

36. You hold that it is for Ministers to say whether a telegram is to be a public or a private one?—Yes; and Ministers seem to have thought they were justified in sending the telegrams now before the Committee as public messages.

Hon. J. Hall.
—
18th Nov., 1879.

37. And you produce these telegrams in accordance with a promise given to Mr. Saunders in the House of Representatives, considering, at the same time, that you are justified as Telegraph Commissioner in doing so?—Yes. As a Minister I was justified in doing so. I assumed that they were public property. In replying to Mr. Saunders's question I stated distinctly what the views of the Government were in regard to the subject.

38. *Mr. Pitt.*] If the Premier chose to frank a telegram which was obviously of a private nature, would the Manager of the Telegraph Department have the power to refuse to transmit it?—No; but he might submit it to the Minister afterwards.

39. What power would he have to compel the Minister to pay for it afterwards?—The Colonial Treasurer might be asked to deduct the amount from the Minister's salary.

40. Could the Premier be compelled to pay?—I think not.

41. Are you aware that the telegram from Colonel Whitmore to Mr. Ingles was paid for, or was alleged to be paid for, some time after it was sent?—When the question was brought up in the House, the then Telegraph Commissioner stated that it had not been paid for, but that it would be paid for.

42. Is it not a rule in the Civil Service that if any officer who has the power to frank a telegram makes a mistake—or, rather, breaks the regulations—he is liable to pay a penalty of five shillings in addition to the cost of the telegram?—Yes.

43. Was it before or after you laid these telegrams on the table that you ascertained that they were intended to be private?—Afterwards.

44. *Mr. Montgomery.*] You state that when you came into office you asked the Manager of the Telegraph Department whether any telegrams had been sent by the late Government on electioneering matters at the public expense?—Yes.

45. Why did you ask him that question?—The matter had been discussed openly, and it had been freely stated that the late Government were using the Telegraph Department for their own purposes.

46. Was it for reasons of State that you asked the question?—Certainly. I did not ask to be permitted to see any of the telegrams at that time.

47. You say that you examined the telegrams and threw out a number which you did not think related to electioneering matters?—Yes; I glanced through them.

48. What power had you to do this—did you examine them as a Minister?—Both as a Minister and as Commissioner of Telegraphs. I examined them because I considered them to be just as much public property as any paper I might find on a file in the Government Offices. At the same time I had before me the opinion of the Solicitor-General.

49. Did you act in accordance with a regulation, or under the authority of a statute law, when you examined the telegrams?—I considered that they were the property of the Government, and therefore I examined them.

50. You sent to the telegraph office for them?—Yes; and before laying them on the table I went through them, because I knew that I would be held responsible if any telegrams which did not relate to electioneering matters were laid on the table. As I have already said, I threw out several which I thought did not refer to electioneering matters.

51. *Mr. Bowen.*] What check is there, or is there any check, on the use of the telegraph by the Government for their private purposes?—There is very little check except the fear of an exposure of this kind. The Committee which sent in a report in 1871 deprecated the use of the telegraph by Ministers for electioneering purposes, but that report has proved to be ineffectual as far as stopping the practice is concerned.

52. *The Chairman.*] I understand you to say that there is a great difference between Ministers franking private letters and private telegrams?—I do not say private letters, but letters which they send to each other relating to matters connected with the public service.

53. Have you ever known letters from one Minister to another to be franked, other than those which the public had a right to see?—Yes, certainly. In cases, for instance, where Ministers are discussing questions of policy with each other.

54. *Mr. Turnbull.*] What was the date when the first inquiry was made about these telegrams?—I can scarcely say; but Dr. Lemon's memorandum is dated 15th October.

55. In reference to the four telegrams you have referred to, is there any means of ascertaining whether they were not paid for?—In regard to the four telegrams there was no error made, but there was an error in connection with two of the messages. No doubt they could have been paid for afterwards, but there was nothing on the face of the messages to show that they had been paid for. It appears that, through some mistake on the part of the operator, the telegrams were sent as G.T's. instead of as O.T's.

56. What is the money value of these telegrams?—I cannot say. I may state that, in accordance with the reference to the Committee, I have given orders that further inquiry shall be made with the view of ascertaining what other telegrams have been sent on electioneering matters at the public expense. The telegrams which have been laid before the House are only those which happen to have arrived in or been sent from Wellington, but I am informed that there are others yet to come.

57. One telegram which was sent by Mr. Sheehan is marked "Private wire," and I presume that if the sender had been a private individual he would have had to pay for it?—Yes; the telegram would not have been taken from a private person until he had paid for it.

58. Then why was it different in the case of a Minister?—Because the Minister's signature which was attached to it made it a public telegram.

59. Mr. Sheehan is well known; should not application have been made to him for payment?—Perhaps the matter never came under the notice of the heads of the department. At any rate it was sent as a public telegram.