

*Mr. Bell.*—If the letters are to be put into the hands of any person or persons for the purpose of examining any person's private account, then, it appears to me and to my clients, there would be committed a breach of the obligation of secrecy which law, honour, and custom impose on this institution; but, if I understand the Hon. Mr. Larnach, he means that no person besides the officer of the bank should be permitted to handle or inspect the books.

*The Chairman.*—That would, no doubt, be a point for deliberation.

*Mr. Hutchison.*—That would not satisfy me, to be obliged to accept the dictum of a clerk referring to a certain page and refusing to let me see the contents.

*The Chairman.*—As you have ascertained that the current ledgers for the year are from the 1st April, would the concession which Mr. Hutchison made in the form of his requisition be any material help, and remove some of the objections you raised before us yesterday?

*Dr. Fitchett.*—All the bank-books.

*Mr. Bell.*—That does not apply to letter-books. I made an investigation yesterday of the kind of books outside the ledger.

*Dr. Fitchett.*—There are discount-ledgers, balance-ledgers, weekly-balance ledgers: It applies to nothing but the press copy-book.

*Mr. Ballance.*—I can quite understand why Mr. Hutchison should not be satisfied with the evidence of a clerk who comes to give evidence of reference to a particular page in the ledger, without allowing him to see the entries; the first ground of objection you have reduced, Mr. Bell, but you have only reduced it; you have not removed it.

*Mr. Bell.*—I agree with what Mr. Larnach suggested, that was why I made the statement; but it also appeared to me that what Mr. Larnach has suggested would not cover the whole of the ground that was required by the summons. It appeared to me that it would not satisfy any one that wanted to examine the evidence; it appeared to me, therefore, that Mr. Larnach was simply pursuing a course which would land us in the position to which we first objected when we came here.

*Dr. Fitchett.*—I understood Mr. Larnach to say that the account under investigation would be open for examination, although the books should remain in the hands of the bank clerk.

*Hon. Mr. Larnach.*—I have seen many of these cases. I do not think it necessary, for Mr. Hutchison's purpose, to have any other examination than that the clerk should attend with the book or ledger required, and be examined as to anything in the book that was necessary, unless you are to suppose that the bank has falsified its books.

*Hon. Mr. Ballance.*—But you do not mean that the Committee should be excluded from examining the particulars of the account. It would be the particular instance that is wanted where necessary. How would you get such knowledge if it were necessary?

*Hon. Mr. Larnach.*—From the clerk under examination, who would obtain it from the books.

*Mr. Macarthur.*—You could have a certified copy if you liked.

*Hon. Mr. Ballance.*—What would the Committee expect the clerk to do? Would you expect him to go over every account that might be necessary, and then to go into some particular account in respect of which you would not know what questions to put to him?

*Hon. Mr. Larnach.*—If you say the debtor and creditor accounts are not kept correctly, that is another matter; it is altogether a question of balances.

*Mr. Hutchison.*—Assuming that it is proper the books should be produced, then the invariable practice should be followed that the person examining, in order to judge of the testimony given by the person producing the books, should have the right to pursue the inquiry within all reasonable limits. I do not assume that Mr. Bell would suggest that I would misuse the opportunity that the production of the books of the bank would afford. I am assuming, of course, that this question in respect of the production of the bank's books should be decided in the affirmative.

*Mr. Ballance.*—Do you suggest that the clerk should refer to such and such a page?

*Mr. Hutchison.*—Yes, if there is anything to suggest such a reference. If I might interpose my opinion, the bank's official would be always in charge; the books would never be out of his charge; he would merely be used as a means for finding particular entries.

*Mr. Ballance.*—You claim the right of looking at the page.

*Dr. Fitchett.*—The bank has volunteered certified copies; that would be a page.

*Mr. Ormond.*—The right reference is as to the matter of the speech of which the order treats, together with the position of the account in the bank.

*The Chairman.*—I wish to call Mr. Hutchison's attention to this fact: that in the requisition, even limited as he has limited it, he asks for the bank books containing the private accounts of Ministers back to the 1st June, 1885. But these gentlemen have only been members of the Ministry since October, 1887. I want to know whether the member for Waitotara has this in view: whether he considers it necessary to go back to a date before the time when these gentlemen became Ministers.

*Mr. Hutchison.*—Yes, I have already mentioned that I had considered the point.

*Mr. Bell.*—It has been said by an honourable member that the bank had volunteered to give certified copies. That is not the case. The question here would arise whether the matter is relevant to the inquiry, and, if relevant, whether the bank's books ought to be subject to examination. The decision as to relevancy is left by law in ordinary cases to the discretion of a Judge of the Supreme Court; unless this is shown, the discretion cannot be exercised. The law seems to have indicated that no such investigation as this shall take place into a bank's books, no such inquiry into the contents of a bank's ledgers, without a Judge of the Supreme Court being consulted as to relevancy, and he must be satisfied of the necessity of such an inquiry before he will make the order. The bank desires to offer every facility to this inquiry. It desires, however, at the same time, that it shall not be compelled to break the pledge of secrecy or its duty to its customers. This is why I am representing to the Committee what the law has indicated to be the proper course in such cases, and how the discretion of the Court is exercised. And then, Sir, look