

And the question being put, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So the resolution was negatived.

Mr. Montgomery moved that the following shall appear in the report :—

1. That the Committee is of opinion that the seven telegrams paid for by private individuals before transmission were produced contrary to law.

That Dr. Lemon, the Manager of Telegraphs, stated in evidence that he was of opinion that the production of the telegrams was in violation of the law. The opinion of the Law Officers of the colony is that the law was not violated by the Minister ordering the officials at the Telegraph Office to search for and produce telegrams paid for at the public cost.

2. The Committee would wish to draw the attention of the House to that portion of the evidence of Dr. Lemon and Mr. Maginnity, in which they state that they would disregard the provision of the law if they received directions from the Commissioner of Telegraphs (the Minister for the time being) to search for and produce telegrams, as they consider he is their superior officer, and would be responsible.

3. That the number of telegrams sent and received by the members of the late Government on electioneering matters transmitted at the public expense was seventy-six: of these, twenty-six telegrams were from Ministers to Ministers, thirty-one were from Ministers to private individuals or to officers of the Government, nineteen were from private individuals or Government officers to Ministers.

4. That the evidence shows the members of the late Ministry who forwarded the telegrams laid before the Committee gave their private secretaries instructions to pay such telegrams as the secretaries considered private telegrams.

The paragraphs of the above motion were then considered *seriatim*.

Paragraph 1. On the question being put, That this paragraph be inserted in the report, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So it passed in the negative.

Paragraph 2. On the question being put, That this paragraph be inserted in the report, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So it passed in the negative.

Paragraph 3. On the question being put, That this paragraph be inserted in the report, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So it passed in the negative.

Paragraph 4. On the question being put, That this paragraph be inserted in the report, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So it passed in the negative.

Mr. Wakefield moved that the following be the report :—

1. That the copies of telegrams referred to in the order of reference were produced in accordance with the law, with the exception of two, which were included by the mistake of a Telegraph clerk, and which have been separated from the others without having been examined by the Committee.

2. That five others have been ascertained by the Committee to have been sent originally as private telegrams, though forwarded on to Ministers from place to place without the knowledge of the sender as Government telegrams, and the Committee have had these also separated from the rest without examining them.

3. That the number of electioneering telegrams sent at the public expense by Ministers was fifty-five, and to Ministers twenty-one, or seventy-six in all.

The Hon. Mr. Gisborne moved the following amendment, That, in the first paragraph, the word "two" be struck out and the word "seven" entered in lieu thereof.

And the question being put, the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So the amendment was negatived.

Mr. Turnbull moved the following amendment, That the words, "without having been examined by the Committee," in the first paragraph, be struck out.

And the question being put, "That these words be omitted," the Committee divided, and the names were taken down as follow :—

*Ayes*, 2.—Mr. Montgomery, Mr. Turnbull.

*Noes*, 5.—Mr. Bowen, Hon. Mr. Gisborne, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So the amendment was negatived.

Mr. Turnbull moved the following amendment, That the total value of said messages, amounting to £36 8s. 10d., as per memorandum from Mr. Maginnity (*vide* Appendix B), be added to the report.

And the question being put, "That the value be added," the Committee divided, and the names were taken down as follow :—

*Ayes*, 3.—Hon. Mr. Gisborne, Mr. Montgomery, Mr. Turnbull.

*Noes*, 4.—Mr. Bowen, Mr. Pitt, Mr. Saunders, Mr. Wakefield.

So the amendment was negatived.