

1903.
NEW ZEALAND.

PRIVILEGES COMMITTEE.

(REPORT ON THE PUBLICATION IN THE *NEW ZEALAND TIMES* IN ITS ISSUES OF THE 5TH AND 7TH SEPTEMBER, 1903, OF CONFIDENTIAL PAPERS, INCLUDING A BILL DEALING WITH SECONDARY EDUCATION CONFIDENTIALLY BEFORE THE SELECT COMMITTEE ON EDUCATION OF THE HOUSE OF REPRESENTATIVES, TOGETHER WITH THE MINUTES OF PROCEEDINGS, MINUTES OF EVIDENCE, AND APPENDICES; AND ALSO ON THE PUBLICATION IN THE *LYTTELTON TIMES* OF THE 8TH SEPTEMBER OF SIMILAR MATTER.)

Brought up Wednesday, 23rd September, 1903, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

WEDNESDAY, THE 9TH DAY OF SEPTEMBER, 1903.

Ordered, That a Committee of Privilege be appointed to inquire into and report on the matter of the publication in the *New Zealand Times* of confidential papers, including a Bill dealing with secondary education, now confidentially before the Select Committee on Education, and which appeared in the *New Zealand Times* in its issues of the 5th and 7th September, which said publication has been declared by the House to be a breach of privilege; such Committee to have power to call for persons and papers: the Committee to consist of Mr. Speaker, Mr. Millar (Chairman of Committees), Mr. Massey, Sir W. R. Russell, Hon. Sir W. J. Steward, and the mover.—(Rt. Hon. R. J. SEDDON.)

FRIDAY, THE 11TH DAY OF SEPTEMBER, 1903.

Ordered, That three be the quorum of the Privileges Committee.—(Mr. MILLAR.)

WEDNESDAY, THE 16TH DAY OF SEPTEMBER, 1903.

Ordered, That the correspondence between Mr. Speaker and the editor and the publisher of the *Lyttelton Times* in connection with a breach of the privileges of the House be referred to the Privileges Committee.—(Hon. Sir J. G. WARD.)

REPORT.

NEW ZEALAND TIMES.

WITH respect to the order of reference of Wednesday, the 9th September, your Committee have the honour to report that they have inquired into the matter of the publication in the *New Zealand Times* of the 5th and 7th September of certain information contained in confidential documents then before a Select Committee on Education, which was declared by the House to be a breach of privilege, and have examined upon oath the following witnesses, namely:—

Mr. J. L. Kelly, Editor, <i>New Zealand Times</i> .	Mr. E. Y. Redward, Clerk to Crown Law Officers.
Mr. M. E. Bannister, Publisher, <i>New Zealand Times</i> .	Sir E. O. Gibbes, Assistant Secretary for Education.
Mr. P. J. Nolan, Chief Reporter, <i>New Zealand Times</i> .	Mr. L. Wilkes, Clerk, Education Department.
Mr. Emil Schwabe, Reporter, <i>New Zealand Times</i> .	Mr. J. Barr, Reporter, <i>New Zealand Times</i> .
Mr. J. Mackay, Government Printer.	Mr. J. O. Browne, Reporter, <i>New Zealand Times</i> .
Mr. G. Hogben, Secretary for Education.	Mr. G. P. Brown, Reporter, <i>New Zealand Times</i> .
Mr. P. H. C. Pirani, Clerk to Education Committee.	Mr. E. J. Le Grove, Parliamentary Committee Reporter.

From the evidence given, your Committee find that the information upon which the articles in the *New Zealand Times* were based was furnished to that paper by Mr. Emil Schwabe, who is one of its parliamentary reporting staff. In examination this witness was pressed to disclose the source of his information, but refused to do so. In consequence of this refusal, your Committee are unable to inform the House as to the person by whom the information was furnished to Mr. Schwabe, or as to the manner in which he became possessed of it.

Your Committee therefore are of opinion that the witness is guilty of contempt, and they recommend that he be fined in the sum of £15; and that in the future, in any similar case, a witness so offending be disqualified from occupying a seat in the Press Gallery of the House.

As regards the *New Zealand Times* newspaper, your Committee recommend that the publisher be fined in the sum of £25.

LYTTELTON TIMES.

With respect to the order of reference of Wednesday, the 16th September, relating to the publication by the *Lyttelton Times* of similar matter to that published by the *New Zealand Times*, your Committee considered the correspondence referred to them, and were of opinion that it was not necessary to call evidence thereon, the facts being sufficiently disclosed by the correspondence in question. Although a breach of privilege has been committed, they are of opinion that, in view of the whole circumstances, the case will be met by cautioning the editor as to the necessity for exercising greater care in the future in regard to the publication of information which by reasonable inquiry would have been discovered to be of a confidential and privileged nature.

23rd September, 1903.

J. A. MILLAR,
Chairman.

MINUTES OF PROCEEDINGS.

THURSDAY, 10TH SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Massey, Mr. Millar, Sir W. R. Russell, Rt. Hon. R. J. Seddon, Mr. Speaker, Hon. Sir W. J. Steward.

The order of reference was read by the Clerk.

On the motion of the Hon. Sir W. J. Steward, Mr. Millar was elected Chairman of the Committee.

It was resolved, on the motion of the Rt. Hon. R. J. Seddon, That the editor, the publisher, and parliamentary reporters of the *New Zealand Times*, Mr. Hogben (Secretary for Education and Inspector-General of Schools), the Government Printer, and the Clerk to the Education Committee be summoned to attend before this Committee at 11 a.m. to-morrow, Friday, the 11th instant.

The Committee then adjourned.

FRIDAY, 11TH SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Millar (Chairman), Mr. Massey, Sir W. R. Russell, Rt. Hon. R. J. Seddon, Mr. Speaker, Hon. Sir W. J. Steward.

Minutes of the previous meeting were read and confirmed.

It was resolved, on the motion of the Rt. Hon. R. J. Seddon, That the Chairman ask leave of the House to amend the order of reference by adding thereto the following words: "three to form a quorum."

The following witnesses were called, sworn, and examined, their evidence being taken down by a shorthand reporter: Mr. J. L. Kelly, editor of the *New Zealand Times*; Mr. M. E. Bannister, publisher of the *New Zealand Times*; Mr. P. J. Nolan, chief reporter for the *New Zealand Times*; Mr. Emil Schwabe, reporter for the *New Zealand Times*; Mr. J. Mackay, Government Printer; Mr. G. Hogben, Secretary for Education and Inspector-General of Schools; Mr. P. H. C. Pirani, clerk to the Education Committee; Mr. E. Y. Redward, clerk to the Crown Law Officers; Sir E. O. Gibbes, Assistant Secretary for Education; and L. Wilkes, clerk in the Education Department. (See Minutes of Evidence.)

It was resolved, That Mr. J. Barr, Mr. J. O. Browne, Mr. G. P. Brown (reporters for the *New Zealand Times*), and Mr. Le Grove (parliamentary Committee reporter) be summoned to attend this Committee at 11 a.m. to-morrow (Saturday), the 12th instant.

The Committee then adjourned.

SATURDAY, 12TH SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Millar (Chairman), Mr. Massey, Rt. Hon. R. J. Seddon, Mr. Speaker, Hon. Sir W. J. Steward.

The order of reference appointing a quorum of three was read.

Minutes of the previous meeting were read and confirmed.

The following witnesses were called, sworn, and examined, their evidence being taken down by a shorthand reporter: Mr. J. Barr, reporter, *New Zealand Times*; Mr. J. O. Browne, reporter, *New Zealand Times*; Mr. G. P. Brown, reporter, *New Zealand Times*; Mr. E. J. Le Grove, parliamentary Committee reporter. (See Minutes of Evidence.)

A letter from Mr. Hogben, Secretary for Education, showing how many of the papers in question were received by his Department, and how disposed of, was read. (See Appendix A.)

It was resolved, That Mr. E. Schwabe be summoned to again attend this Committee at 11 a.m. on Tuesday next, the 15th instant.

The Committee then adjourned.

TUESDAY, 15TH SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Millar (Chairman), Mr. Massey, Rt. Hon. R. J. Seddon, Hon. Sir W. J. Steward. Minutes of the previous meeting were read and confirmed.

Mr. Emil Schwabe was again called, sworn, and examined, his evidence being taken down by a shorthand reporter. (See Minutes of Evidence.)

It was resolved, on the motion of the Rt. Hon. R. J. Seddon, That, as a matter of convenience, the minutes of proceedings and evidence be printed.

The Committee then adjourned *sine die*.

TUESDAY, 22ND SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Millar (Chairman), Mr. Massey, Sir W. R. Russell, Rt. Hon. R. J. Seddon, Mr. Speaker, Hon. Sir W. J. Steward.

Minutes of the previous meeting were read and confirmed.

It was resolved, That the Chairman and the Hon. Sir W. J. Steward draft a report to be submitted to a meeting to be called for to-morrow (Wednesday), at 10.30 a.m.

The order of reference, referring to the Committee the correspondence in connection with a breach of privilege by the *Lyttelton Times*, was read.

It was resolved, That, as the breach of privilege was caused through publishing information already published by the *New Zealand Times*, the explanation is considered sufficient.

The Committee then adjourned.

WEDNESDAY, 23RD SEPTEMBER, 1903.

The Committee met pursuant to notice.

Present: Mr. Millar (Chairman), Mr. Massey, Sir W. R. Russell, Mr. Speaker, Rt. Hon. R. J. Seddon, Hon. Sir W. J. Steward.

The Chairman brought up the draft report prepared by himself and the Hon. Sir W. J. Steward, and it was considered, and adopted with amendments.

It was resolved, That the Chairman present the report, together with the minutes of proceedings and evidence, to the House this afternoon.

