

going to do and what they are not going to do. They are, I hope, sufficiently sensible to know what to accept as evidence and what not.

Mr. Miles : When we began the proceedings we gave an assurance that we would not go on with the case until we had given the directors an opportunity of perusing your notes.

Mr. O'Connor : I have no objection to them seeing my notes, but I say there is a series of charges put in their hands. You can go on with the balance-sheet and take the charges charge by charge. I think now is the time when the gentlemen making the inquiry should separate the charges and take evidence. I have adduced no evidence whatever except the evidence which is produced from the books and papers of the company in possession of the directors. That is the only evidence I have produced, and that evidence has been mostly compiled by myself from the accounts of the company in conjunction with their secretary and to his knowledge. And when I have submitted these things I say my notes upon the subject are at the disposal of the inquiry. If you enter upon the question of the balance-sheet you can say to the directors, "Mr. O'Connor has produced evidence of this," and so on with the whole of the charges. As far as I am concerned, time is no object with me. If this committee does not go on with the inquiry I will go on for twenty years, if necessary. I think these delays will break up the inquiry.

Mr. Miles : I think the time so far has been taken up by Mr. O'Connor himself. With reference to the charges, you can only classify them under the head of general and specific. If there are any specific charges, such as those of the balance-sheet, those in reference to Messrs. Johnston and Co. and the steamer "Lawrence," which the directors are prepared to go on with at once, the committee will be at their disposal.

Mr. O'Connor : The charges are more specific than that. There are the truths or untruths made in connection with their minutes.

Mr. Macdonald [to Mr. Macarthy] : I put the suggestion that the committee are at your disposal this evening to hear what your decision may be as to going on with this matter, the committee leaving it open to you to tell them when you will be able to go on.

Mr. Macarthy : Very well.

Mr. Macdonald : The meeting stands adjourned until half-past 7 to-night.

*Wednesday Evening, 16th November, 1892.*

*Present :* The full committee, and Messrs. Macarthy, Allen, and Gale (directors), and Mr. O'Connor.

Mr. Macdonald : Mr. Macarthy, we adjourned at 1 o'clock to-day with a view of giving the directors an opportunity of considering the position, and Mr. O'Connor of going through his notes. Mr. O'Connor has finished his notes, I understand, up to the point at which the shorthand-writer has furnished them to him, and it now remains for you to tell us the decision the directors have arrived at with regard to submitting their defence.

Mr. Macarthy : I have availed myself of the opportunity of consulting my co-directors, and have committed the decision to writing. We propose to adhere to the mode of procedure laid down on Monday at the commencement of proceedings : (1.) That Mr. O'Connor should have uninterrupted opportunity of placing before the committee his charges and statements in support of them. (2.) That a shorthand report would be taken of Mr. O'Connor's statements. (3.) Such report would be transcribed, submitted to Mr. O'Connor, corrected and signed by him. (4.) Thereupon the committee would submit to directors a copy signed by Mr. O'Connor of transcribed notes, and the list of charges which the committee consider directors are required to answer. (5.) On receipt of list of charges and copy of statements made by Mr. O'Connor, we require sufficient time to arrange our defence. (6.) In order to enable the committee to report on the general management, accounts, and affairs of the company from its incorporation, we propose to submit to their notice the minute-books, bank-books, and other books, vouchers, and documents, and such other evidence and witnesses as we may deem necessary.

Mr. O'Connor : The directors have had my charges before them since Friday, and long before that, and the evidence is in their own possession. I object to these delays.

Mr. Macdonald : The directors are entitled to the same courtesy at your hands as was extended to yourself, Mr. O'Connor, in this respect : that on Friday last you asked, in order that you should be able to get to work on the Monday morning, that you should have the use of the office during office-hours on Saturday from 9 to 1. On Monday the inquiry took place, and on Monday evening you asked that you should have the next day (Tuesday) in order still further to go into matters and be able to finish your case on Wednesday—that is, to-day. It does appear that the fairness and courtesy extended to you in giving you the opportunity of perfecting your case by that day and a half's examination should in the same measure be accorded to the directors in answering those matters which you have brought before the committee.

Mr. O'Connor : I ask, gentlemen, if you were in the same position as myself, whether you would agree that, before the directors can be fairly called upon to answer questions like those on the balance-sheet and the false statements I refer to in my evidence, they must have a printed statement by myself of everything else that has taken place, and whether they have not had that evidence under their control for months past—whether the charges they are now dealing with are not charges which they have already answered by correspondence, and which they have had more time to deal with than I have. The secretary is their officer, and they have no excuse if they are not ready. The committee has no right to suit their convenience to the directors' wishes.

Mr. Macdonald : It is not fair to charge the committee with any unfairness. [A confused discussion here took place between the committee and Mr. O'Connor, in which interjections were made by other gentlemen present, rendering it impossible for the shorthand-writer to get a clear note.]