineer in London, was any matter referred to you in connection with the colony?—When the delegates of the company—the syndicate which came from New Zealand to London to raise a company—arrived, the Agent-General requested me to give them every assistance I possibly could.
8. Who was then Agent-General?—Sir Francis Dillon Bell.
9. And you met the delegates, and conferred with them?—Yes; I advised them in many things—on many questions dealing with finance.
10. Passing over that time, did you come to be engineer-in-chief to the company which had been formed?—Yes.