The Committee then adjourned.

MINUTES OF EVIDENCE.

FRIDAY, 11TH SEPTEMBER, 1903.

JOHN LIDDEL KELLY, Editor of the *New Zealand Times*, examined on oath. (No. 1.)

1. *The Chairman.*] In the *New Zealand Times* of Saturday, the 5th, and Monday, the 7th September, there appeared certain articles with regard to education. Were those articles published with your knowledge and consent?—Yes.

2. Have you seen the proposed new State-school syllabus?—No.

3. Have you seen the proposed new regulations with regard to training-colleges for teachers?—No.

4. Have you seen the proposed new Education Bill?—No.

5. Then, how did you become possessed of the information contained in those articles?—One of our reporters brought the information to the office in the ordinary course of his work.

6. Which reporter?—I would rather not answer the question. I look upon it that as conductor of the literary department of the *New Zealand Times* I am solely responsible, and I have no wish to shirk that responsibility or to involve any subordinate.

7. You became possessed of that information through one of your reporters?—Yes.

8. Do you decline to give his name?—Yes; if pressed I shall decline. I would ask you not to press it. I do not think it is a fair question. The legal responsibility, as, of course, you are all aware, rests with the editor and publisher; and it is quite unusual, unfair, and opposed to all journalistic ethics to shunt that responsibility on to a subordinate.

9. He was a servant of the company, was he not?—Yes.

10. We desire to ascertain how this information was obtained, and it is not an unfair question to ask that you give the name of your reporter who gave you the information upon which you based your articles?—I do not think it is a fair question.

11. Perhaps, later on, you will give us the names of your reporters?—Yes; I can provide you with a list of them.

12. Were you aware, at the time of the publication of those articles, of the existence of a Standing Order which prohibits the publication of anything which is before a Committee?—I knew there was such a Standing Order, but I cannot say that I remembered its exact terms.

13. You knew there was a Standing Order in existence which prohibits the publication of any matter before a Committee until it is dealt with by the House?—I understood it to be proceedings of Committees.

14. You know that, prior to this, newspapers have been punished for dealing with matters which are before a Committee?—Yes; for publishing evidence or proceedings of Committees.

15. Were you aware at the time of the publication of these articles that a Select Committee had been appointed and was dealing with educational matters?—I knew that a Committee had been set up with a general reference on educational matters.

16. So that at the time of the publication you were in full possession of the knowledge that those things were going on?—Yes.

17. The Committee had been set up, they were dealing with educational matters, and yet you published those articles with a full knowledge that that was the case?—Yes; but with also a firm conviction that these documents were not in the nature of proceedings of the Committee. I do not know that I can correctly define the papers, because, as I have said, I have not seen them; but I took it that they were Government documents which may or may not have been referred to the Committee. I did not know. These had been in circulation, had been discussed and talked about, and handed about; and I thought that, our man having become possessed of a copy, they were fair matter to be published. I had no knowledge that in publishing these I was committing a breach of privilege.

18. *Right Hon. R. J. Seddon.*] Having stated that you had not seen the regulations containing the syllabus, how do you know that they were brought to your office by a reporter?—I do not know that they were brought. The reporter brought the information. I do not know that he had the documents.

19. Not having seen the new proposals for training teachers, how do you state that your reporter brought them to the office?—The reporter brought the information—written. I do not know whether he himself actually saw the documents or not.

20. With regard to the proposals in the Bill dealing with secondary education, you say you have not seen that?—I have not seen the Bill, and I do not know that the reporter saw it.

21. You do not know that the documents were brought to the office at all?—I do not know that the originals of them have ever been in our office.

22. As far as your knowledge is concerned?—Yes. The reporter may have got them second-hand.

23. You said just now that it was your town reporter who brought this information?—No; I said it was one of our reporters.

24. Who are the parliamentary reporters for the *New Zealand Times*?—We have had five men doing parliamentary work this year.

25. What are their names?—Mr. Nolan was for the first few weeks our principal man in the gallery. Then, we have had Mr. Schwabe, Mr. Barr, and Mr. G. P. Brown; and Mr. J. Oakley Browne has also been doing work.

26. Who were the reporters on the dates in question—the 5th and 7th September?—I believe—I have not looked it up—that it was Mr. Schwabe and Mr. Barr and Mr. Oakley Browne. The latter is in the Council, but he frequents the Press Gallery besides.

27. You were aware that the Committee was dealing with educational questions?—I was aware that it had been set up. I was not aware that any matter was before it.

28. Did you see the matter before it was printed in the *Times*?—No; I saw it in proof. I did not see the manuscript.

29. *Hon. Mr. Guinness.*] Do you say that you do not recollect the name of the reporter who supplied the information, or that you do recollect and decline to give his name?—I do recollect; but if I am pressed I shall decline to give his name.

30. Had he this information in manuscript, or in his note-book?—It was in manuscript; but whether he had it in notes in his note-book which he transcribed into manuscript, I do not know.

31. Had he any printed documents in his possession that he quoted to you?—Not that I am aware of. I have spoken to the reporter since, but I have not asked him for details. It is not usual to question a reporter as to his sources of information—in fact, sometimes it is a distinct stipulation that he should not disclose the source.

32. You know that it is wrong to publish information obtained from a Committee until the Committee reports to the House?—Yes.

33. Did you ask your reporter whether the Committee had reported?—No.

34. Did you assume that it had reported?—My assumption, if I made any at the time, was that the matter was not yet before the Committee.

35. *Hon. Sir W. J. Steward.*] I think you stated that you did not see the actual documents?—That is so; nor did I see the reporter's manuscript at all.

36. Were you aware that such documents were in existence—*i.e.*, those upon which you have commented—one relating to the syllabus, another to the training-schools for teachers, and another to secondary education?—No. I had no idea how the information had been obtained, whether from conversation or from documents.

37. It did not reach you, then, that certain documents had been issued to the Committee which were marked "Confidential"?—No, not at all.

38. Had you been aware of the fact that this information was contained in documents so marked, would you have considered yourself justified in disclosing the contents?—I should have thought it a matter for very serious consideration. I do not think I should have published it in that case.

39. Subsequent to this matter coming up in the House I think you had an article in your paper on the subject generally and the expediency of Parliament not observing secrecy with regard to matters of this sort?—Yes.

40. I think that in that article you referred to the Standing Order now in question, which prohibits publication of matters before Committees?—Yes.

41. And I think you expressed the opinion that it would be expedient in the public interest if that Standing Order were repealed?—Yes.

42. Because you hold that opinion, would you consider yourself justified in knowingly breaking a Standing Order of the House?—Decidedly not. I have great respect for authority in any way constituted; and while I consider it a duty to resist unjust laws and to oppose unjust rules, I should obey them until they were altered.

43. Then, you did not deliberately break the Standing Order with the intention of bringing about its repeal?—Certainly not. Such a thought never entered my head.

44. *Mr. Massey.*] I think I heard you say that you knew the documents in question were talked about, discussed, and handed about?—That was after the publication—after the question had been raised. I did not know that previously.

45. You did not know it before the publication of the articles which constitute the breach of privilege?—No.

46. Would you mind explaining what you meant by saying the documents were handed about?—I do not know that I can explain it.

47. Do you mean that they were handed about in the Press Gallery?—No. What was in my mind was that I was told after the publication that these matters had formed the subject of conference been various officers and educational authorities throughout the country; and that these gentlemen had discussed them with friends or with each other, and that the documents had been in that way handed about. That was all that was in my head.

48. Do you mean that you had been given to understand that the documents had been discussed by Boards of Education?—I do not think so.

49. Well, by whom?—By, as I said, educational authorities—meaning gentlemen versed in educational matters, whose opinions had been taken.

50. Do you say that you had been informed that the opinions of gentlemen outside of Parliament had been taken with regard to these documents?—Not with regard to the documents, but the subject-matter of them.

51. Well, the subject-matter of them?—Yes.

52. Would you mind mentioning the names of the people that you had in your mind at the time—the names of the people who had been consulted?—I certainly had no individuals in my mind at all.

53. Do you remember the case of the *Dunedin Evening Star*, two years ago?—Yes.

54. You knew that the proprietors of the *Evening Star* were fined for publishing documents which had come before the Committee to be reported upon?—Yes.

55. So that you knew what you were doing when you published a synopsis of these documents?—I did not know that these matters were before the Committee. I did not know that the papers had been sent to the Committee.

56. You knew that the Committee had been set up for the purpose of considering these matters?—I knew that there was a general reference.

57. With regard to the reporter, I am afraid it will be the duty of the Committee to put you into the position of declining to give his name or otherwise. Do you decline to give the name of the reporter from whom you received the information contained in these paragraphs which appeared in the *New Zealand Times*?—I do decline.

58. *Right Hon. R. J. Seddon.*] Would it have been the duty of the reporter to have informed you, or whoever his chief may be, that the documents from which he had taken the information were confidential?—It certainly would have been his duty. I may say that the only questions I put to him were, "Did you obtain these in any underhand way?" "No," he said, "I got them in a perfectly honourable manner." I asked, "Would it implicate any official or any member of the Committee?" and he said, "No, it would not."

59. *The Chairman.*] Was that prior to the publication of the articles?—No, that was after. I had no idea there was anything unusual or extraordinary, or anything involving a breach of privilege in the publication, until after it had appeared.

60. *Right Hon. R. J. Seddon.*] These documents that I have here are marked "Confidential." The reporter's duty would be to tell you that these were confidential documents?—Yes.

61. And as a journalist you would not have published documents so marked if you had seen the word "Confidential"?—Certainly not, if it were involving a breach of privilege.

62. *The Chairman.*] We understand that you actually decline to give the name of the reporter who obtained this information?—Yes.

