

2. At the hearing Mr M. Myers appeared as counsel for Mr. Hine, and Mr. C. P Skerrett, K.C., with Mr Sharp, appeared for Mr Symes.

3. The evidence taken at length shows :—

- (a.) That Mr. Symes was in the year 1905 member for Patea in the House of Representatives, and ceased to be a member in the year 1908.
- (b.) That before and in the year 1905 he carried on the business of a land and commission agent.
- (c.) That in the year 1903 Mr. Alfred Bayly offered to the Land Purchase Board through Mr Arndt, a land agent at Stratford (since deceased), to sell his property at Toko to the Government.
- (d.) That Mr Symes, at the request of a number of settlers, forwarded a petition to the late Right Hon. Mr. Seddon, then Minister in charge of the Land Purchase Department, with a letter (set out in the evidence) urging the acquisition of the property by the Government for closer settlement.
- (e.) That Mr Symes, at the request of the members of the Land Purchase Board, accompanied them on the visit of inspection to the property, but did not discuss with these members the value of the property
- (f.) That Mr Symes did not attempt to influence any member of the Land Purchase Board to purchase the land in question, nor did he discuss the price at which it should be acquired either with the late Right Hon. Mr Seddon or with any other Minister, nor did Mr. Symes interfere in the transaction otherwise than by forwarding the petition to the Minister
- (g.) That the sale was conducted through the Land Purchase Board strictly in accordance with the provisions of the Land for Settlements Act and not through any Minister of the Crown, and no influence or pressure of any kind was brought or attempted to be brought by anyone upon the members of that Board.
- (h.) That after the purchase of the property by the Government Mr. Alfred Bayly voluntarily gave as a gift to Mr. Symes a promissory note for the sum of £300, which was duly paid at maturity
- (i.) That this payment was made ostensibly as a contribution towards Mr Symes's expenses at the election then next ensuing. It must, in fact, have been paid by Mr. Bayly in the belief that Mr. Symes had in some way advanced the interests of Mr Bayly in respect of the purchase by the Land Purchase Board of his property

FINDING.

3. The Committee, although satisfied that Mr. Symes did not influence the sale in question, is of opinion that it was improper in the circumstances for him, being a member of Parliament, to accept the gift of £300 from Mr Bayly

SECOND CHARGE.

5. The second charge against Mr. Symes is as follows :—

“That the said Walter Symes, in or about the year 1906, and again in 1908, while a member of Parliament, charged and received from a number of West Coast lessees of Native lands commissions or sums of money for preparing and conducting petitions in Parliament on their behalf.”

6. The same counsel appeared for the respective parties as on the first charge.

7 The evidence, so far as it is material, shows :—

- (a.) In 1905, Mr Symes was member for Patea in the House of Representatives, and ceased to be a member in 1908.
- (b.) In the session of 1905 he presented a petition to Parliament from the main body of the lessees of West Coast Native lands praying for a refund from the Government of certain arbitration fees.
- (c.) These fees had been paid by the lessees in question under an abortive arbitration.
- (d.) The failure of this arbitration was due to certain regulations made by the Government having been declared invalid by the Court of Appeal.
- (e.) On the 14th September, 1905, the Parliamentary Petitions Committee reported adversely upon the above-mentioned petition, and thereupon, upon the motion of Mr Symes, the report was referred back to the Committee for further consideration.
- (f.) Upon reconsideration by the Committee further evidence was adduced, and on the 12th October 1905, the Committee reported the petition to Parliament for favourable consideration, and Parliament adopted this report.
- (g.) The Government thereupon placed upon the estimates a sum of £2,000 to provide for a refund of the arbitration fees which had been paid by the petitioners.
- (h.) That the recommendation of the Committee and the appropriation by Parliament in this matter were just and proper, as has not been disputed.
- (i.) On the 3rd October 1906, Mr Symes presented a petition to Parliament on behalf of Mr George Hutchison, one of the lessees in question, praying for a refund of the arbitration fees paid by him, amounting to £134 15s., and also a sum of £125 for costs which he alleged he had incurred in litigating the question of the validity of the regulations in the Court of Appeal.