

Mr. Macdonald: You have not answered my question. Are you prepared to hand them over? I want a plain answer.

Mr. O'Connor: You will not get it from me. I have answered in my letter.

Mr. Macdonald: With respect to the letter Mr. O'Connor refers to, I may say that Mr. O'Connor is in the habit of dropping letters from day to day into the hands of members of the committee outside the committee-room, or outside the office of this company. He appears to have no regard whatever for ordinary usage in these matters. The particular letter he refers to he left either with Mr. Miles or myself, and it is not here, but it will be furnished when the committee adjourns. Had it been left at the committee-room, as it ought to have been, it would be here now.

Mr. Macarthy: I invite your attention, sir, to the record of what occurred on Wednesday night. The arrangement was that we should be furnished with the statement of charges and everything in these proceedings by Friday morning. In pursuance of that arrangement I was here on Friday morning, and Mr. Gale was here also. I pointed out that we had not then received a scrap of anything. We had further arranged that, on receipt of these papers, we should be disposed to go on with our defence on Monday or Tuesday—not later than Tuesday. I desire to ask if that is not correct? In your proceedings I would also ask you to record this: that a telegram was sent to the secretary of the company on the racecourse, and I believe that, in pursuance of that telegram, access was given on Friday afternoon to what was required by Mr. O'Connor. I am under the impression that this was done, and that he continued in possession of the office, under instructions from the committee, from Friday afternoon until late on Saturday night.

Mr. O'Connor: No.

Mr. Macarthy: These two matters I wish to draw your particular attention to. Up to the present time we have not received a document or statement of any kind. I may say that we made an arrangement that we should have these so that we might go on on Monday, and I repeat that that arrangement should not be departed from without the directors of the company concurring. There is another small matter referred to by Mr. O'Connor, where he said that a director of the company promised to supply documents of the company.

Mr. O'Connor: The chairman of the company.

Mr. Macarthy: I must ask him to substantiate that. I would ask your ruling on the different points I have put to you. Whether the arrangement on Wednesday was not that the charges and documents of all kinds were to be supplied to the directors not later than Friday morning. They have not been supplied to us yet. And I would like you to make an addition to the record that a telegram was sent to the secretary of the company asking him to give access to the books required, that such access was given, and that the books have since remained at the order or discretion of the committee or of Mr. O'Connor.

Mr. Greenland [referring to Mr. O'Connor's statement as handed to the chairman of committee]: I say here, without being unfair, without taking a party view at all, that this is Mr. O'Connor's statement, and it ought to be handed at once to the directors to enable us to go on.

Mr. O'Connor: You have already acknowledged having received that statement yesterday, therefore it has been in your possession ever since.

Mr. Macdonald: I received the statement on Sunday between 4 and 5 p.m. I certainly did not regard it as part of my province to interview the chairman of the board of directors in connection with this matter, or my fellow-committeemen, on Sunday.

Mr. O'Connor: You blame me for delivering letters outside the committee-room, although you know the committee-room is empty except when the inquiry is going on; and you blame me also for not leaving letters at the office of the company. It is absurd to suppose that I would leave correspondence in the hands of the persons I accuse—the directors—or at their office. I went to the trouble myself of seeing each member of the committee and presenting him with the letter, seeing that he read it, and finally left it with Mr. Macdonald.

[Mr. Arthur Kember, a clerk engaged by the committee to take copies of documents and accounts, was at this stage called in.]

Mr. Macdonald: Mr. Kember, when the committee engaged you last Friday to make certain copies of records and books and documents in possession of the company, you will remember that I told you that you were placed in charge of those books, records, and documents, and that the committee of inquiry looked to you in the matter, and that you were to supply me on Saturday night with the copies made by you and your assistants. The committee learn with extreme surprise and regret that the copies made by you are not now in your possession. Will you be good enough to explain how it is that you came to hand them over to some one other than the members of this committee?

Mr. Kember: The copies were made, and Mr. Greenland and Mr. O'Connor, of course, were present. It was perfectly understood that these copies were to be handed to you, Mr. Macdonald. Mr. O'Connor got the documents, and said he would take them and bring them to you.

Mr. Macdonald: You will remember when I called on Saturday I arranged with you that the copies should be left for me at the Central Club, and that I would remain there until late in the evening for them—in fact, I waited until midnight.

Mr. Kember: It was distinctly understood that the copies were to be handed to you, and that I considered myself responsible for them.

Mr. Macdonald: Thank you; that is all I have to ask you.

[Mr. Kember withdrew, and the inquiry was resumed.]

[At this stage the committee deliberated in private for a few minutes. On resuming,—]

Mr. Macdonald: Mr. O'Connor, during your absence the committee have arrived at the following resolution: "That this inquiry shall not proceed further until the committee has received from Mr. O'Connor one of the copies of the records and documents made by the clerks employed by the committee, which copies Mr. O'Connor, without the authority of committee, has taken away."