63. *Hon. Mr. Guinness.*] You say that you got the information from which all the paragraphs were written from one reporter?—Yes, from one.

MONTAGUE EDWARD BANNISTER, publisher of the *New Zealand Times*, examined on oath. (No. 2.)

64. *The Chairman.*] You published the *New Zealand Times* of Saturday, the 5th September, and Monday, the 7th September?—Yes.

65. Were you aware that those issues contained articles in connection with education?—I was.

66. Had you any knowledge that those articles contained matter which made them practically a breach of privilege?—I had no knowledge to that effect.

67. Have you seen the proposed new Bill, or the regulations under that Bill?—I have not.

68. Do you know whence the information was obtained on which those articles were based?—I have no knowledge on those matters; they rest with the literary department. You have my letter.

69. *Right Hon. R. J. Seddon.*] You know the reporting staff?—Yes.

70. You are the publisher of the paper?—Yes; my name is on the imprint.

71. You have become aware, since the publication of the articles, that the *Times* has been cited for breach of privilege?—Yes.

72. What is the name of the reporter who brought the information to the office?—That I am not aware of.

PATRICK JOSEPH NOLAN, Chief Reporter for the *New Zealand Times*, examined on oath. (No. 3.)

73. *The Chairman.*] Have you seen the proposed new State-school syllabus?—I have seen what has been published about it, but nothing further.

74. Have you seen a copy of the original document?—I have not.

75. Have you seen the proposed new regulations in regard to training-colleges for teachers?—I have seen nothing further than what has appeared in the newspapers on the subject.

76. Have you seen the proposed new Education Bill?—No, sir.

77. Did you see any of this matter at all before it appeared in the *New Zealand Times*?—The articles published in the *New Zealand Times* on the Saturday I did not see until they appeared in the *Times*. If you mean whether I saw the printer's copy of the articles, I may say that I saw the copy of the third article before it appeared.

78. Did you give the information to Mr. Kelly, the editor of the *New Zealand Times*?—No. I had no communication with Mr. Kelly at all on the subject before the articles appeared.

79. You were not the reporter upon whose information he published those articles?—No.

80. And you yourself have not seen them?—I have not seen them—except, as I say, I saw the copy of one of the articles; but I did not see the original documents, if that is what you mean. I know nothing whatever about them.

81. As a parliamentary reporter, I suppose you are aware of the existence of the Standing Order which prohibits the publication of any matter which is before a Committee?—Yes; and I know that it works very awkwardly very often. I am aware that it exists.

82. I suppose you are also aware that a Select Committee had been appointed for the purpose of dealing with educational matters?—Yes.

83. With your knowledge of this, would you have handed over that information to the *Times* for publication, if you had obtained it?—Well, that is rather an awkward question to answer. I have every respect for the privileges of Parliament, but at the same time if certain information came into my possession in a perfectly honourable way I would consider that my duty to my newspaper would lead me to publish the information. The first duty of a reporter is, of course, to his newspaper, and, provided that he obtains information in a perfectly honourable way, I think he is bound to publish it. Of course, no reporter should endeavour to obtain information in a dishonourable way.

84. Would you consider that matter could be obtained in an honourable way when it had printed on it "Confidential"?—I would prefer not to speak about that. You see, I do not know

the circumstances of the case at all. I am entirely unaware of how the information in question was obtained—in fact, I know nothing whatever about the source from which it came.

85. You said that the first duty of a reporter was to attend to his paper, which is quite right; but I ask you, as the chief reporter of the *New Zealand Times*, do you think it right of a paper to publish an article the information in which is obtained from a document marked "Strictly confidential"?—I can hardly answer that question without knowing the circumstances. For instance, a document might come into my hands which would not bear that mark, and of course I would have no responsibility. Then, again, before I could answer the question, I should want to know who placed the mark upon the document. I mean to say that somebody might hand to me a document which might have been marked "Strictly confidential" in some irresponsible way.

86. Assuming that a document had printed on it in the same type as the Bill or the regulations themselves bear "Strictly confidential," would you, as a reporter, consider it an honourable action to publish it or hand it over for publication?—Well, Mr. Chairman, that fact would weigh with me, but I could hardly give a straight-out answer to that question unless I knew the whole of the circumstances.

87. *Right Hon. R. J. Seddon.*]—You are the chief reporter of the *New Zealand Times*; do you know the staff that were employed in the gallery from the 5th to the 8th September?—Five men were available for parliamentary duty, including myself; but at about that time I believe that Mr. Schwabe and Mr. Barr were the reporters in the gallery.

88. Here is one of the documents, marked in print "Confidential draft." [Produced and handed to witness.] If you saw that indorsement on a document would you consider it consistent with the traditions of journalism to publish the document or to take advantage of it?—If this came into my hands in this way I should publish it.

89. Without asking any questions as to whether it had been stolen or obtained in a surreptitious and improper manner?—I might not ask any questions about it; but if I were informed that the document had been stolen, of course I should certainly pause before using it. If, however, the document came into my hands without any suggestion of that kind I should publish it.

90. Although marked "Confidential"?—Although marked "Confidential." Of course, you see, it might be marked "Confidential" for certain persons. It is very hard to answer a question like that, as I say, without knowing the circumstances under which the document was so marked.

91. You have had considerable parliamentary experience?—Yes.

92. If you knew that such a document as that was before a Committee, and was being dealt with confidentially, would you publish it?—Of course, I should hesitate considerably. I have just said that although a paper was marked "Confidential" I should publish it, but I ought to say in qualification of that that the word "Confidential" on a paper of course implies a great deal, and I should perhaps pause and make further inquiries; but at the same time if I got a piece of news which in my judgment was of considerable public importance, dealing with a matter affecting the welfare of the colony in a very considerable degree, then I should attach very considerable importance to that, and should publish the information.

93. *Sir W. B. Russell.*] Can you explain in what way a piece of news can be acquired honourably or dishonourably?—Well, a piece of news might be stolen—that is to say, papers might be appropriated by somebody. If, for instance, I were to go into the lobby of the House—the Press representatives frequently go about the lobbies—to a member's locker, turn the key, and take a document out, I should consider that extremely dishonourable.

94. On the other hand, if I were to go to the Premier's locker and take out a confidential document and hand it to you, would you be able to use that?—Not if I knew you had gone to the Premier's locker and had taken it out. I should then know it was stolen. But if you handed it to me without any explanation whatever—

95. You would not seek an explanation?—Well, perhaps I would not.

96. Then, the question is simply one for the reporter's own conscience?—It is very largely one for a reporter's own conscience. Of course, I will admit that the fact of a document being marked "Confidential" must be weighed by a reporter; he must attach great importance to that.

97. *Hon. Sir W. J. Steward.*] Supposing that a member of the House handed you one of those papers, would you consider yourself justified in using it? If he handed to you without remark a paper marked "Confidential" relating to a public matter such as this, would you consider yourself justified in using that information?—Well, if the paper were one dealing with a great public question I should consider myself justified in using it. A public document is in a very different position from a private document. Any man who ventured even to read a private document between two parties, for instance, would be acting in an extremely dishonourable way; but a public document dealing with a great public question like that of education, to my mind, stands upon a different footing. I should require to know who marked it "Confidential," for one thing. I would like to amplify that in this way: A reporter stands, in a certain measure, in a public position, and if he gets a certain piece of news which, in his opinion, is of great importance to the public, then, to my mind, he is entitled to use that news, unless, as I say, it was deliberately stolen.

98. Take the actual case, without putting a hypothetical one. Supposing that a member of the House had handed you this document, marked, as you see it now, "Confidential"—[produced] you see what that Bill relates to?—Yes. Well, I should view the matter in this way: this is a Secondary Schools Bill, dealing with a matter which is of great public interest, and I shall publish it.

99. Then, in point of fact, the position is this: you consider that you have a right to exercise your judgment as to what is in the public interest, irrespective of the fact that there might be printed or written upon the document the word "Confidential"?—Yes.

100. *Mr. Massey.*] Did I understand you to say that you saw a copy of the third article before it was published?—That is, the copy for the newspaper, not a copy of the Bill itself.

101. I am not speaking of the Bill now ; I am speaking of the article?—Yes, I saw the third article before it was published.

102. In the office of the newspaper?—Yes.

103. Do you know who wrote it?—Yes.

104. Would you mind stating the name of the writer?—I would prefer not to state. Without the permission of my editor I could not state that.

105. You decline to give the name of the writer?—Yes. My reason for acting in this way is that in matters of this kind we are pledged to secrecy, unless by the permission of the editor.

106. Do you remember which of your reporters was on duty in the Press Gallery of the House of Representatives on Friday, the 4th of this month?—I cannot remember. I know I was not on duty. I believe Mr. Schwabe was on duty—in fact, I know he was, because he took my place.

107. On the 4th?—On the 4th ; but I cannot say whether the other reporter who was assisting him was Mr. Barr or Mr. Browne.

108. Do you think there were two?—I know there were two reporters.

109. Mr. Schwabe was one?—Yes. I think—in fact, I am almost certain—that Mr. Barr was the other.

110. Had you, prior to that, seen a copy of this Bill?—No.

EMIL SCHWABE, Reporter on the Staff of the *New Zealand Times*, examined on oath. (No. 4.)

111. *The Chairman.*] Have you seen the articles in the *New Zealand Times* of Saturday the 5th September, and Monday the 7th September, in connection with education?—Yes.

112. Were you the reporter for the *New Zealand Times* in the Press Gallery on the Thursday or Friday?—I was one of them.

113. Have you seen the proposed new State-school syllabus?—I neither admit or deny that.

114. I ask the question, Have you seen the new State-school syllabus?—I decline to answer that question.

115. Have you seen the proposed new regulations in regard to training-colleges for teachers?—I decline to answer that question also.

