

Col. Whitmore.  
25th Nov., 1879.

particular telegram that I required, he would search for it, but he stated also that he could not examine telegrams generally without committing a breach of the law. Accordingly, I and my Private Secretary, Mr. Maunsell, looked up the copies of the telegrams which I had sent. The next telegram I look at is one sent to Major Porter, but I cannot see that there is anything in it which makes it a private message. Major Porter was a Government officer, and he was suddenly called upon to stand for the East Coast, and, as he was already in the Government service, the situation was a rather embarrassing one. I had arranged to employ him in connection with the Armed Constabulary, and I did not see how I could employ him in the event of his being elected a member of the House. I may as well add that the Government did not support him in the election, and he was considered to be a perfectly independent member. I now come to the telegram which I sent to Mr. Ballance, congratulating him on his re-election, and I do not see why that should not be looked upon as a public telegram. [Colonel Whitmore here went through the list of telegrams which had been handed to him, pointing out that nearly all of them were of such a nature that they might properly be sent at the public expense.] I wish to enter a protest against telegrams which have passed between one Minister and another being laid on the table, or brought up in any way before the notice of the public. It was always understood that Ministers might communicate freely with each other without fearing for a moment that their telegrams would be made public any more than would their discussions in Cabinet. Therefore I protest against the laying on the table of any telegram sent by me to any of my colleagues. I may explain, further, that for six weeks I was the only Minister in Wellington, and that during that time I had to answer all the communications that came to the Government. There are some of these telegrams that I should have paid for if they had been shown to me. I repeat that I protest most formally and strongly against the practice of telegrams which pass between Ministers being exposed to or handled by anybody. I say also that it has always been the practice heretofore to consider such communications to be of a private and confidential character. If I had not felt perfectly satisfied that that was the fact I should not have undertaken to perform the duties of my colleagues. I protest against the power to demand such telegrams being vested in the House or in this Committee. I may say, further, that I have paid for 300 or 400 telegrams myself, and in many cases there was a doubt as to whether they were public or private messages.

332. *The Chairman.*] Did I understand you to say that prior to the meeting of Parliament, or about the date of its meeting, you sent for Dr. Lemon and requested him to ascertain what telegrams, if any, had been sent by you during the elections at the public expense—your object being to pay for such telegrams out of your own pocket?—Yes; and Dr. Lemon replied that he could not search for those telegrams without being guilty of violating his statutory obligations.

333. And you hold that most of the telegrams produced are of a public nature?—Yes.

334. *Mr. Wakefield.*] You say that you protest against any telegrams between yourself and your colleagues being examined by anybody. Are you not aware that by law this Committee has full power to examine any telegrams they may think proper?—I believe that the law is exactly contrary to that, and there is a decision of the Supreme Court which bears me out in that belief.

335. Are you aware that the law protects officers of the department who produce telegrams to the order of a Committee appointed by the House?—That only refers to telegrams relating to treason, murder, and other felonies.

336. At any rate you protest against these telegrams being produced before this Committee?—I protest against the telegrams being read by this Committee.

337. My only object in asking the question was to ascertain the value of the protest. Do you protest against the proceedings of this Committee?—That is a question which at present I have nothing to say about. I am perfectly convinced that the Committee should not read telegrams which have been sent by one Minister to another. I am personally concerned in this case, and therefore I make a personal protest. I protest against the reading of the telegrams on three grounds: 1st, I contend that telegrams sent by one Minister to another should be kept secret; 2nd, I say that there is no precedent for anything of the sort; and 3rd, I hold that the law provides that such telegrams shall not be produced.

338. You say that one day, either just before the opening of the session or thereabouts, you sent for Dr. Lemon and asked him to look over all your electioneering telegrams and see whether by any chance any had been sent at the public expense which should have been paid for privately, your object being to pay for any that might have been sent in error. Did you do that as a private person, or in your official capacity as a Minister?—Certainly not in my official capacity. I did not know what the limit of the General Manager's authority was.

339. Did I understand you to say that Dr. Lemon told you he could not allow you to look over these telegrams or to pay for them?—I could not examine the telegrams, but I could have paid for any which had been sent at the public expense by mistake.

340. But he informed you that if you gave him the date of a telegram, and informed him as to what its contents were, he would be able to show it to you?—Yes.

341. But that unless you did that he could not show you any telegram, because by so doing he would be guilty of a breach of his statutory obligations?—Yes.

342. And what happened then?—I went through the copies of my telegrams, and paid for some of them—two or three, I think.

343. Were they on electioneering matters?—Yes.

344. *Hon. Mr. Gisborne.*] Is it not the habit of Ministers to write to each other when they are apart, and to frank the communications even though they may relate to what might be called "private" matters?—I always considered that such was the practice, and I know that the predecessors of the late Government were of the same opinion. Of course I do not think that Ministers had a right to frank letters or telegrams relating to their own family affairs. I mean that communications referring to private political matters should be sent at the public expense.

345. *The Chairman.*] If the letters "O.P.S.O." are not put on a telegram sent by a Minister, it would be considered to be a private telegram?—No; I cannot say that. The mere signature of a