

*The Chairman* (to Mr. Jones): This report we have received from the solicitors is really of no use to us?

*Mr. Jones*: You can gain nothing from it, and I have the duplicate.

At this stage the inquiry concluded for the day, Mr. Jones stating that he desired to put in further documents, and receiving an assurance from the Chairman that he would have an opportunity of doing so.

FRIDAY, 16TH SEPTEMBER, 1910.

(No. 2.)

*The Chairman*: I wish to inform the Committee that Mr. Joshua Jones now desires to withdraw his request that Sir Robert Stout and Mr. T. G. Macarthy should be called as witnesses. He does not now require their attendance. I understand that Mr. Jones desires to be represented by counsel before the Committee. We have never refused permission to counsel to attend before, but I think that it would be as well to ask Mr. Jones to state his reasons for making the request before we decide.

Mr. Jones was then admitted.

*Mr. Jones*: I ask leave to appear before the Committee by my counsel, Mr. Hindmarsh.

*The Chairman*: Why were you not represented by counsel before us at the first?

*Mr. Jones*: I cannot give a definite reason. I felt myself incompetent to appear before you even then.

*The Chairman*: Will you tell the Committee what you desire your solicitor to do more than you have done yourself already? Do you desire him to traverse the evidence?

*Mr. Jones*: If witnesses are coming he is much more competent to cross-examine them than I am.

*The Chairman*: It is for the Committee to say, but I will point out that it will be particularly awkward for your solicitor to traverse all the arguments that you have used. If Mr. Hindmarsh proposes to go over all that, you—

*Mr. Hindmarsh* (interrupting): I do not propose that at all, but I can probably save the time of the Committee.

*The Chairman*: I will ask you to retire while we discuss it.

At this stage Dr. Findlay entered the room, and Mr. Jones, with his solicitor, were recalled.

*The Chairman* (addressing Dr. Findlay): You have been asked to come here to give evidence on the case under consideration. The Committee does not want you to go into the legal aspect of the case at all, as we have all that from the Supreme Court. The only object that the Committee had in asking you to come was to give you an opportunity, if you desire, of answering any of the statements made by Mr. Jones in his evidence which refer to you or to your firm. We just wish to know whether you consider it necessary to comment on that evidence or not. The Committee has been asked, on behalf of Mr. Jones, to let Mr. Hindmarsh appear for him, but we left it until you came to see whether, in fairness to Mr. Jones, we should permit him to be represented. If you consider it necessary to make a lengthy statement, the Committee will have to decide whether Mr. Hindmarsh should appear.

*Dr. Findlay*: I have not had an opportunity of reading over this evidence, which was delivered to my office only a few minutes ago. I observe, however, that a number of reflections are made upon myself and upon my firm, these reflections involving no question of law, but rather of fact. Indeed, they involve questions of honour, and this I certainly desire to meet and to answer. I recognize that I have no right to submit to you any legal argument or comment of any kind. I have been quite unable, in the few moments allowed me to peruse this evidence, to gather what exactly has been stated, and am consequently unable to make a statement now upon it such as I am most certainly desirous of making to the Committee. These statements are serious, and I should have an opportunity of reading them carefully before making my answer.

*The Chairman*: That is to say, you are not ready to go on now?

*Dr. Findlay*: No. Urgent public business will call me from Wellington to-morrow, and I shall not be able to return until Thursday or Friday of next week. I therefore ask that I be not required to attend until, say, Friday.

*The Chairman*: The Committee must now decide what is the best thing to do. It is understood that Dr. Findlay will not touch the questions of law, but only of honour as affecting himself and his firm. Under the circumstances, shall we give Mr. Jones an opportunity of being represented by counsel? I am perfectly sure that the members of the Committee will safeguard Mr. Jones's interests properly.

*Mr. Taylor*: We have nothing to do with the legal aspects of the case. We must simply consider the prayer of the petition for leave to appear at the bar of the House.

*The Chairman*: Yes. It is for us to say whether on the evidence we can give him that permission.

*Hon. Mr. T. Duncan*: There should be very strong reasons given to warrant us giving him permission to take up half a day of the time of the House.

*The Chairman*: I should be very glad if the Committee would decide what is to be done.

*Mr. Smith*: I think, seeing that Dr. Findlay is going to make a statement, it would not be at all out of order that Mr. Jones should be represented by counsel. We should allow his solicitor to come here and hear what is said, and if we think we can allow questioning afterwards, well and good. I should prefer the solicitor to be here.

*The Chairman*: I cannot for the life of me see why he should be here.