116. Have you seen the proposed new Education Bill?—That question also I decline to answer.

117. Were you the reporter who afforded the information to the editor of the *New Zealand Times* upon which the articles on education appearing in the *Times* of the 5th and 7th September were based?—I was one of the staff.

118. We have the evidence of Mr. Kelly, the editor, that the report was handed to him in writing : was that your report?—I was one of two reporters in the gallery that night. Mr. Barr was there too.

119. Did Mr. Kelly receive a report in writing from you containing the information regarding education which was published in the *New Zealand Times* of Saturday the 5th and Monday the 7th September?—I regret that I cannot answer that question. It would imply a breach of a trust which to me is as sacred as any trust imposed upon the members of this Committee. I say that with all due deference.

120. As a parliamentary reporter, you are aware of the existence of a Standing Order which prohibits the publication of any matter which is before a Committee?—I am aware of it.

121. Were you aware at the time of the publication of those articles that a Select Committee had been set up, and was dealing with the matters which were published in your paper?—Yes.

122. So, notwithstanding your knowledge of this Standing Order regarding breach of privilege, you, as one of the reporters of the *New Zealand Times*, gave this information to the editor of your paper?—I was not aware that the information was confidential.

123. As a Press reporter, would you use a document for publication which was marked “ Confidential draft ”?—I would not.

124. Have you ever seen this document before, or a copy of it [document handed to witness]?—No.

125. Have you ever seen a similar copy to this [copy of Bill produced]?—No.

126. Have you ever seen a similar copy to this [document produced]?—No, I have not. I have neither seen those nor copies of them.

127. Would you, if you knew that a document was marked “ Confidential,” as these are, make use of it?—Not if it was marked “ Confidential ” and was before a Select Committee of the House. I have respect for the Standing Orders.

128. Do you decline to state whether it was your report that was dealt with by Mr. Kelly, or was used as the basis upon which his article that I have here was written?—Yes ; it would be a breach of trust.

129. *Right Hon. R. J. Seddon.*] You say that Mr. Barr was in the gallery?—Yes.

130. Did Mr. Barr show you any documents in reference to this matter?—I regret that I cannot answer that question.

131. Did you, prior to the publication of the information in the *New Zealand Times*, see in any one's possession the subject-matter which was dealt with?—I regret that that question comes within the same category as the previous one.

132. You saw what was published in the *Times* about the Secondary Education Bill, the training-colleges for teachers, and the new syllabus?—Yes.

133. Had you, before you saw that in the *Times*, seen it either in manuscript or in print?—I regret that I must decline to answer that question.

134. The documents have been shown you, and you have been asked if you have ever seen a similar copy?—Yes.

135. Take this document. [Document handed to witness.] What is the heading of it?—“ Regulations for the Inspection and Examination of Schools.”

136. You have sworn that you never saw that before?—Yes.

137. Did you see anything in connection with that in manuscript before it appeared in the *New Zealand Times*?—I must also decline to answer that question.

138. You see this document; it is typewritten. [Document handed to witness.] Did you ever see that, either in manuscript or typewriting, at any time prior to the publication of these articles in the *Times*?—I must make the same reply.

139. You have sworn that you never saw that document before?—Yes.

140. This is the first time that you have seen it?—Yes.

141. Have a look at this, please. [Bill handed to witness.] On your oath you just now said that you had never seen it before?—Yes.

142. Have you seen it in manuscript before, or in typewriting?—I can only make a similar reply.

143. You decline to answer the question?—Yes.

144. *Hon. Mr. Guinness.*] Have you seen in the possession of Mr. Barr any manuscript or notes containing the information upon which those articles are based?—I regret that I cannot answer that question.

145. May we assume that you did?—You may be justified in assuming anything.

146. Did you hand any information to Mr. Kelly upon which he wrote those articles?—I regret that I cannot answer that.

147. *Sir W. R. Russell.*] Prior to the publication of the first article, on the 5th September, in the *New Zealand Times* on the subject of education, did you discuss the provisions of the Secondary Schools Bill with any member of Parliament?—I can conscientiously say that I did not.

148. Did you, prior to the publication of that article, discuss the provisions of the Secondary Schools Bill or the Regulations for the Inspection and Examination of Schools with any officer of the Education Department?—I did not.

149. *Hon. Sir W. J. Steward.*] You say you have not seen either the printed copies of the documents nor the typewritten copies marked "Confidential," which have been shown you—you had not seen them prior to the publication of the article?—That is correct.

JOHN MACKAY, Government Printer, examined on oath. (No. 5.)

150. *The Chairman.*] Will you inform the Committee, Mr. Mackay, how many copies of the Secondary Schools Bill and of the Regulations for the Inspection and Examination of Schools were printed, and to whom they were delivered?—Of the Bill, fifty copies were printed, and they were delivered to Mr. Redward, of the Crown Law Office. Of the regulations, fifty-two copies were printed. They were delivered to the Education Department. The receipt is signed by Mr. Wilkes.

151. And the third document—that with regard to the training-colleges for teachers?—That was only typewritten; it was not printed.

152. Was there any possibility of any further copies of that Bill or of those regulations being printed than the fifty and the fifty-two?—No.

153. Has the type been distributed?—No; it is locked up.

154. Then, you can swear that no copies beyond those which were sent to the Law Office in the one case, and the Education Department in the other, could go out of the Government Printing Office?—I do not think it is possible. We have confidential matter of that description going through the office every week.

155. Would it be possible for a copy to be abstracted during the course of printing, or at any other time?—I do not think it could be. The papers are marked "Confidential," and we treat them as such.

156. Are you of opinion, then, that any information in connection with these documents could not have been got from the Printing Office?—It could not, I think.

157. *Hon. Sir W. J. Steward.*] How about the proofs? When the proofs are pulled, in the first instance, and the revises, what is done with them?—They are returned to the Department, excepting the last proof. I have the last proof, in this case, here.

158. You return them to the Department, sending the printed matter over?—Yes.

159. Was that done in this case?—Yes.

160. Then, with the exception of the final proof that you have before you, there was no proof or revise about the office of which any person could obtain possession?—None.

161. *Mr. Massey.*] Have you any particularly reliable men to whom the printing of documents marked "Confidential" is intrusted?—Yes, I have.

GEORGE HOGBEN, Secretary for Education and Inspector-General of Schools, examined on oath. (No. 6.)

162. *The Chairman.*] You, Mr. Hogben, as Secretary of the Department, have had printed the Secondary Schools Bill and the Regulations for the Inspection and Examination of Schools?—Our Department did not have anything to do directly with the printing of the Secondary Schools Bill. We received that from the Crown Law Office.

163. But the Regulations for the Inspection and Examination of Schools were returned from the Printing Office to your office.

164. Did you get fifty-two copies of the Regulations for the Inspection and Examination of Schools?—I think there were only fifty. I do not know the exact number. I do not receive these papers personally. Sir Edward Gibbes receives them.

165. *Right Hon. R. J. Seddon.*] Mr. Wilkes signed for the regulations?—Yes. Mr. Wilkes is the Senior Despatch Clerk, and he was appointed to make up the sets and to bring the surplus

copies to Sir Edward Gibbes and myself. Sir Edward Gibbes gave me a copy, and I took a copy, which are those that I have here now for notes and for the use of the Committee. They have been kept under lock and key.

166. *The Chairman.*] Mr. Wilkes, you say, had charge of the whole lot?—He would have the work of putting them up into lots for distribution.

167. So that if anything went astray from the Education Department it would be through Mr. Wilkes, he having had the lot sent to him in the first place?—But we know how many copies he gives back, and we know how many copies the clerk receives.

168. Have you that information now?—Not for each of the papers. I could give it you for the Bill.

169. Not for the regulations?—No.

170. *Right Hon. R. J. Seddon.*] Could you obtain it?—Yes.

171. *The Chairman.*] Will you obtain for the Committee information as to the total number of copies of the Regulations for the Examination and Inspection of Schools received by the Department from the Printing Office, and how those were disposed of?—Yes.

172. You yourself, you say, had a copy?—I have two copies here. One is marked "For notes," and the other is for the specimen file. If copies of a document are sent to a Committee, and I am to appear before that Committee, they give me a specimen file, so that I know I have exactly what the Committee has. Then I have my copy for notes as well.

173. Have your own copies ever been out of your possession?—No.

174. Have you discussed with educational authorities the provisions of those documents in such a way as to afford any information to the outside public?—No. I have discussed some of the points in them with educational authorities, but only fragmentarily.

175. That is, educational authorities outside of your own Department?—Yes. That was a good many months ago, and then only portions. That was with the consent of the Minister. It was only portions that I discussed with educational authorities, and not in the form in which they appear in these papers.

176. Any conversation that you may have had outside could not form the basis of the articles which appear in the newspaper, could it?—No. There has been a good deal of modification since, as to the precise form.

177. I suppose you are aware that certain articles have appeared in the *New Zealand Times* in connection with matters now being dealt with by the Education Committee?—Yes.

178. Do you think it possible for the information on which those articles are based to have been given from your Department?—No, I do not. I have inquired very carefully into it. I do not think that it is at all possible.

179. You say that the Secondary Schools Bill never came down to your Department?—Yes, it did. I asked for a certain number of copies from the Law Draftsman, having the authority of the Minister to ask for them. That number of copies was supplied, and was actually brought up by hand; it was not sent by messenger. I myself took the two copies which I have here now. I took three copies, and handed the rest to Sir Edward Gibbes. He has one copy under lock and key in his own confidential drawer. I may say that I am sometimes called away, and so Sir Edward Gibbes keeps all these papers. But I have seen that copy in his drawer, and that accounts for the whole of the copies. We sent twenty-seven to the clerk.

