

*Hansard*—a series of extracts dissociated from their context. The first question which I have now to submit to the Committee is the question whether these charges are formulated or not.

*The Chairman.*—The order of reference includes the whole of the speech made by the honourable member for Waitotara, so that we have no power and no desire to limit it to anything less than that. I do not know what words he thinks it necessary to include so as to formulate the charges made.

*Mr. Hutchison.*—I submit the formulated charges for your consideration, Sir. Certain words or phrases might be altered, but the charges are as I have handed them to the Committee. I do not say that the words are in every instance as precise as they might be, but you are not to take the adjectives and verbs in a long speech and string them together as the particular charges. I submit it is for the Committee to condense the matter and put it into concrete form, but not to restrict my language.

*Mr. Seddon.*—Is it usual for the accused to make his own indictment, or is he simply at liberty to answer the indictment which is brought against him?

*Hon. Mr. Hislop.*—I apprehend the charge here would be similar to that of a libel suit, when the manner of proceeding is this: those who complain that certain words are used concerning them, which words constitute the libel, put in those words, and then the party who undertakes to justify those words is bound to justify them word by word. That is the duty imposed on the defendant, who in this case is the member for Waitotara.

*Mr. Hutchison.*—I am not the defendant, I am the plaintiff rather.

*Hon. Mr. Hislop.*—We maintain that it is the duty of the honourable member to do what the defendant would be called on to do in a suit for libel, to plead the truth of what he has stated. Mr. Hutchison ought to be required, as he would be in a libel suit, to take his statements one by one, and prove them to the Committee. He would certainly in such proceedings in a Court of law be required to prove his statements one by one; so that we do not ask for anything more here than what would be required in a libel proceeding. We state that we have been libelled, and we ask that the Committee should take the charges specifically one by one. We do not object to the whole of the speech being taken, provided the statements it contains are inquired into specifically and determined as to their truth or falsity.

*Mr. Seddon.*—The extracts set out by the Government:—They say that we have no right to inquire into the personal matters until the public matters are proved. I want to know where is the authority to say that we have no right to go into that question?

*Hon. Mr. Hislop.*—I say that we only suggest that the Committee should be careful to consider what is to be done in this case, for it will form a precedent for the future. The reason is, I would suggest, that it will be very inconvenient if, in the future, any member of the House should, for the purpose of throwing discredit on another member and on the House, mix up personal with public matters which he is not able to prove. I do not wish to urge this matter further on the Committee, because the Committee can guard the privileges of the House as well as I can. We leave ourselves in the hands of the Committee. If the Committee decide that any particular matter contained in the speech should be gone into, the Government will unhesitatingly give such information as the Committee desires.

*The Chairman.*—I would ask the member for Waitotara whether he has any further observation to make.

*Mr. Hutchison.*—I submit that there is no such analogy as the Hon. the Minister for Education sought to set up. It would be an unprecedented thing to say that a plaintiff should be restricted as to how he should bring forward the case that he has to open to the Court. The plaintiff can open it in his own way, and call evidence on such points as he thinks material. It is for the Court to say afterwards whether the evidence covers the charges contained in the libel. I had not heard what extracts were considered by the Minister as containing the charges until they were just now read from this table. My position here now is that I have followed the desire of the Committee and formulated the charges I made against the Government. If the Committee say that they will not accept my formula, then I claim an opportunity of considering these other matters as suggested by the Ministry.

WEDNESDAY, 23RD JULY, 1890. (Mr. WITHEY, Chairman.)

[Mr. H. D. Bell and Mr. Stafford in attendance.]

*The Chairman* (addressing Mr. Bell).—The Committee have decided to ask you to state the ground on which you desire to appear for the Bank of New Zealand. I may say that the Committee has not yet decided its mode of procedure, and so far we have not considered that the Bank of New Zealand was before us. We wish to hear you on the matters which have been raised by Mr. Hutchison, and, first of all, on the ground on which you wish to appear for the Bank of New Zealand.

*Mr. Bell.*—I am prepared to adopt the position you suggest—that the Bank of New Zealand is not before you. I ask that I may now be heard with regard to the summons which you have caused to be served upon the bank's officers, requiring it to produce certain documents. It is with regard to that summons that I request to be heard. Adopting the position which you suggest—that the bank is not before you, or is no party to these proceedings—with the permission of the Committee, I will read first the telegraphic summons.

*The Chairman.*—The Committee are anxious that you should tell us distinctly, in the words of our resolution, why you wish to appear for the Bank of New Zealand. This motion was passed: "That Mr. Bell be allowed to appear and state to the Committee on what ground he desires to appear for the Bank of New Zealand." We are not proposing to go into the merits of any question, because we have not begun to take evidence yet.

*Mr. Bell.*—I was going to state, bowing to your decision, that the bank is not before the Com-