

safe last night." I said, "That is very strange. I have not been near the safe till this morning, and you must get those documents for Mr. Herries." He said, "I am positive I locked them in the safe, and only you and I have the keys." I told Mr. Herries about it, and tried to find out about other documents. Turning up one of the books on the table I found the documents inside, although my clerk had been positive he had put them in the safe. He has not a good memory.

150. *Sir J. G. Ward.*] The clerk of your Committee has stated here that the evidence we are inquiring about was under lock and key in a cupboard, and that you and he and Mr. Carncross alone had keys of that cupboard?—Yes; he and Mr. Carncross and I are the only persons I know of who have keys. The clerk has told me that is so. Whether the evidence was always under lock and key I cannot tell you.

151. Then, the control of the cupboard, so far as getting anything out of it is concerned, is under yourself, the clerk, and Mr. Carncross?—Yes, so far as I know.

152. *Mr. Fisher.*] The officers of the Committee—the shorthand-writer and the clerk—say that copies of the evidence taken by the Mines Committee on this particular occasion were triplicated, and both agree that that was unusual. They also say they received instructions to triplicate the evidence from you. I desire to know why the evidence in this case was triplicated?—In the first place, I do not think it was unusual, because I think it is done on other Committees. We had to send the evidence to the witnesses, some of whom wished to get away, and if we had had only one copy we should have to wait an interminable time before we got it back. We found that with three copies we did not get the evidence back in time, and I told the shorthand-writer to give us six copies after the first day, because we should be able to get it back more quickly. The other Committees send their evidence round much more quickly than we do.

153. I acknowledge the facility in the matter of the speedy return of the evidence; but do you on your part acknowledge that additional facility is given to the pirate, the person who surreptitiously stole a copy of the evidence, which is the property of the Crown?—If you have six copies taken I recognise that there is greater facility given for stealing it.

154. We have been told by a witness who appeared before this Committee that it is quite a matter of honour to steal evidence in this way?—I do not agree that it is a matter of honour. I would not describe it in that way.

155. How would you describe it?—My own private opinion is that the property in these things belongs to the public, for whom we are only trustees, and the newspapers represent the public.

156. Then, according to that definition, the Crown or the Parliament has no property in the shorthand report of the evidence, and that therefore it is perfectly permissible or right on the part of anybody to obtain possession of that report in any way?—I do not say the Crown has no exclusive property, but I think Parliament are only trustees for the people. I do not think we should have any Star Chamber inquiries at all. I think a Committee meeting should be open to the public, unless it is a secret Committee, and in cases like a secret Committee it should be a very serious breach of privilege to publish the evidence. Otherwise I fail to see that it is any crime at all to publish the evidence taken. It is no political crime; it is merely against the Standing Orders, which should be altered.

157. Do you not think the regulations of Parliament ought to be observed until Parliament alters those regulations?—I think so; and that we ought to alter the rules at once.

158. Do you not think the alteration should come first?—Yes.

159. How do you reconcile the two, that it is wrong and it is not wrong to commit a breach of the privileges of Parliament?—It is the Standing Orders which say that evidence shall not be published before the Committee has reported.

160. May I call your attention to what I conceive to be a broad distinction. I will put two cases: If a member of Parliament gives an abstract or epitome of proceedings before a Committee to a newspaper, he is guilty of a breach of privilege?—I believe so.

161. Is the case not more flagrant where a newspaper uses the shorthand report of the Committee, which is the property of the Crown?—Yes, it would be a more serious breach, I should say; but being paid for by the Crown it is paid for by the people, and thus a lot of people know what has been paid for by the Crown by the report being published in the newspaper.

162. Do you see any distinction between your own contention that the proceedings of this or any other parliamentary Committee should be open to the public, or to the newspapers generally, and the fact that this report was exclusively obtained by one newspaper only?—I think the Committees should be open to all newspapers.

163. Do you think it right that this one newspaper should have had an advantage over all other newspapers owing to the unfair and surreptitious means adopted to secure the report?—I do not think one paper should be favoured more than another. If a reporter can obtain the information it is his own look-out, and I suppose he has to put up with the consequences.

164. *Mr. Pirani.*] Were any instructions given by the Committee to triplicate the evidence?—No, there were not.

165. The instruction came from you?—Yes; I thought it was the most expeditious way.

166. Was there any necessity for doing six copies?—Yes; there was a large number of members of the Committee who wanted to look over the questions they had asked.

167. As you have admitted that it is not a proper thing for evidence given before a parliamentary Committee to be kept private until the Committee has reported, do you not think, even as a matter of policy if it is wrong to keep it private, in obedience to the Standing Orders it should be kept private?—I have answered that in reply to Mr. Fisher, that the Standing Orders should be amended.

168. In what direction should it be amended?—So that the meetings should be open to members of the Press unless the Committee decided that the proceedings shall not be open, and in that case publication should be deemed a very serious breach of privilege.