180. How many copies did you receive altogether?—Thirty-two.

181. Out of which you have three?—I have three. No; I have four.

182. And Sir Edward Gibbes has one?—Yes.

183. Which you say you have seen in his drawer?—Yes.

184. And twenty-seven were sent to the Committee?—Yes.

185. That accounts for the thirty-two that you received from the Law Office?—Yes.

186. There is no chance of any of those copies having been out of the office at any time before they were sent up to the Committee?—No. They were only ready on the Friday morning, and they were sent up on the Friday morning—in fact, the last line is printed in only the last copy.

187. With regard to the paper dealing with training-colleges for teachers: has this been in your possession all the time?—Yes, it has been in my possession all the time. When I say "my possession," I mean that it has been on the file in the Department, which has been kept in the same way as all confidential files.

188. When did you start typing the copies for the Committee?—On the Thursday afternoon, after the meeting of the Committee. The copies were finished on the Friday morning.

189. How many copies were typed?—That I cannot say. My directions were that thirty should be typed, but I could not tell you how many were actually done. I asked the typist whether every one of the copies was given over, and he told me that he had given every one in.

190. Were they typed in the office?—In our own office.

191. You do not think a copy of that document could have been taken away from there?—No.

192. At the present time you have no recollection of the exact number of copies?—No.

193. Will you find out what number were typed, and what was done with them?—Yes.

194. *Right Hon. R. J. Seddon.*] Sir Edward Gibbes would be able to give the information as to the number typed, would he not?—Yes, I think he would.

195. You received instructions to mark these documents "Confidential," and to keep them confidential?—Yes.

196. Have any copies been sent out to any Education Boards or School Inspectors?—No.

197. The only ones sent out were those sent up to the Parliamentary Committee?—Yes. The old form of this document [document indicated—Regulations for Teachers' Certificates] was sent out more than a year ago, but the document was not in this form. A good deal of alteration has been made since.

198. But what has been printed in the *New Zealand Times* has been taken from the new form, and not from the old one?—That is so.

199. The draft Bill mentioned has not been completed or approved yet?—No.

200. It has not even been circulated among Ministers?—No.

GEORGE HOGBEN, Secretary for Education and Inspector-General of Schools, re-examined.

201. *The Chairman.*] I understand that you desire to correct some evidence given by you this morning in connection with the number of copies of the Bill that you received?—Yes; as to the number of copies. I had the number thirty-two firmly fixed in my mind, and I connected it with the Bill. I gave the number to you as thirty-two, but I find that I was wrong.

202. What was the number of copies that you received?—I cannot tell you that now. I find that the number thirty-two relates to something else—to the memorandum on the training-colleges.

203. You will ascertain the correct number?—Yes. (See Appendix A.)

PERCIVAL PIRANI, Clerk to the Education Committee, examined on oath. (No. 7.)

204. *The Chairman.*] When did you receive copies of the Regulations for the Inspection and Examination of Schools, of the Secondary Schools Bill, and of the memorandum *re* training-colleges for teachers?—I received the papers entitled “Free Places in Secondary Schools,” and “Secondary Schools Bill, Confidential Draft of,” on Friday, the 28th August.

205. How many copies did you receive?—On Friday, the 28th August, I received twenty-five copies of each, and—

206. Do you mean twenty-five copies of each of the three documents—the Secondary Schools Bill and the regulations, or only the regulations?—Twenty-five copies of “Free Places in Secondary Schools,” twenty-five copies of the “Secondary Schools Bill, Confidential Draft of,” and twenty-five copies of “Training-colleges for Teachers.” I received the latter on the 29th August, and on the same day I received two extra copies of “Free Places in Secondary Schools,” and two extra copies of the “Secondary Schools Bill, Confidential Draft of,” and two copies of “Training-colleges for Teachers,” making twenty-seven copies in all.

207. Of each?—Of each.

208. What did you do with these twenty-seven copies?—Twenty-five copies were sent out to the members of the Committee, and two copies were left in my possession.

209. Did each member of the Committee receive that copy?—That I could not tell you.

210. Did he to the best of your knowledge?—To the best of my knowledge, each member did.

211. How did you send the copies out?—I sent out twenty-five copies of “Training-colleges for Teachers,” “Draft Regulations for the Examination and Classification of Teachers,” and “Draft Regulations for the Inspection and Examination of Schools,” on Monday, the 31st August, at about 4 p.m. I did them up and sent them with a covering memo., which read as follows:—“Please receive one copy of each confidential draft of the following papers: (1.) Regulations for Inspection and Examination of Schools. (2.) Training-colleges for Teachers. (3.) Regulations for Classification of Teachers. The same to be retained, as per memo. of the 28th August last.” The memo. of the 28th August read the same, except that the papers were different. They were, “Free Places in Secondary Schools,” Secondary Schools Bill, Confidential Draft of,” and “Manual and Technical Instruction.” This memo. was sent out with the papers on the 28th August, at about 10 p.m.

212. Do I understand you to say that you got the copies on the 29th August, and did not send them out till the 31st?—I received them on Saturday morning, the 29th, at about a quarter to 1 o'clock, and send them out on the afternoon of Monday, the 31st August.

213. Where were they during that time?—They were locked up in my cupboard. They were sealed as they were when sent up from the Education Department, and were not opened—the string was not broken till the Monday afternoon.

214. You say that you sent one copy of each paper to each of the members?—I sent one copy of each to each member, making up the twenty-five.

215. And you retained two yourself?—Yes. I did not receive the two extra copies until the Monday afternoon, the 31st August.

216. Have either of those two copies ever been out of your possession?—Yes. Sir William Russell asked me for the loan of the confidential draft of the Secondary Schools Bill, and returned it to me on the same day. Then the reporter to the Committee, Mr. Le Grove, obtained a copy of the syllabus on Thursday, the 3rd September, for the purpose of making extracts to include in the evidence. Those are the only occasions on which the papers have been out of my possession.

217. Did Mr. Le Grove have the paper out of the Committee-room?—Yes.

218. *Mr. Massey.*] Away from the Buildings?—I could not say that. In the usual course he receives a copy of whichever paper extracts are read from, for the purpose of placing them in the evidence.

219. *The Chairman.*] Mr. Le Grove is the Committee Reporter?—Yes.

220. What steps did you take to see that any documents which were left in the Committee-room by the members after discussing them were placed beyond the reach of anybody else?—I placed them in their respective envelopes, and locked them up in the cupboard.

221. I mean this: If there were any documents left about in the Committee-room after the Committee had finished, what steps did you take to prevent any person having access to them?—I never left the Committee-room. I put the documents in their respective bundles, and locked them in the cupboard.

222. And no one but yourself had access to that cupboard?—I cannot swear to that, because when I have finished my day's work I take the key down to the Clerk's room and put it in the drawer there. That is the end of it, as far as I am concerned.

223. Is that Mr. Lowe's room?—Yes. I do not carry the key about with me. It is left in the drawer.

224. Then, you do not think it was possible for any one to obtain that information out of the Committee-room?—I say that it was impossible for any one to obtain it out of the Committee-room, but I do not say it was impossible for any one to obtain it out of the cupboard.

225. Did you yourself afford any information to any person in connection with the matters before the Committee?—No, sir.

226. Did you discuss them with any person outside the Committee?—No.

227. *Right Hon. R. J. Seddon.*] Did you give Mr. Le Grove a copy of the Bill as well as the syllabus?—No; he had only a copy of the syllabus and a copy of, I think, the Inspectors' report—the latter not a confidential paper. The only confidential paper he had was the syllabus.

228. You say you do not know whether the members of the Committee got their papers or not—you simply addressed them to them. Were the papers enclosed in an envelope?—Yes, enclosed in a sealed envelope. I took the first lot of papers—those sent out on the Friday night between 10 and 11 o'clock p.m.—down to the messengers' room myself. The papers which were sent out on the Monday afternoon I sent out from J room. I rang for the messenger, and he came up and took them down.

229. Have you heard that some of the members have not got their papers—that the papers went astray?—I have heard the rumour, that is all.

230. But none of the members have complained to you? Did any member ask for a duplicate set?—Yes; Mr. Hanan asked for a copy of the Examination and Classification of Teachers paper. He got it on Monday, the 7th September, at 11 a.m., and returned it at 10.40 a.m. on Thursday, the 10th. That was only the one paper.

231. But you have not heard definitely of any of the papers going astray, nor had any definite application made by members for a duplicate set?—Only at the Committee meeting yesterday morning, the 10th instant, I heard two or three complaining that the papers had gone. It appeared that complaints were being made that the papers had gone between the meeting on Thursday week, the 3rd instant, and the meeting yesterday, the 10th instant; but that was an impossibility, unless the members had taken the papers away themselves, because, to my knowledge, no one has been to the cupboard.

232. *Hon. Mr. Guinness.*] When you lock up the papers in your cupboard and take the key to Mr. Lowe's room, do you hand it over to any officer there?—No; I put it in the drawer.

233. Is there a cupboard in Mr. Lowe's room where it is the custom for Committee Clerks to put the keys of their cupboards?—Yes; we put them all in the one box.

234. Do you know whether that drawer is kept locked, or left open?—That I could not say. When I go there it is open.

235. The drawer is never kept locked, is it?—I do not know.

236. *Mr. Massey.*] How long did Mr. Le Grove have the paper away that you gave him? When did he return it?—I could not say for certain. I think he returned it yesterday morning when I asked him for it.

237. You asked him for it?—Yes. I asked him for it for the purpose of completing my own file.

238. You think it was on Thursday, the 10th, that he returned the paper which he received on the 3rd?—Yes.

ERNEST YEVILY REDWARD, Clerk to the Crown Law Officers, examined on oath. (No. 8.)

