

11. *The Chairman.*] It is only right I should point out to you that very strong evidence has been given by the petitioner, and I think you should report to the Defence authorities in order to give them an opportunity of bringing any further evidence which they desire?—Yes.

12. Of course, if they consider it is merely a question for the New Zealand Government, then the responsibility is theirs?—Yes.

13. *Mr. Dickson.*] You made the statement that there was a wireless operator to whom £50 was sent?—Yes.

14. Was that the wireless operator who tried to escape from the island, and was shot?—I never heard of it.

15. Are you aware that one wireless operator tried to escape from the island one night, and was shot through the arm?—I never heard of it. I see most cases and deal with most of the prisoners.

16. What is the name of the wireless operator you referred to?—Hirsch.

17. That is the name of the man who had the £50 sent to him?—No, his advance was through the Fiji Government.

18. He got the £50?—Yes. The documents were on the file until last week. The money had not been repaid, and it was forwarded to Fiji to the Administrator to call upon the D.H.P.G. Company to pay the amount.

19. *The Chairman.*] You stated that was the Governor of Fiji?—Yes, he advanced the money. The wireless operator got it from the Fiji Governor. He gave it to him while he was in Fiji on his way to New Zealand as a prisoner of war.

20. *Mr. Payne.*] Is there a branch of the D.H.P.G. in Fiji?—No, I do not think so. The money has not been collected. It was advanced by the Governor of Fiji on the understanding that the New Zealand Government would pay, and the Fiji Government would collect on orders.

21. Do we understand that Colonel Logan arranged that?—No; it was arranged between the Government of Fiji and the Government of New Zealand.

22. And did not come through Fiji?—No; the money has not yet been collected from the German company in Apia.

23. The money is to come from the German company in Apia finally?—Yes.

24. That is, in Samoa?—Yes.

25. *Mr. Harris.*] Your evidence really goes to show that there was no differential treatment between this German who was allowed to bring £50 out of Samoa and Mr. Gaudin, who was refused—it was nothing to do with the Administrator at all, but a matter between the Government of New Zealand and the Government of Fiji. The evidence goes to show that, while a German was allowed to bring £50 out of the country, Mr. Gaudin was refused?—No; in one case three prisoners got advances from the Fiji Government, but Dr. Schultz got his from the Administrator of Samoa, Colonel Logan.

26. Well, there was differential treatment shown?—Yes.

27. It was not authorized by the Administration?—No.

28. *Sir John Findlay.*] Will you swear that German prisoners of war in New Zealand have not received money from Samoa?—I will swear they have, but not at this time.

29. But since the beginning of the war?—Yes; as a matter of fact, I think in March last £1,000 came into the hands of Kronfeld Limited, of Auckland, and it was authorized through His Excellency the Governor to be paid to prisoners of war in New Zealand.

30. That money came from Samoa?—Yes.

31. And that came in March while Mr. Gaudin was lying in gaol for doing the same thing?—[No answer.]

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SIR JOHN GEORGE FINDLAY examined. (No. 6.)

1. *Mr. Harris.*] I understand, Sir John, that the petitioner is asking for a full inquiry by an independent tribunal. By your statement to the Committee it would appear to me that you wished this parliamentary Committee to be that tribunal: is that the intention?—The prayer of the petition I think you will see is in the alternative. It suggests different courses: it asks the House to appoint a tribunal of one or more Judges to inquire, or to appoint some parliamentary Committee to inquire, or such other tribunal as to the House seems meet. I apprehend that this Committee, having been appointed by the House to investigate this petition, will decide whether the petition of Mr. Gaudin should be referred to some other tribunal or not, or whether it will itself declare that it finds Mr. Gaudin was not guilty of war treason.

2. I read the prayer of the petition differently to your interpretation. We might report to the House that some other tribunal might be set up, or anything else?—The point is this: our prayer is that either Judges, or a Committee, or some other tribunal should be appointed by the House. There our right ended; we had no power to dictate what tribunal should be set up, and I have assumed that this tribunal would obviate any circumlocution by itself reporting to the House that in its judgment there has been no proof of the guilt of this man of war treason. I proceeded on that assumption, and I should be very anxious in order to save time and expense for this Committee to deal with the question.

3. Can you suggest why the Minister would not give the letter asked for to Mr. Gaudin, especially if he was advised to do so by the Solicitor-General?—I do not think it was confidential, but when I saw Mr. Allen after having the letter written he said, "I have sent it on to Cabinet." It left Mr. Allen's hands and reached the Cabinet table. It was then sent by Cabinet to the Minister of Justice. Mr. Herdman took the view that he thought it was not prudent or expedient on merely the sending of a letter to give any declaration of that kind at all, and he took the view that a parliamentary Committee should be invoked to make an investigation and report, and that upon that report the Government would be entitled to make any declaration it thought fit.