

Mr. Maginnity.
19th Nov., 1879.

234. *Mr. Wakefield.*] Do you consider, Mr. Maginnity, that telegrams sent on public service are the property of the Government as a Government, or of individual Ministers, or persons who happen to have sent them or received them. I mean, referring to the evidence you have given, as to the practice of the department giving copies of telegrams to either the sender or the receiver?—I myself, personally, should look upon Government telegrams as the property of the then Government. I should state, as the Committee knows, Dr. Lemon holds rather different views. I am guided in this by the opinion of the Solicitor-General. The Government is the sender or receiver of a message, and even if another Government goes in it is still the Government.

235. If at any time the Government were to ask for copies of such Government telegrams, and were to give the dates, and generally to indicate the contents of the originals of the copies required, you would have no hesitation in giving them?—I should have no hesitation.

236. That is the recognized practice?—I think so.

237. Has any Government asked for telegrams of a former Government?—I do not remember any case.

238. *The Chairman.*] As to the telegram sent by the Hon. Mr. Sheehan from Napier, that telegram had the words "Private wire." There are no such instructions known to the department?—No.

239. What do the words mean?—I assume that Mr. Sheehan meant the message was to be sent as a private telegram. The Hon. Mr. Sheehan calls all his telegrams "wires." We call private wires the short lines we erect for people, such as the line from the gasworks here to the Patent Slip.

240. Is there no private wire at Napier?—No.

241. You think, then, the words meant the message was to be treated as an ordinary telegram?—Yes.

242. If it had been put in as an ordinary telegram the clerk would have asked for the money?—Yes.

243. Do you think that was Mr. Sheehan's intention?—I think so.

244. *Hon. Mr. Gisborne.*] Do you not think the words "Private wire" formed part of the message; that it was meant as a private and confidential message to the receiver?—It might have meant that, but I did not consider that was its meaning. I thought it was nothing more than Mr. Sheehan's custom. I thought it meant that the message was a private telegram. I have a copy of the telegram here, and the words "Private wire" are in the instructions. If the clerk was busy he would not look at the instructions. Seeing the words "Private wire" he would probably not understand them, and conclude it was nothing affecting the office.

245. The message has never been paid for?—No.

246. Then it was sent as a Government telegram?—Yes.

247. Has payment ever been applied for; has Mr. Sheehan been asked for the money?—No.

248. *The Chairman.*] Are you aware that the Hon. Mr. Sheehan stated it was a private telegram?—Yes. Upon that I telegraphed to the Officer in Charge at Napier. You heard me read that telegram. That was merely to make sure whether we were in fault or not.

249. Do you know if there are any other telegrams sent or received by the Government on electioneering subjects than those which have been produced?—I could not say unless a search was made in all the stations.

250. These are only what were sent or received in Wellington?—Yes.

251. Have you received instructions to make a search?—No. Mr. Hall gave me verbal instructions. He said it would be required by the Committee. I assume the Committee will give me instructions for a search if it is required.

252. You could easily ascertain what were sent or received at other offices?—Yes; we could put a staff on to search if the Committee require it.

253. *Mr. Saunders.*] You are aware there are some telegrams here which were originally sent as private telegrams?—I am.

254. Was there anything on the face of those telegrams to show their difference from ordinary *bonâ fide* Government telegrams?—No; there was nothing.

255. Then it was impossible for the Government to know they were not originally Government telegrams?—It was impossible for the Government to know without first being placed in possession of these copies.

256. Are you in a position now to state what private telegrams there are among these, and which should never have been among them?—Yes.

257. And you could take them out?—Yes; I could take them out.

258. *Mr. Bowen.*] I wish to ask is Dr. Lemon your superior officer?—He is.

259. Do you take your orders from him?—No; from the Commissioner of Telegraphs.

260. *Mr. Montgomery.*] And not from Dr. Lemon?—No.

261. If the Commissioner of Telegraphs should ask you to do anything, you never consult Dr. Lemon?—No.

262. You said Ministers have asked for copies of telegrams occasionally?—Yes; it is just within my recollection. I am speaking on that from memory. I have an idea that Ministers have occasionally asked for copies of telegrams.

263. When copies have been so asked for, have particulars of the subject-matter been stated to those asked?—I could not say, but I think so. I think it probably would have been so.

264. How many of the telegrams in this bundle were private messages?—I think that has already been stated.

265. I want the names of each sender and receiver, and the number of each message.—The first is No. 14, from C. Malfroy to the Hon. Mr. Gisborne; the next is No. 27, from Charles Allen to the Hon. Mr. Macandrew.

266. *The Chairman.*—Where is that from?—From Normanby.