239. *The Chairman.*] Did you receive from the Printing Office the draft of a Bill regarding secondary schools?—I did.

240. How many copies did you receive from the Printing Office?—I got fifty copies.

241. What was done with them?—Forty-eight were handed to Mr. Hogben himself. The other two I have in the office. They are still in my possession in the Crown Law Office.

242. Were they ever out of your possession from the time you received them from the Printing Office until you sent them to the Education Office?—No.

243. Have any other persons had access to the two copies in your possession?—No one other than the Law Draftsman.

244. So that no information could have been obtained from the Bills in your possession?—No.

245. I suppose you would not see a draft Bill before it went to the Printing Office at all?—The printing all goes through my hands.

246. Was there any opportunity of any person receiving or using that from the time it came into your hands—or prior to its coming into your hands—until it came back printed?—No; a Bill goes direct from me to the Overseer of the Printing Office, and comes back direct from him to me.

247. You do not think it possible, then, for any information to have been obtained in your office by outsiders?—No.

248. *Right Hon. R. J. Seddon.*] This is the draft Bill—it has not been approved yet?—That is so.

249. It has not been circulated?—No.

SIR EDWARD OSBORNE GIBBES, Assistant Secretary to the Education Department, examined on oath. (No. 9.)

250. *The Chairman.*] Did you receive the printed copies of the Secondary Schools Bill from the Crown Law Officers?—Yes.

251. How many did you receive?—I do not know. I did not count them.

252. Did you have charge of those copies after they came into your Department?—Yes; general charge. They were sent to me, and were kept in my room.

253. You do not know how many you received?—No.

254. Unless you can give us information as to the number you received and what you did with them, it will be almost impossible to ascertain from your evidence whether any information went from your Department in connection with the publication of certain articles in the *New Zealand Times*?—I think we know the number of copies that we sent away. I do not know how many copies are left, but I could ascertain.

255. Will you ascertain how many copies you received, how many you sent away and to whom they were sent, and how many you have left in the office?—Yes. (See Appendix A.)

256. *Right Hon. R. J. Seddon.*] Do you not give a receipt for Bills and papers when you receive them?—I do not think so. I did not give a receipt in this case, and I do not think a receipt is ever taken. I think the papers come up from the Bill Office without any formula of that kind.

257. Is no record kept of the number of documents that come from the Printer?—No. When you get papers from the Printer you get a slip in pencil. Unless it is something of importance you do not check it. A very large number of these things come over. You get a paper slip from the Printer advising you that he is sending so-many hundred copies of a paper. Well, the clerk looks at them, and judges that the number stated is there, but he does not count them all unless it is something of great importance.

258. *Hon. Sir W. J. Steward.*] The Committee want to ascertain what has become of the papers that were sent to your office. If you have a record as to how many were sent out and how many you have in your possession, we can ascertain from the Printer how many copies were sent to you, and that will complete the thing. Can you give the information as to how many copies were sent out of the office, and how many are now in the office?—Yes, I can do that. I should like to say that previously these papers were not regarded as specially confidential, with the exception of Bills. Bills are treated exceptionally. But all these other matters are no more confidential than hundreds of other papers that are in the office. My rooms contain dozens of papers that are equally confidential, as far as the public is concerned. I cannot lock up my room. It is full of papers of that kind, and, with the exception of Bills, these papers have been lying about the office, like all the other departmental papers. There is no idea of regarding them as especially confidential.

259. *Right Hon. R. J. Seddon.*] Are you sure of that? Where were these words "Confidential draft" marked on this document?—That indorsement was printed on it for the purpose of marking the copies that were sent up to the Committee.

260. That was printed by instructions from your office, was it not?—Yes.

261. Can you say after that that this was not confidential?—What I mean to say is that before these regulations were under consideration in the office—and there are now the drafts of them in the office—they were no more confidential than dozens and dozens of other papers in the office, nor are the drafts now. My idea with regard to the marking was that it should inform the Committee that this was a confidential paper.

262. *Hon. Sir W. J. Steward.*] It was not a confidential paper till that indorsement was put on it?—As far as the public was concerned, it was a confidential paper, because the public knew nothing about it. It was entirely confined to the Department.

263. *Mr. Massey.*] By whose instructions were the papers marked "Confidential"?—The *Right Hon. the Minister's*.

264. The Minister for Education's instructions?—Yes.

265. *Hon. Mr. Guinness.*] Am I to understand that only those copies which were asked to be sent to the Committee were marked "Confidential"?—Immediately before the setting-up of the Committee these regulations were in long slips, and when it was decided to lay them before the Committee they were, in a great hurry, made up in this form, and a certain number printed in that form, with "Confidential" marked on them.

266. *Right Hon. R. J. Seddon.*] You say that they were only put into pamphlet form immediately before going to the Committee?—Upon the order they were to go to the Committee.

267. You do not have many copies when they are in slips?—No; just the number that we work on in the office.

268. The slips in the office on which you work are confidential as between the office and the Minister and the outside world?—Entirely.

269. *Hon. Sir W. J. Steward.*] The outside world would not have access under any circumstances to these slips?—Certainly not—*i.e.*, they would have no more access than to any other paper in the Department. I have been for thirty years in the Government service, and I have never known a paper to be taken out of the office. The office-door is wide open every night. It is impossible to lock up all the papers.

270. *Right Hon. R. J. Seddon.*] The Inspector-General has a cabinet, has he not?—Yes.

271. If he was dealing with slips in a matter between himself and the Minister he would keep them in his cabinet, would he not?—The great bulk of the work that he is dealing with is between himself and the Minister. All the correspondence that comes in is between him and the Minister. Your directions on correspondence are confidential, but they are not locked up.

272. This document that I have here—one of the confidential papers—has not been printed, has it?—No.

273. Do you know how many copies of that were typewritten? Who did the typewriting?—The typing was done in our office, and I think about thirty copies were printed from the typed sheets.

274. That is, of the Bill?—Yes. I have some copies now in my drawer—copies of the Bill.

275. How many copies have you?—I do not know. I did not count the original number. I know how many were given out.

276. Have you more than two?—Yes, I think so.

277. *The Chairman.*] Will you please supply us with information as to the exact number of copies of those regulations that were typewritten, and what was done with them; the total number of copies of the Secondary Schools Bill that you received from the Printing Office, and what was done with them; and the same with regard to the printed regulations?—Yes.

LOPEZ WILKES, Clerk in the Education Department, examined on oath. (No. 10.)

278. *The Chairman.*] Is it part of your duty, Mr. Wilkes, to receive any printed matter which comes from the Printing Office to your office?—It is.

279. Did you receive any copies of the Regulations for the Inspection and Examination of Schools?—I received three or four packages of papers, but they were addressed to Sir Edward Gibbes and were marked "Private and confidential," so I did not open them. Papers that are marked "Private and confidential," and are addressed to him, are always handed to Sir Edward.

280. Then, you did not open any of these?—No. I sent them in to Sir Edward Gibbes. He may have handed them to me afterwards, but I did not open them. If papers are addressed to Mr. De Castro, the Chief Clerk, and are marked "Private and confidential," I hand them to him.

281. From your own personal knowledge you cannot tell us how many copies were received from the Printing Office?—I cannot.

282. You did not open the package which was marked "Private and confidential"?—That is so.

283. That answer applies also, I suppose, to the Secondary Schools Bill?—Yes.

284. You cannot say how many copies you received of that?—I did not open the packages. They were marked "Private and confidential," and I treated them accordingly.

285. You signed for them?—I may have done that—signed for the packages.

286. Are you in the habit of signing for a package that is said to contain so-much, without ascertaining whether it does or not?—No; but, you see, during the last three or four weeks we have been getting things in by the five or six hundred. You do not keep the boy waiting all the time whilst you count papers—say, such papers as E parliamentary papers.

287. You signed for the draft Bill that came in marked "Confidential draft"?—I might have done so. I am not aware that I did.

288. The Government Printer has produced the receipt here, signed by you?—Very good; then it must have been me.

289. It is signed by a Mr. Wilkes. Is there any other Wilkes than yourself in the office?—No.

290. The receipt was signed by you for a certain number of copies, but you do not know whether there were fifty or forty?—I could not say. I signed the receipt, and handed the package in to Sir Edward Gibbes. I believe the package was addressed to Sir Edward. Nearly all those things were, because, I believe, he sent the order over to the Government Printer.

291. You cannot afford us any information as to what was received?—No, not as to the quantity.

292. Do you know what was done with the copies after you received them?—I was told off to prepare all the papers for the Education Committee. Amongst other things, I was told to send up twenty-five copies, which were sent up, I believe, on the 28th August with three other things. They were sent up to the Clerk. I came up to see the Clerk on the Saturday morning, and he said he required two more copies, which I brought up myself on the Monday morning to complete the sets of all the papers that were required.

293. That is, twenty-seven copies in all?—Yes. There is one copy which is a file copy, and there is one copy included in the set that I made up for Mr. Hogben.

294. That is the total number of copies that were dealt with by your Department, twenty-seven?—Yes; as far as I am concerned.

295. The rest ought to be in the office?—Yes, I suppose so. Mr. Hogben may have sent some away.

296. Would any one else send them out if you were told off to deal with them?—I think not. They were all kept in Sir Edward Gibbes's room.

297. *Hon. Mr. Guinness.*] When papers are sent to your office marked "Private and confidential," whose duty is it to keep them private and confidential?—I should do as I did in this case—sign for them, and hand them to the individual to whom they were addressed.

