

what your Worship is here to investigate. What is going on in America in relation to Roman Catholic propaganda is outside the subject of the present inquiry, and I do not see how the matter my learned friend is introducing now can help your Worship to determine whether or not the Post-office here in Auckland has been guilty of any neglect of duty, or whether the censorship applied to the correspondence of the persons represented by my friend was in the interests of the Roman Catholic Church. I assume my friend intends to prove what he has said; and the inquiry will last a great deal of time, and a great deal of matter be introduced which may be irrelevant. I hope it will not be thought I have any intention to keep back any matter relevant to this inquiry, but my friend, it appears to me, is going far beyond what is right.

*His Worship* overruled the objection, on the ground that in matters of the kind considerable latitude is allowed beyond strict relevance, and that the Roman Catholic Church moving as one leads to the inference that what is done in other countries is done here.

*Mr. Gray*: I am not seriously objecting on any ground beyond what I have stated. I should have thought it would have been sufficient for my friend's purposes if he had confined his observations to what has happened in Auckland.

*His Worship*: I have no objection.

*Mr. Ostler*: Those charges were introduced into Congress in a resolution last July: I do not know whether they were true. It is a fact that they were introduced into Congress. This is also a fact: that neither the Catholic Church nor any Catholic dignitary has asked so far that inquiry be made into those charges, and there they remain in the records of the Congress of the United States. I want especially again, in view of my friend's remarks, to say that I do not mention this with the idea of hurting any Catholic's feelings, or to carry on the propaganda which the association I represent wishes to carry on. Your Worship puts it as I would have put it myself had I been asked—merely to show that the activities in America were on a par with the activities which have led to some improper interference with the censorship in New Zealand. I have finished, at any rate, with America, and we will come on now to New Zealand. Naturally there are many ardent Protestants in New Zealand who take an interest in the work being done by the American papers and *The Menace*, and many copies come to New Zealand. Now, in peacetime, before the war commenced in 1914, no one ventured to say in New Zealand that *The Menace* was not entitled to free circulation of our mails; no one would have dared for a moment to suggest such a thing. Soon after the war started, however, this paper, which was so hated by the Catholics in America, was put on the list of papers not allowed to go through the mails. Complaints were, however, at once made, and it was at once removed from that "prohibited" list. Now, amongst the subscribers to this paper was a well-known citizen of Auckland, a Mr. Seabrook, and only in February last he addressed the publishers of *The Menace* enclosing £2-odd and ordering some literature. The letter was marked in the post-office, "Passed by the Military Censor"; then some one—we do not know who, but we know he was a Postal official—illegally and wrongfully marked on the letter the word "Prohibited," and sent it back. I say "illegally and wrongfully" because there is a well-known provision in the Post Office Act, and there is no other means—

*Mr. Gray*: This is something quite new, your Worship.

*Mr. Ostler*: It is a matter which the Post Office knows all about. I can show you a letter from the Postmaster-General.

*Mr. Gray*: Has this anything to do with box 912? I have never heard of this matter before myself. The Chief Postmaster assures me he knows nothing about it, and I do not know how it can be said to have anything to do with these charges.

*His Worship*: We shall have to accept Mr. Ostler's statement. He says he has been in communication with the Postmaster-General. It is only an opening.

*Mr. Ostler*: It is only to throw light on these charges. I have not the letter just here this morning, but here is a photograph of it.

*Mr. Gray*: What is the date?

*Mr. Ostler*: Some time in February, 1917.

*His Worship*: Proceed.

*Mr. Ostler*: You will see what I say; it was marked "Passed by the Military Censor"; then some one got the words "Military Censor" and stamped them over "Passed by," and some one wrote "Prohibited" on it, and it was returned to Mr. Seabrook. He immediately wrote to the four Postmasters and also the Censors in the four chief centres, to ask whether *The Menace* was prohibited, and he got the reply back in each case it was not so; and he thereupon wrote to the Postmaster-General, and in reply the Postmaster-General wrote admitting that a breach of law had taken place, promising it would not occur again, and assuring Mr. Seabrook that the official who had irregularly written that word "Prohibited" and sent it back was not a Roman Catholic. Now, these facts are mentioned in order to throw light on the first of the three charges. Now I come to that charge. Box 912 was taken in the early part of 1916 by the Loyal Orange Lodge, and it was used by a Committee of Vigilance consisting of men who had become alarmed by what they considered the dangerous activities of the Roman Catholic Church in New Zealand. This committee published a pamphlet entitled "Rome's Hideous Guilt in the European Carnage" [copy handed in]. Your Worship will see it purports to be, and is, a reprint from the *Churchman's Magazine*, which had been allowed to circulate in England without any censorship or any difficulty whatever. The only difference is a small local reference to a local politician here, which is really very harmless, and, at any rate, not an attack on the Roman Catholic Church. Now, that pamphlet has no connection whatever with military matters, and it contains no statement whatever, I submit, which any man is not entitled to make in conformity with the right which still exists in this country of free speech. The right of free speech, I take it, has merely been cut down in certain well-defined directions by regulations under the War Regulations Act, the