

- (j.) On the 22nd October, 1906, the Public Petitions Committee reported this petition to the Government for favourable consideration, and that report was adopted by Parliament
- (k.) On the 10th October, 1906, Mr Symes presented a petition by Mr. F V Lysaght and three other lessees praying for a refund of the arbitration fees paid by them, and upon this petition also a favourable report was adopted by Parliament.
- (l.) The reports and refunds made in connection with the last two mentioned petitions were just and proper, as has not been disputed.
- (m.) There was no arrangement, express or otherwise, between Mr Symes and all, or any, of the petitioners that he should receive any sum of money or other reward from the petitioners for presenting these petitions, or for promoting them before the Public Petitions Committee.
- (n.) After the recommendation of the Committee in favour of the petitioners had been adopted by Parliament, and after the Government had decided to make the refunds recommended, Mr. Symes received from such of the petitioners as were not constituents of his a commission of 5 per cent. upon the amount of their respective refunds (such commissions amounting in all to a sum of about a hundred pounds) Mr Symes stated that these commissions were received by him as a commission agent for the work of putting the claims of the petitioners in form, and for obtaining and supplying the necessary proofs of payment of the arbitration fees, the refund of which was claimed by them.
- (o.) In connection with the petition of Mr. Hutchison, Mr. Symes was not requested to act in collecting the amount recommended by the Petitions Committee until the 3rd day of May, 1907, long subsequent to the recommendation of the Committee in favour of this petition.
- (p.) Mr Symes formally applied by letter on Mr. Hutchison's behalf for payment of the above sum of £134 15s. and also for payment of the above sum of £125, both having been recommended by the Public Petitions Committee.
- (q.) The Government refunded direct to Mr. Hutchison's agent, Mr Haddow, the sum of £134 15s., representing the arbitration fees in question, but declined to refund the other sum of £125 claimed for costs.
- (r.) Mr. Symes received from Mr Hutchison's agent, Mr Haddow, for collecting the above-mentioned sum of £134 15s., a 5-per-cent. commission, amounting to £6 15s.

FINDING.

8. Although Mr. Symes may have considered that he was entitled to charge a commission for his services in connection with the collection of moneys voted by Parliament, nevertheless the Committee is of opinion that the services in respect of which he received such commission were so closely connected with the duties of a member of Parliament as to render the acceptance of any payment or reward therefor improper

THIRD CHARGE.

9. The third charge against Mr Symes is as follows :—

“That the said Walter Symes, in the year 1905, while a parliamentary election was presently in prospect, in which the said Walter Symes intended to become, and subsequently became, a candidate, and being then actually a member of Parliament, did threaten or cause to be threatened a certain newspaper that he would use his influence as a member of Parliament to prevent Government advertisements from being given to the said newspaper unless he received the support of, or was treated to his own satisfaction by, the said newspaper during the said election contest.”

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

11. The material portions of the evidence are as follow :—

- (a.) The Stratford Publishing Company purchased two newspapers circulating in and around Stratford, known as the *Stratford Post* and the *Egmont Settler*. These newspapers, upon their purchase, ceased to exist, and the publishing company commenced a new paper called the *Stratford Evening Post*.
- (b.) Of the two extinct newspapers the *Egmont Settler* alone was included in the departmental list for Government advertisements, and upon that paper ceasing to exist its name was struck off the list.
- (c.) In the month of September, 1905, the directors of the *Stratford Evening Post* asked one of their number, Mr McCluggage, J.P., who was on friendly terms with, and a political supporter of, Mr Symes, to privately use his influence with Mr. Symes to induce the latter to procure that the name of the said newspaper should be placed on the list. Mr McCluggage agreed, and thereupon wrote a letter to Mr. Symes asking him to do this.
- (d.) Mr. Symes, on the 4th October, 1905, in reply, wrote a letter which is set out in the evidence, and Mr. McCluggage, on receipt of this letter, forwarded it to the secretary of the company