

MINUTES OF EVIDENCE.

TUESDAY, 18TH NOVEMBER, 1879.

Hon. J. Hall.

The Hon. JOHN HALL, Premier, sworn and examined.

18th Nov., 1879.

1. *The Chairman.*] Your name is John Hall?—Yes. Before I answer any further questions I wish to say that I have been threatened after a fashion with legal proceedings. Am I to understand that I shall not be held liable for any evidence I may give to the Committee now?

2. Yes, certainly. You are acting Commissioner of Telegraphs?—Yes.

3. *Mr. Saunders.*] What was the nature of the instructions which you gave to the officers of the Telegraph Department in connection with the production of these telegrams?—When the Government came into office I asked the General Manager of the Telegraph Department to report to me whether the late Government had used the telegraph for electioneering purposes at the public cost. He sent a memorandum, which I now hold in my hand, to the Solicitor-General. The General Manager seems to have somewhat misapprehended my instructions. The memorandum is as follows:—

“Memorandum for Solicitor-General.—The Hon. the Premier has requested Mr. Maginnity to look through all Government telegrams for August and September, 1879, sent from Wellington, to see if any telegrams sent on the public service contain matter relating to the recent elections. The Hon. the Premier has informed Mr. Maginnity that, as Telegraph Commissioner, he has the right of looking through all Government telegrams. Please give me your opinion hereon.—C. LEMON, General Manager.—15th October, 1879.”

The following is the Solicitor-General's opinion, which was given on the 15th October:—

“The General Manager.—I think it is clear that the Telegraph Commissioner would have a right to look through all Government telegrams, although the same may have been sent by a former Ministry. Such telegrams are really the property of the country, and an incoming Ministry would have a right to inspect them. Care should of course be taken that none but Government telegrams are seen. This opinion only has reference to the legal right, not to its mode of exercise.—W. S. REID.—15th October, 1879.”

Dr. Lemon minutes this as follows: “Mr. Maginnity.—The Solicitor-General's opinion herewith. I entirely disagree with it.—C. LEMON, G.M.—15/10/79.” That paper was sent to me, and then I indorsed the following memorandum:—

“Dr. Lemon has misunderstood me. I never had any wish to inspect any Government telegrams, although there is no doubt they are just as much public property as any file of Government papers. All I desire to know is whether any Government telegrams have been sent on electioneering business. It will be sufficient for my purpose if I am informed that one such telegram has been sent. I do not want to see it or to push the inquiry further than that.—J. HALL.”

Subsequently, in the House of Representatives, Mr. Saunders asked the Government whether they would produce any Government telegrams which had been sent on electioneering business at the public expense, and the Government promised to do so. Accordingly I sent the following memorandum to Mr. Maginnity, who, in the absence of Dr. Lemon, was in charge of the Telegraph Department:—

“Mr. Maginnity.—To enable me to comply with the promise made in the House, I shall be glad if you will have the Government telegrams on electioneering for August and September selected and sent up for inspection.—J. HALL.”

“Telegrams handed to Hon. Mr. Hall.—A. T. M.—4/11/79.”

Upon that, certain telegrams were sent to me, and I then instructed the officers of the department to forward to me all telegrams which had been sent to the Government on electioneering matters at the expense of the public. I was desirous that none but telegrams referring to election matters should be produced, and therefore when I got the telegrams I went through them, and threw out several which did not appear to me to relate strictly to electioneering matters. I may be allowed to say, with regard to the telegrams which were sent to the Government, that it appeared to me that, as they were sent at the expense of the public, it might be assumed that they were public property. I may also add that I have consulted the Attorney-General, and that he concurs in the opinion expressed by the Solicitor-General—that is to say, he considers that any telegram sent at the public expense is public property. Subsequently, on it being stated in the House that some of these telegrams had been paid for, I caused inquiries to be made, and I found that the whole of them had reached Wellington as Government telegrams, and there was nothing on the face of the telegrams to raise any doubt in my mind or in the minds of any of the officers of the Telegraph Department that these were not ordinary Government telegrams. But, on tracing them back to the place at which they originated, it was found, as stated in the report which has been laid before the Committee, that in two instances the telegrams had been paid for, but that, owing to a blunder of the operator, they had been sent on as Government messages. In four other instances telegrams had been paid for in the ordinary way as private telegrams, but, as they were addressed to Ministers at places which those Ministers had left before the messages arrived, they had been forwarded on as Government messages. If I had been acquainted with these circumstances previously, I should not have laid them on the table of the House, and I have suggested to the Speaker that they should be allowed to be withdrawn without even being looked at. I believe one of these telegrams is addressed to Mr. Gisborne. I should like to be allowed to add a short statement with regard to a telegram which Mr. Sheehan states that he sent as a private message from Napier. I instructed the department to inform me as to the exact facts of this case, and it appears that the