

not been referred to the Government—he thought it would be an exceedingly dangerous thing indeed in such cases as the present one to start legislation to restore rights which the highest Court had decided had been lost, without fraud on any one's part, by Mr. Jones. While he should submit the matter to his colleagues, in deference to the motion, if it was passed, at the same time he wished honourable members to share with him the view that they should not encourage this kind of recourse to Parliament. Where rights had been defeated in some wholly unexpected or unfair way, they had some precedent for such recourse. It would take the Hon. Mr. McCardle himself, or any one else, more than a whole afternoon to even outline the history of this matter; and, if it were outlined, it would then be seen that Mr. Jones's claim was not as clear and plain as the Hon. Mr. McCardle thought it to be. Personally, he was opposed to Parliament interfering in cases of this kind. The Courts were open to those who wished to defend their property: these had been invoked by Mr. Jones; he had been defeated, and he (the Hon. Attorney-General) said that it was unconstitutional to come to Parliament and ask it to interfere in such a case as this." You will observe that that was a motion to ask the Government to introduce legislation to interfere with the decision of the Court of Appeal. It was not a motion in support of a petition to investigate the matter. That was the only occasion on which I ever said anything in Parliament on Mr. Jones's case. When the report in regard to a petition came up I did not oppose it in any way. So far as my place in Parliament is concerned, I have made no objection to Mr. Jones's petition. It was purely on constitutional grounds that I opposed the motion to deal with his case by legislation. You have had the case before Parliament of Captain Hamilton, and if you are going to yield to this request, any other defeated litigant has a right to be heard. Mr. Wilford, who is here, will tell you so. That is the first point I have to make. Now I come to the petition. This motion in the Council was followed by a petition, and that petition, or a similar one, you are now hearing. Now, I found out on the day the petition came before us that my partner had something to do for a client who is interested in this matter. On discovering this I at once retired from the Legislative Council Committee and took no part in its deliberations. A report was brought up, and what I want to say in self-defence is that that report makes no reference to my setting up an inquiry. That report asked the Government to appoint a Royal Commission to inquire into this matter. The granting of a Royal Commission does not lie in the hands of one Minister. If it is in the hands of any one Minister it is the Prime Minister, to whom all such recommendations go. That recommendation went to Cabinet. My point is that I gave no expression of opinion to my colleagues about it. I made no attempt to block it. I am charged with opposing, blocking, and obstructing this inquiry, but, as you see, I have had nothing to do with it. If any blame could be attached to any one, the Prime Minister would thus be the man to be blamed. Now, I want to say that Mr. Jones knew as well as I know, or any man in this room knows, that the instituting of a Royal Commission did not lie with me. His lawyer knew that. Mr. Jones knows perfectly well that a Royal Commission is set up by the Government, and not by the Attorney-General. On page 17 of Mr. Jones's evidence he says, "I received the cablegram on the 11th April, but Sir Joseph Ward was away at the time. But on the 22nd April I saw him with Treadwell. I said, 'What is the reason that you will not grant me an inquiry?' He said, 'I do not know. I expect we have forgotten it. We have overlooked the matter.' Treadwell said, 'Dr. Findlay told me we should never get an inquiry.' Sir Joseph Ward replied, 'That is not my view. I never said so. I promised Jones the inquiry, the Committee recommended it, and there is no reason why he should not have it.' I put this on paper and submitted it to Treadwell, who said, 'Yes, that is right. I cannot understand Dr. Findlay.' " Here is Jones's statement that he went to the Prime Minister and asked him, "What is the reason that you will not grant an inquiry?" Jones says I obstructed it. But the Prime Minister does not say so. He says, "I expect we have forgotten it." Is not that conclusive proof that Mr. Jones and his lawyer knew perfectly well that the matter had not been discussed before Cabinet, and that if any one was to blame, the Prime Minister admitted it was himself, and not the Attorney-General. The use which has been made of an interview with me is unfair, unmanly, and ungrateful. An application was made to me on a busy day in October, 1908, to see two lawyers—the one was Mr. Treadwell and the other my partner. The Committee's report on the matter was then before Cabinet. I was asked to see Mr. Treadwell and Mr. Dalziel. I saw both these lawyers. I should like to have an opportunity of cross-examining these lawyers as to what took place at the interview, because this interview has been used to reflect upon me seriously and professionally. I reminded them that the matter was before Cabinet. I told them that I would not advise the Cabinet to set up a Royal Commission, and that I did not think they would do it. I repeat that now. I claim that I was as free to arrive at a conclusion as any member of the Cabinet. I told these men to their faces that in my opinion there was no case in which such a Commission had been set up. Mr. Treadwell said that, with all respect to the Supreme Court, Mr. Jones objected to the Chief Justice or Justices Williams or Edwards sitting, and that the only Judge who would be satisfactory would be Mr. Justice Cooper. I pointed out to Mr. Treadwell that if a Commission were appointed his client could not dictate what Judges should sit. Mr. Treadwell replied that he did not share his client's view in this matter, but he thought that the Chief Justice should not sit. The ground I took was that I am opposed to setting up Commissions to reconsider cases decided by the Court of Appeal. I asked Mr. Treadwell, and I ask you, to consider what should be referred to this Commission. Is this Commission to try the question of Mr. Jones's title? Is it to try any legal question? I say "No." Then what is it to be set up to do? I do not think you will be able to see anything to refer to a Commission. What is a Commission to try? Not fraud. It is not alleged. I went over the facts with both my partner and Mr. Treadwell, and they could not say what purpose would be served by a Commission except obtaining suggestions for a settlement. Now, I just want to pass from this matter, and to say that never have I in any way endeavoured to block Mr. Jones's application to the Government. I want to make