

THURSDAY, 13TH OCTOBER, 1910

The Committee met at 10 a.m., pursuant to notice.

Present Mr Hanan (Chairman), Mr Allen, Mr Buchanan, Mr Fraser, Mr Graham, Mr Massey, Hon. Mr Millar, Mr Myers, Mr Reed, Right Hon Sir J G. Ward.

The minutes of previous meeting read, amended, and confirmed.

Agreed, That Mr Massey's motion, moved on the previous day, stand over until the Right Hon. Sir J G Ward's motion is disposed of

Resolved, on the motion of the Right Hon. Sir J G Ward, in accordance with notice of motion given, That, as the names and charges have been formulated, and submitted by Mr Hine to this Committee, they be referred to two Judges of the Supreme Court, as a Royal Commission, to investigate and report upon

Resolved, on the motion of the Chairman, That the Press reporters be admitted to the proceedings.

Resolved, on the motion of the Right Hon. Sir J G. Ward, That the Chairman reports to the House to-day the Committee's recommendation, together with the minutes of proceedings.

Resolved, on the motion of the Chairman, That this Committee do now adjourn.

The Committee then adjourned.

REPORT OF PROCEEDINGS DURING THE TAKING OF EVIDENCE.

THURSDAY, 6TH OCTOBER, 1910.

Right Hon Sir J G Ward I presume the first thing to be done is to invite Mr Hine to formulate his charges. As the initiatory part of the proceedings, that will enable the Committee to proceed with its work. Mr Hine may prefer to make his charges, probably, by personal attendance instead of by letter I move that Mr Hine be invited to attend the Committee and formulate the charges that he has made in the House, giving names and such other information as he considers necessary

Mr A. M. Myers I second the motion.

The Chairman I have just received from Mr M. Myers, solicitor, of Wellington, the following letter "The Chairman, Allegations by the Member for Stratford Committee.—SIR,—I have been instructed to apply to the Committee for leave to appear as counsel and conduct Mr Hine's case. May I be permitted to appear before the Committee this morning in order to make any necessary preliminary applications?—I have, &c., M. MYERS.—Wellington, 6th October, 1910"

Right Hon. Sir J G Ward I do not agree with that course. Mr Hine has made public statements in the House which deal with facts, and I think Mr. Hine ought to come to the Committee and make his charges first, and then the question of legal gentlemen's attendance at this Committee should come up afterwards. There is no charge made against Mr Hine, but by him against other men, whoever they may be, and they may ask that legal gentlemen be allowed to attend, and it is going to open up a large question. If all these legal gentlemen are going to be in attendance here, you will get no report this session. I object to any of these men coming into the Committee before the charges are formulated. I think it is a very unusual procedure to take, that Mr Myers should ask that he should come here and make a statement before Mr Hine is here. Surely that cannot be right! In my opinion, Mr Hine should formulate his charges, and then the question of his being represented by counsel should come up in the ordinary way

Mr Massey: As far as I can gather from the application, and the statement made by Mr Hine, he is exceedingly anxious to have the whole of the charges elucidated in the best possible way. Mr Hine is comparatively a new member—this is only his second session—and I think it is only fair to him and to any other parties concerned, whoever the party may be, that he should have the assistance of counsel if he so desires. I think it is only fair to the party and to the public, and I am personally strongly in favour of Mr Hine being granted such assistance, whether Mr Myers is here or not.

Right Hon. Sir J G Ward I have no objection personally. I do not want to interfere with any course that Mr Hine wants to follow. I wish to point out that before the charges are formulated the persons are unknown, as far as the Committee is concerned, and these people have a right to be here side by side with Mr Hine's counsel; but in the meantime Mr Myers is asking to come here before Mr Hine's charges are before the Committee. I object to that. When Mr Hine makes his charges he should have the right to have counsel to represent him, and it is perfectly right that the others should have the same right. I wish to have that position made perfectly clear, and for that reason I want my motion to take precedence of any other matter

The Chairman I think we should endeavour, as far as possible, to follow Court procedure. The prosecution should first file or make definite and clear charges against some accused person or persons named, who should then be summoned to appear to answer such charges. This done, then at the hearing both parties may be allowed to have counsel.

Mr Allen. I do not know that you can follow Court procedure exactly, nor do I quite know what you mean by getting the accused person before the Court. If it means getting Mr Hine before the Committee, I agree with that. I agree with Sir Joseph Ward that, if counsel for Mr Hine comes here, counsel for both sides should be here if it is desired. But I do not think it would be right to say that Mr Hine should formulate his charges and then ask the Committee whether he may have counsel or not. I believe it will shorten the time of the Committee if the charges are formulated, and we then conduct the evidence in the proper way. I do not think it would be fair