

*Mr. Bell.*—I was not aware of that.

*Dr. Fitchett.*—That is the practice.

*Mr. Bell.*—I am speaking from the telegrams. The telegrams state that that would be the effect; it is not an exaggeration of the matter on my part.

*Dr. Fitchett.*—I want to know whether or not the bank's business would be stopped supposing we asked for no books for the current half-year.

*Mr. Bell.*—I will answer that question to-morrow. I will make inquiry and ascertain.

*The Chairman.*—The Committee yesterday sent a telegram to the bank trying to get, if possible, the books that have been disposed of having entries made in them. We have not a clear reply from the president of the bank upon that point.

*Mr. Bell.*—I trust the Committee will insure them for it. I wish the Committee to bear in mind that there has been a protest made against the disclosure of private matters. I wish to say that neither my learned friend Mr. Stafford, nor myself, has had any communication with the Government upon this matter, or with the members whose accounts were referred to, and I am not aware, and have no means of knowing, what course those gentlemen desire to take in regard to this matter. It now appears that some letter on this head has been addressed by Mr. Hislop to the Committee, and, from my making a speech to-day which raises this question, it might appear that there is some collusion between the bank and the Government upon that point. I beg to say that I was unaware that any such letter was written, and have no means of knowing what course those gentlemen desire to take.

*Mr. Hutchison.*—I wish it to appear on the minutes that, on the Chairman suggesting that the range of the private accounts might be further curtailed, I assented to a shorter date than the 1st July, 1890, being inserted—namely, the 31st March. I am desirous of facilitating the business of the bank, and not to inconvenience it in any way.

*The Chairman.*—That is so. You have twice abated your requisition.

*Hon. Mr. Larnach.*—I think, Mr. Bell, you mentioned in your remarks that one strong objection on the part of the bank to bringing their books was the liability of having them pried over or looked through. Is it not usual, or did you never know of cases, where a bank, when ordered to produce books, has not found it necessary to send an officer with those books to point to the particular account in which evidence has to be taken?

*Mr. Bell.*—Yes, always.

*Hon. Mr. Larnach.*—Therefore, if the bank's officer leaves those books out of his control after the evidence has been taken, the responsibility is with the bank.

*Mr. Bell.*—I should think so. No bank has ever been asked to leave any bank-books either before a Court or arbitrator where evidence was being taken without the custody of an officer. My experience has been, and I dare say Dr. Fitchett will bear me out, and I dare say Mr. Hutchison will also bear me out, that whenever a bank's books are produced in Court, by any necessity, the Judge and the lawyers have agreed that the books shall be kept away from the Court so that they shall go back to the officer, and accordingly copies are made and exhibited as the exhibits. I think that has been done in every case in this district within my experience. I never knew a case of a lawyer insisting, as he might insist, that the original exhibit should be kept until judgment was delivered.

*Hon. Mr. Larnach.*—The invariable practice is that, where a bank-book or ledger is required to be produced, it is accompanied by an officer of the bank, who may be a witness, and give evidence on that book. The book is never out of his custody unless through his own carelessness, for which he is responsible.

*Mr. Bell.*—The book itself is very often referred to. Erasures might be referred to, and certain entries with regard to bills—the question whether a bill was a bill under collection or discount. But every care is taken that the book shall not remain where any one can see it except the particular page which is under inspection.

*Hon. Mr. Larnach.*—Therefore, that objection of the bank really falls to the ground, because, after all, unless through the carelessness of the bank's officer, there is no one likely to see anything except the evidence.

*Mr. Bell.*—The conclusion that you suggest does not seem to me to follow. Is not somebody going to look into the books of the bank to see what is in them?

*Hon. Mr. Larnach.*—I beg your pardon; that is not true. There are before the Committee certain charges, and the Committee are not going to look into the bank's books to get information with reference to anybody or everybody.

*Mr. Bell.*—I understand Mr. Hutchison wishes to look at the books to see what evidence he has in support of his charges.

*Mr. Hutchison.*—No, only in respect of certain charges; not to go through the pages.

*Hon. Mr. Larnach.*—Did you ever know it to be necessary for a bank, if ordered to produce books, to get the customers' consent?

*Mr. Bell.*—No, of course.

*Hon. Mr. Larnach.*—You made it a point that the bank could not do so and so without the customers' consent.

*Mr. Bell.*—In the case of a Court.

*Dr. Fitchett.*—You ask the Committee to be guided by the Bankers Act in one respect and not in another. Could a banker not be called upon to produce the accounts without the consent of the customer under the Bankers Act?

*Mr. Bell.*—He could not be called upon to produce the original books at all.

*Dr. Fitchett.*—Would the consent of the customer be necessary if ordered by the Judge?

*Mr. Bell.*—It is not necessary under the Bankers Act. The question was discussed in the case of an election petition against my learned friend Mr. Hutchison. I think he was heard on the question as to whether we should look into it.