

*Mr. Jellicoe*: You will see that they are here?

*Witness*: I will.

*Mr. Jellicoe*: I do not propose to examine Mr. Bell on this part of the case at all; it is quite unnecessary. I do propose to say something. I differ only with reference to what Mr. Bell has stated as to the libel action, the so-called apology of the author, and the payment of £250. I have in no sense referred to it before this Committee; but, as Mr. Bell has referred to it, I think I ought to be allowed to offer the Committee my version. I do not accept his statement.

*The Chairman*: I think on this part of the petition that it would be well for you to say anything you wish now, keeping within the points of the statement.

*Edwin George Jellicoe*, having been sworn, made the following statement: The report of an interview I had with the prisoner Chemis appears at page 51 of the printed documents. You will find I made this statement to Chemis: "I came here to discuss with you certain points of evidence. I have a mass of evidence all telling in your favour. A large portion of that evidence was kept back by those who conducted the prosecution—your prosecution. Articles which the police stated were not upon your premises are in my possession now." A copy of the shorthand notes was forwarded to me by the then Minister of Justice. I was afterwards inundated by newspaper reporters, who were anxious to get a glance at the notes. Mr. Hawkins was editor of the *Evening Press* at that time, and he asked me to let him see the notes. Without opening the envelope I gave the notes to him, and that without knowing what use he was going to make of them. In the evening of that day, or the day following, Mr. Hawkins published in the *Evening Press* the extract which I have just read of the report of my interview with Chemis. On the following day there was an announcement in the *Evening Post* that Mr. Bell (I think I am correct in saying the following day) had issued a writ against me for libel, and claimed £5,000. I had no communication from Mr. Bell or from any one on Mr. Bell's behalf, and a writ was the first intimation I received. Mr. Bell, for the purpose of making a case, alleged that when I used these words, "I have a mass of evidence all telling in your favour. A large portion of that evidence was kept back by those who conducted the prosecution," I meant that he, Mr. Bell, had kept back evidence. I denied the innuendo, and, having reference to Holmes's affidavit, I pleaded that if the words were capable of the meaning Mr. Bell puts upon them, then Holmes's evidence was kept back on the trial. Mr. Bell called a number of witnesses, whose names appear in the Judge's notes—Hon. George McLean, Mr. Levin, Mr. Duthie—to prove that they read the publication in the *Evening Press* newspaper, and that they interpreted it as meaning that Mr. Bell had improperly kept back a large portion of evidence.

*The Chairman*: I am afraid we are getting into personal matters between you and Mr. Bell.

*Mr. Jellicoe*: Not at all. I am quite sure Mr. Bell will see in a moment that he has misinterpreted the allegations in the petition. I called a number of persons—Hon. Mr. Pharazyn, Hon. Mr. Wilson, who had been Crown Prosecutor at Napier, and a number of Wellington people. They said they also read the publication, and they did not attribute the words I used to Chemis to Mr. Bell, but they did attribute them to the police as the persons having the conduct of the prosecution, and in charge of the whole case. I do not like to rely upon my own recollection, and, therefore, I produce to you the *Evening Press* of—

*The Chairman*: I think, Mr. Jellicoe, you are drifting into something which is a mere personal matter.

*Mr. Jellicoe*: I do not desire to do so, and if I may be pardoned, I do not think any personal dispute is involved between us.

*The Chairman*: I do not mean personal animus.

*Mr. Jellicoe*: I shall content myself by saying this: After Mr. Bell had offered evidence, I called Mr. J. Holmes. Sir Robert Stout had an opportunity of cross-examining him on his evidence, and if you will read the note of the cross-examination I think you will say that if my words were capable of being attributed to Mr. Bell I was justified, so far as that witness was concerned, in what I had said and in the course I adopted. Sir Robert Stout communicated with me, and the result was that I made a statement which appears in the *Evening Post* of the 7th September.

*The Chairman*: Do I understand that this is really evidence in the libel case—

*Mr. Jellicoe*: It shows this, that there is no imputation against Mr. Bell. I am taking in these proceedings the same position that I took up then. I propose to ask you to hear what was said in Court, and which is on record.

*The Chairman*: I must rule that we are going a little outside of what the Committee want to deal with. It appears to me you are now going into all the evidence *re* libel case, whether right or wrong.

*Mr. Jellicoe*: Mr. Bell has put in the evidence and made a statement with reference to the result of the action, and you will pardon me for calling the attention of the Committee to my account of what actually did occur.

*The Chairman*: You have already stated, as I understand, what seems to me, at any rate, rebutting points, so far as you were concerned.

*Mr. Jellicoe*: I beg pardon. What I stated are not "rebutting points;" it is simply evidence—

*The Chairman*: I certainly must object to going into the whole libel case treated in the Court. I wish the Committee to keep to the matter before us as near as we can.

*Mr. Jellicoe*: I deny absolutely that there was any apology. I stated that I regretted I had used language which could have been applied by any one to Mr. Bell; that is all. I say still there is no imputation that Mr. Bell was guilty of any impropriety at all in the conduct of the case. I still say evidence was kept back, but I do not say it was kept back by Mr. Bell. It is true I agreed to pay Mr. Bell's costs, which Sir Robert Stout assessed at £250.

*Mr. Bell*: I do not desire to reply, but it is necessary I should say this: I did not at all intend