

Resolved, on the motion of the Chairman, to proceed with allegation No. 2 The Chairman's draft report, with a statement of the evidence, and his finding as Chairman, reads as follows:

CHARGES AGAINST MR. SYMES.

First Charge.

1 The Select Committee to which was referred the charges brought by the honourable member for Stratford, Mr Hine, against Mr Walter Symes have to report as follows:

The first charge against Mr Symes is as follows:

"That Charles Edwin Major and Walter Symes, or one of them, in or about the year 1905, while both members of Parliament, conducted the sale to the Government of a property of Alfred Bayly at Toko, and received from the said Alfred Bayly a commission or sum of money, which the said Charles Edwin Major and Walter Symes divided."

2. At the hearing Mr M. Myers appeared as counsel for Mr Hine, and Mr C. P Skerrett, K.C., with Mr Sharp, appeared for Mr Symes.

The evidence taken at length shows,—

- (a.) That Mr Symes was in the year 1905 member for Patea in the House of Representatives, and ceased to be a member in the year 1908.
- (b.) That before and in the year 1905 he carried on the business of a land and commission agent.
- (c.) That in the year 1903 Mr Alfred Bayly offered to the Land Purchase Board, through Mr Arndt, a land agent at Stratford (since deceased), to sell his property at Toko to the Government.
- (d.) That Mr Symes, at the request of a number of settlers, forwarded a petition to the late Right Hon Mr Seddon, then Minister in Charge of the Land Purchase Department, with a letter (set out in the evidence) urging the acquisition of the property by the Government for closer settlement.
- (e.) That Mr Symes, also at the request of the members of the Land Purchase Board, accompanied them on the visit of inspection to the property, but did not discuss with these members the value of the property.
- (f.) That Mr Symes did not attempt to influence any member of the Land Purchase Board to purchase the land in question, nor did he discuss the price at which it should be acquired either with the late Right Hon Mr Seddon or with any other Minister; nor did Mr Symes interfere in the transaction otherwise than by forwarding the petition to the Minister.
- (g.) That the sale was conducted through the Land Purchase Board strictly in accordance with the provisions of the Land for Settlements Act, and not through any Minister of the Crown, and no influence or pressure of any kind was brought or attempted to be brought by any one upon the members of that Board.
- (h.) That after the purchase of the property by the Government, Mr Alfred Bayly voluntarily gave as a gift to Mr Symes a promissory note for the sum of £300, which was duly paid at maturity.
- (i.) That this payment was made ostensibly as a contribution towards Mr Symes's expenses at the election then next ensuing. It must, in fact, have been paid by Mr Bayly in the erroneous belief that Mr Symes had in some way advanced the interests of Mr Bayly in respect of the purchase by the Land Purchase Board of his property.

Finding

3. The Committee, although satisfied that Mr Symes did not influence the sale in question, is of opinion that it was improper in the circumstances for him, being a member of Parliament, to accept the gift of £300 from Mr Bayly.

Report agreed to down to paragraph (d).

Paragraph (e). Agreed to delete the word "also" in first line of paragraph.

Paragraph as amended agreed to.

Paragraph (f). Mr Allen moved to amend paragraph (f) by deleting all the words after the word "Minister" in the fifth line.

On the question being put, That the words be struck out, the Committee divided, and the names were taken down as follow:—

Ayes, 4.—Mr Allen, Mr Buchanan, Mr Fraser, Mr Massey

Noes, 6.—Mr Graham, Mr Hanan, Hon. Mr Millar, Mr Myers, Mr Reed, and the Right Hon. Sir J. G. Ward.

So it was passed in the negative, and the words retained.

Paragraph (g). The Right Hon. Sir J. G. Ward moved to amend paragraph (g) by striking out the words "and not through any Minister of the Crown."

The Right Hon. Sir J. G. Ward withdrew his amendment, and, the question being put on the retention of the paragraph, the Committee divided, and the names were taken down as follow:—

Ayes, 7.—Mr Fraser, Mr Graham, Mr Hanan, Hon. Mr Millar, Mr Myers, Mr Reed, and the Right Hon. Sir J. G. Ward.