298. Would Sir Edward Gibbes, to whom you say you would hand them, keep charge of the papers and keep them private and confidential?—I conclude so. They were put into his room. I was told to send a certain number up to the Committee.

SATURDAY, 12TH SEPTEMBER, 1903.

JOHN BARR, Reporter for the *New Zealand Times*, examined on oath. (No. 11.)

1. *The Chairman.*] You are a reporter for the *New Zealand Times*?—Yes, sir.

2. Were you reporting the parliamentary news for the *New Zealand Times* on Friday, the 4th September, or at about that time?—Yes.

3. Have you seen the articles which appeared in the *Times* of the 5th and 7th September entitled "Educational," "Our State Schools," and "Secondary Education"?—Yes.

4. Have you seen the proposed new State-school syllabus?—No. I have seen nothing but what was in print.

5. This is a copy of the Regulations for the Inspection and Examination of Schools. [Document handed to witness.] Have you ever seen a similar document to that?—No.

6. Have you seen the proposed new regulations in regard to training-colleges?—No.

7. Here is a copy of the document. [Handed to witness.] Have you seen a similar document to that?—No.

8. Have you seen the proposed new Education Bill?—No.

9. Have you ever seen a similar document to that. [Bill handed to witness] ?—No; I have not seen a similar document to that.

10. Did you get any information from any member of Parliament in connection with those matters?—No; I got no information from a member of Parliament.

11. Did you get any information from any official in the Education Department?—No.

12. Did you provide the written article which Mr. Kelly, the editor, received, and which was published in the paper?—No.

13. Did you provide Mr. Kelly with any information?—No.

14. Did you provide Mr. Nolan with any information?—No.

15. Did you provide any one connected with the *New Zealand Times* with any information?—No.

16. Are you, as a parliamentary reporter, aware of the existence of a Standing Order which prohibits the publication of matter before a Committee?—Yes.

17. Were you aware that a Committee on Education was set up dealing with those matters which appeared in the *Times*?—Yes.

18. Would you, as a parliamentary reporter, knowing the existence of the Standing Order, and knowing that the Education Committee was dealing with the matter, if the information came into your possession being headed, as you have seen, "Confidential draft"—would you consider yourself justified in sending that on to your chief for publication?—No; I would rather obey the Standing Order.

19. Then, we understand that you have never seen copies of any of those drafts, that you have never had any information from any member of Parliament, and that you have never had any information from any person in the Education Department?—That is quite right.

20. *Hon. Mr. Guinness.*] You noticed that information published in the paper in the issue of Saturday, the 5th September?—Yes.

21. When did you first know of the existence of the Bill and the other matters referred to in the article?—I knew of that before publication.

22. On what day—the 4th?—No. I knew of it shortly before it appeared in the paper, on the morning of publication.

23. Where was that—at the office?—No; it was in this building.

24. The House did not sit very late that night, did it?—It was just before 2 o'clock, I think, when the House rose.

25. At about what hour on the Saturday morning was it that you knew this?—Shortly after midnight of Friday, between 12 and 1 o'clock.

26. Then you became acquainted with that information in the Parliamentary Buildings?—Yes.

27. In whose possession did you see that information?—I did not see it in anybody's possession.

28. How did you become acquainted with it?—I knew from members of our own staff that our paper had it.

29. Then, you were informed by members of your own staff of the information upon which the articles were based?—Of the facts upon which they were based.

30. Did you see anything in writing, or was it simply oral information that was given to you?—It was just oral information—that we had some educational stuff.

31. What member of the staff gave you that information?—With all due respect to the Committee, I would ask to be excused from answering that question. I submit that inside office-work is a fair thing—

32. This was inside Parliament Buildings. We must have a straight answer to the question. I see no objection to your answering it?—It is from no motive of hiding anything; but it is only usual for pressmen to answer a question like that in that way.

33. We have it reduced to this: that that information was given to you by a member of your staff?—Yes; that is so. I was told that we had some educational matter. As I say, I have no desire to cloak who told me that, but it is not usual for pressmen to do that sort of thing. It was Mr. Schwabe who told me that we had some educational copy.

34. You have told us that you did not see any documents in print or in writing from which you learnt that information?—That is quite correct.

35. Then, some member of your staff must have told you or read out to you what the nature of the information was?—No. I was told that we had some educational copy. That was all that I was told.

36. Did you know what it was about?—I had no idea of what it was about.

37. Then, how does that statement of yours tally with the one you have already made—that you knew the facts upon which those articles were written, and you became acquainted with that information between 12 and 1 o'clock in the Parliamentary Buildings?—When you asked me if I knew the exact nature of it I said that I did not. I knew that the information was bearing on the educational work of the Committee which was set up. That was all that I knew.

38. Will you give us the name of the person who gave you the information, or do you decline to give it—the personal information that you obtained from a member of your staff?—It was Mr. Schwabe who told me that we had some educational copy.

39. *Hon. Sir W. J. Steward.*] Do you know who supplied the information to the editor upon which the articles were founded?—I am sorry, sir, to have to decline to answer that.

40. You have already stated that Mr. Schwabe informed you generally that he had certain information?—No; I did not say that. I said that Mr. Schwabe had told me that we had some educational copy.

41. That is what I say. Mr. Schwabe made you acquainted with the fact that he had obtained some educational copy?—Pardon my correcting you again. I did not say that Mr. Schwabe said he had obtained some educational copy, but that the paper—the *New Zealand Times*—had some educational copy.

42. You decline to say who supplied the information which the *New Zealand Times* had?—Yes.

43. As a matter of fact, you know who supplied the information, although you will not tell us who it was?—I must decline to answer that, too.

44. Do you happen to know how that person became possessed of the information?—No.

45. But you decline to say whether you know who it was that gave the information to the editor?—I do not know who gave it to the editor.

46. *Mr. Massey.*] Was there any member of the *Times* staff besides Mr. Schwabe and yourself present in the Press Gallery on the 4th?—There was nobody in the Lower House gallery. There was Mr. Oakley Browne in the Upper House.

47. You say that you did not supply the information on which those articles were based to the editor?—I did not supply it to the editor.

48. I suppose you see the position in which Mr. Schwabe is placed?—I see perfectly the position in which Mr. Schwabe is placed.

JAMES OAKLEY BROWNE, Parliamentary Reporter for the *New Zealand Times*, examined on oath. (No. 12.)

49. *The Chairman.*] You are one of the parliamentary reporters for the *New Zealand Times*?—Yes.

50. Were you in the Press Gallery on or about the 4th September?—I could not say.

51. Have you seen the articles which appeared in the *New Zealand Times* of the 5th and 7th September with regard to education and matters before the Education Committee?—I have seen them, but I have not read them very carefully.

52. Have you ever seen a copy of the printed proposed new State-school syllabus?—No.

53. Have you ever seen a copy of the proposed new regulations for training-colleges?—No.

54. Or of the proposed new Education Bill [produced, and handed to witness]?—No.

55. Did you write the articles for the *New Zealand Times*, or give the information upon which those articles were based?—No, I did not.

56. Do you know who did give it?—No; I cannot say who did.

GEORGE POWICK BROWN, Reporter, *New Zealand Times*, made affirmation and was examined. (No. 13.)

57. *The Chairman.*] You are one of the parliamentary reporters for the *New Zealand Times*?—I was.

58. Were you on or about the 5th September?—No; I have been off for a fortnight now—I think it is a fortnight.

59. Did you give any information at all to the *New Zealand Times* in regard to certain articles, which appeared on the 5th and 7th September, with reference to education?—No.

60. Do you know who did so?—No.

61. You yourself did not?—I did not.

62. Have you ever seen a copy of a document similar to that [Bill produced and handed to witness]?—No.

63. Have you ever seen either of these other two documents in print or in typewriting before, or similar copies of them [documents produced and handed to witness]?—I saw them in the *Times*, but I did not see them anywhere else in print.

64. You never saw a copy similar to those before you?—No.

EDWIN JAMES LE GROVE, Parliamentary Committee Reporter, examined on oath. (No. 14.)

65. *The Chairman.*] You were the reporter to the Education Committee?—Yes; I reported it from the first sitting.

66. You had in your possession, had you not, a copy of the regulations, which was given to you by the Clerk?—I asked the Clerk for a copy of the syllabus, and I also obtained from him a copy of the Report of the Proceedings of the Inspectors' Conference, and likewise an octavo edition of the Education Act of 1877, with the regulations. It was necessary for me to get those copies in order to verify the questions and comments of members in connection with matters which were touched upon.

67. On what day did you get them?—On the first day on which the Committee sat.

68. That was Thursday, the 3rd. When did you return them?—I had them in my possession for several days. There was only one paper marked "Confidential." That was the syllabus. It was not my fault, I might say, that I did not get a copy of the Secondary Education Bill, because that was mentioned, and I thought it might be useful to me, so that I could get the *ipsisissima verba* from the Bill if quotations were made from it at all by members when asking questions.

69. Whilst that copy of the syllabus was in your possession did you permit any person to see it?—No; it was not possible, except that anybody passing while I was working might have glanced at it, but he would not have had an opportunity of even reading it.

70. No one ever had it in his possession for any time in which extracts could be made from it?—I do not think that would be possible. Our practice, as Committee reporters, is to put all our copy, and any documents which may come into our possession, into a locked cupboard, and to secrete the key. I might say that we are extremely careful, because several questions of privilege have cropped up, and, of course, we recognise that it is very important that documents like that should not get into the hands of people who might make the contents public.

71. Did you yourself give to any person any extract, or let any person have access to that copy of the syllabus which you had in your possession?—No; not at all.

72. You yourself gave to no person anything written therefrom?—That is so.

73. *Right Hon. R. J. Seddon.*] Where do you do your writing-out?—In the Committee Clerks' room, at the top of the building, and sometimes I do it in the M to Z Petitions Committee room.

