

- (3.) 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
- (4.) 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.
- (5.) That Thomas Kennedy Macdonald, in or about the year 1904 and subsequent years, while a member of the Legislative Council, either alone or in conjunction with his then partner, a land agent, conducted the sale to the Government of the property of one John Motley Leigh, at Nainai, and the properties of other persons, and received from the said John Motley Leigh and the vendors of such other properties commissions or other sums of money; or, alternatively, the said Thomas Kennedy Macdonald and his said partner received the said commissions or other sums and divided the same.
- (6.) That Henare Kaihau, in or about the year 1906, while a member of Parliament, conducted the sale to the Government of a portion of the Te Akau Block, and received from the vendors a commission or other sum of money

*The Chairman* Those are all the charges you have?

*Mr Hine* I have another, which I am not quite prepared to lay before the Committee. The evidence is not quite enough to substantiate a charge being made. But I suppose that, under the order of reference, during any period of the sitting of this Committee I shall be able to formulate a charge.

*The Chairman*: Have you any other charges besides that you are referring to now?

*Mr Hine* No.

*The Chairman*: You have only one, and that is of an abstract nature?

*Mr Hine*: Yes.

*The Chairman* These constitute all the charges you have to make, or have in your mind, against members of Parliament.

*Mr Hine*: Those are all at present.

*The Chairman*: Do you wish to add anything to what you have said?

*Mr Hine*: No, only that I may have the assistance of my counsel.

*The Chairman* What charges would you like to have inquired into first?

*Mr Hine*: I would not like to state until I see my adviser

*The Chairman* (to the Committee): You have heard the charges formulated in accordance with the request made by this Committee to Mr Hine it is for you to say whether we shall now proceed to-day with the question of considering whether counsel shall be allowed to appear, and also as to whether we shall proceed to hear the evidence that Mr Hine may wish to bring forward.

*Mr Massey* I think the understanding was that after the charges were formulated Mr Hine should have the assistance of counsel, and I move accordingly

*Right Hon. Sir J G Ward* I have a motion to move before that. I think, in view of the fact that Mr Hine has now given the names and cases which I was very anxious to obtain in the House, and where I stated I was prepared to have a public inquiry made if those names were given, I am of opinion that it would be far better, now that the Committee has been set up and has obtained the names, to refer this matter to two Judges of the Supreme Court. I might say that it has been in my mind all along, the moment we got these charges, to ask that this matter should be investigated by a Royal Commission or be referred to two Judges of the Supreme Court. I want to take that course because, while I believe that members of the House under such circumstances are the right body for a Select Committee to inquire into charges made by members of Parliament against fellow-members, still, I recognize that it may be open to the imputation that a Committee, in cases like that now on record, consisting of members of Parliament, may not go independently into the matter, and may not give an unprejudiced report. While I am of opinion that members of the House are the right body to consider and to report on charges made against their fellow-members, I would personally rather have two Judges of the Supreme Court appointed to investigate the charges. I would like to move, now that the names and cases have been submitted by Mr Hine, that the Committee recommend to the House that the charges be referred to a Royal Commission, consisting of two Judges of the Supreme Court, to investigate and report on. That removes the possibility of doubt on any question as to legal gentlemen being represented, because there they would be fully entitled to be present. I am of opinion that that is the best course to follow, and, in addition to that, I am personally anxious to see this business concluded before the end of the session, and I have some doubt as to this Committee being able to finish its proceedings before the end of the session. Mr Hine has asked for counsel to appear for him, and other persons interested may ask for the same privilege, and the procedure would be very long, and it seems to me that we should not get that finality which it is desirable we should get. I think it is right, therefore, that we should report to the House, and ask it to decide that a Royal Commission, consisting of two Judges of the Supreme Court, should be appointed to investigate and report on the charges.

*The Chairman*: I would call your attention, gentlemen, to the fact that the members of the Press are present while we are deliberating.