74. No one was in the room with you at the time, or came into the room?—Only the Clerks to the Committees. They have access to the room.

75. Have you had any conversation with any reporters with regard to these papers or anything in connection with them?—No.

76. *Mr. Massey.*] Did you leave the documents at any time on the table of the M to Z Petitions Committee room while they were in your possession?—No. Our practice always is to remove our documents when we leave the room. Supposing we are working in the morning, and go to lunch, our practice is to take our documents, and anything connected with any Committee proceedings, into the Committee Clerks' room, and to lock them up in a cupboard there.

77. You adhered to that practice in connection with these matters?—Certainly.

78. Where is the Committee Clerks' room?—Near the Minister for Customs' office—on the same floor as the M to Z Petitions Committee room, at the top of the building.

79. *Right Hon. R. J. Seddon.*] You see that article [paper containing extracts from syllabus produced and handed to witness]?—Yes.

80. As an experienced reporter, and having yourself had possession of the syllabus, would there be any doubt as to that being taken from the original document?—I should think there would not. I should say that it would not be possible for any man to write a summary like that without having access to the document itself, more particularly for this reason: that there are certain typographical peculiarities about these matters which are strictly followed in this article. For instance, take "S.II." and "S.I."; an ordinary reporter would probably write "Standard II." and "Standard I."

TUESDAY, 15TH SEPTEMBER, 1903.

EMIL SCHWABE, Reporter for the *New Zealand Times*, recalled, and re-examined on oath. (No. 15.)

1. *The Chairman.*] You have been recalled, Mr. Schwabe, to give further evidence. When you were last before the Committee you declined to answer certain questions. We have now ascertained that you were the reporter who had the information in question. We had this in evidence from one of the witnesses, "It was Mr. Schwabe who told me that we had some educational copy." Now, from whom did you get that?—In a newspaper office, where there is a very large staff, half a dozen members of the staff will sometimes know what is to appear in the paper.

2. From whom did you get that information?—I regret I must decline to answer that question.

3. You understand that by refusing to answer you are guilty of contempt, and the Committee intend to deal with the matter as one of contempt on your part, altogether apart from the paper. It is an individual act on your own part, irrespective of your paper, and will be dealt with as a personal act.

4. *Right Hon. R. J. Seddon.*] Perhaps Mr. Schwabe is not aware that all reporters are only in the gallery by the permission of the House or by the permission of the Speaker—they are there practically by the will of Parliament.

5. *The Chairman.*] With full knowledge of these facts, do you decline to say from what source you received that information?—I regret that, under the circumstances, I must decline to answer the question.

6. You decline to give us this information?—With all due deference to the Committee, I decline.

7. *Right Hon. R. J. Seddon.*] Will you tell us the grounds on which you refuse to give it?—On the grounds of the trust generally reposed in newspaper men to regard as confidential the source of certain information which comes into newspaper offices.

8. You think it is a question of honour between you and the person who gave or enabled you to obtain the information in question that you should not disclose that person's name?—It is a question of honour with newspaper men. They regard the trust reposed in them as sacred.

9. Will you tell us whether it was a member of Parliament who gave you or enabled you to obtain the information?—I stated in my evidence in chief, I believe, that the information did not come from a member of Parliament, nor from an officer of the Education Department.

10. Did it come from an officer of the House?—So far as I am aware, it did not.

11. It came from no one employed in or about the House?—That is so.

12. Did it come from any Minister's office or officers?—It did not.

13. Did it come from any officer of the Education Department?—As far as I am aware, it did not.

14. *Hon. Sir W. J. Steward.*] Do you decline to state whether you obtained the information from any person?—Yes; I must decline to answer that.

15. Do you further decline to say whether you obtained it from any written document or memorandum left in any place to which you had access?—That question practically covers the same ground.

16. You are aware, as a newspaper reporter, of what took place at the time of the Banking Inquiry?—I was not in Wellington at that time, but I have knowledge of what happened.

17. You have knowledge that a witness on that occasion declined to answer a question, and was fined £500?—Yes.

18. And that fact notwithstanding, you persist in the attitude you feel yourself called upon to take up?—I regret that I must.

APPENDICES.

APPENDIX A.

Mr. G. HOGBEN, Secretary for Education, to the CHAIRMAN, Privileges Committee, House of Representatives.

SIR,— Education Department, Wellington, 12th September, 1903.

I have the honour to inform you that, together with the Assistant Secretary of the Department, I have made careful investigation into the matter of the distribution of the confidential papers prepared by this Department for the Education Committee, and beg to report as follows:—

1. *Memorandum on Training Colleges.*—This is a typewritten reproduction of an ordinary departmental communication to the Minister, dated, as you will observe, 21st July, 1902. The clerk who did the work was told to make about thirty copies. There was no special secrecy enjoined in regard to it, and no reason for recording precisely what was done. The evidence is that thirty-four copies were taken, and that number is accounted for as follows: Twenty-seven copies were sent to the Committee, and seven are still in the possession of the Department.

2. *Draft Regulations for Inspection and Examination of Schools.*—These have been in type for some months, and up to the date on which I received the Minister's instructions to submit them to the Committee they were in slip form. Fifty-two copies were printed with the superscription "Confidential draft," and are accounted for as follows: Twenty-seven were sent to the Committee, one was handed to the clerk for the use of the Right Hon. the Premier in the meeting of the Committee on the 10th instant, and twenty-four are still in the possession of the Department.

3. *Draft Regulations for Examination and Classification of Teachers.*—These have been in type since June, and for issue to the Committee fifty copies were printed with the superscription "Confidential draft." Twenty-seven were sent to the Committee and twenty-three are still in the possession of the Department.

4. *Secondary Schools Bill.*—The Crown Law Office ordered fifty copies with the superscription "Confidential draft," and on receiving the parcel from the printer the officer in charge took out two copies and sent the rest, without counting them, to this office. They were not counted here. Forty-five copies are accounted for as follows: Twenty-seven were sent to the Committee, and eighteen are still in the possession of this Department. Assuming that forty-eight were received, this leaves three copies unaccounted-for. The Bill consists of only one sheet, and it is possible that in the folding two sheets were in one or two instances put together. This had actually happened in one case in which I asked for a copy of the Bill.

I have no reason whatever to think that the ordinary confidence observed in the departmental work has been broken in regard to any of these papers, or that any copies were obtained from the Department otherwise than in the manner specified.

I have, &c.,

G. HOGBEN,
Secretary for Education.

"LYTTELTON TIMES."

APPENDIX B.

Hon. A. R. GUINNESS, Wellington, to Mr. SAMUEL SAUNDERS, Christchurch.

SIR,— Speaker's Rooms, Wellington, 10th September, 1903.

I have the honour to inform you that the House of Representatives has this day declared by resolution that the publication of a leading article in the *Lyttelton Times* of 8th September instant, headed "Secondary Education," which contains information now confidentially before a Committee of the House, is a breach of the privileges of the House, and I am directed to ask you to explain at your earliest convenience as to how you came into possession of the information contained in that article.

I have, &c.,

Samuel Saunders, Esq.,

A. R. GUINNESS, Speaker.

Editor, *Lyttelton Times*, Christchurch.

[Similar letter sent to James Clunie Wilkin, Esq., Publisher, *Lyttelton Times*, Christchurch.]

Mr. J. C. WILKIN, Christchurch, to Hon. A. R. GUINNESS, Wellington.

SIR,— *Lyttelton Times* Office, Christchurch, 15th September, 1903.

I have the honour to acknowledge receipt of your letter of the 10th instant, and, in reply, beg to state that I have no knowledge of how the information contained in the article referred to in the resolution of the House was obtained by the editor. The literary columns of the *Lyttelton Times* are under the sole control of that gentleman, and I have referred your letter to him.

I have, &c.,

J. C. WILKIN,
Manager and Publisher, *Lyttelton Times* Company (Limited).

Hon. A. R. Guinness,
Speaker, House of Representatives, Wellington.

Mr. S. SAUNDERS, Christchurch, to Hon. A. R. GUINNESS, Wellington.

SIR,—

Lyttelton Times Office, Christchurch, 15th September, 1903.

I have the honour to acknowledge receipt of your letter of the 10th instant, stating that the House of Representatives has declared by resolution that the publication of a leading article in the *Lyttelton Times* of 8th September is a breach of the privileges of the House, and calling upon me to explain how I came into possession of the information contained in the article.

In reply, I have to express regret that a breach of the privileges of the House has been committed, and to assure you that it never occurred to me that the publication of the article in question would constitute such an offence.

All the material information contained in the article was published in the *New Zealand Times* of the 5th and 7th September, and I assumed from the manner in which it was presented in that journal that its publication had been authorised in the usual way. The information was of great importance to the general public; and, believing that it had been supplied to the *New Zealand Times* through the proper channels, I had no hesitation in reprinting it.

Any information contained in the article published in the *Lyttelton Times* which was not obtained from the *New Zealand Times* was obtained in the ordinary way by inquiry and from public documents. The figures concerning endowments and free places, which appear to have been responsible for bringing the article under the notice of the House, were compiled from a return marked E.-12B, which was distributed by the Government Printer some weeks ago.

No person gave me any information concerning the contents of any confidential document before any Committee of the House, and such information as was published in the *Lyttelton Times* was obtained in the manner I have explained. I hope that in these circumstances the House will recognise that no breach of its privileges was intended.

I have, &c.,

S. SAUNDERS, Editor.

Hon. A. R. Guinness,

Speaker of the House of Representatives, Wellington.

Approximate Cost of Paper.—Preparation, not given; printing (1,425 copies), £11 7s. 6d.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1903.

Price, 6d.]