

328. Does the mere fact of a telegram being sent at the public expense make it so much a public message that it cannot be withdrawn by the transmitter on paying the cost of it within a reasonable time?—I can only say that, if a Minister came to the office and said he had sent a private telegram at the public expense by mistake, we should rectify the mistake if possible. This rule would not apply to Ministers only, but to anybody who had a right to frank.

*Mr. Maginnity.*

24th Nov., 1879.

TUESDAY, 25TH NOVEMBER, 1879.

(Mr. MACANDREW in the Chair.)

Sir GEORGE GREY, K.C.B., M.H.R., sworn and examined.

*Sir G. Grey.*

25th Nov., 1879.

329. *The Chairman.*] Do you wish to make any statement in regard to these telegrams, Sir George?—Yes, I should like to make a short statement. I wish to say that, in dealing with telegrams, I generally pursued the following course: I dictated the reply to a shorthand writer, and it was then handed over to my Private Secretary, who sent it away without showing it to me again. The instructions which I gave to my Private Secretary were that he should decide whether any telegram was a public or a private one. If it was a private message he was to pay for it, and he was to give any doubtful case against myself; and I have disbursed considerable sums in paying for private telegrams. Any telegrams which were of a private nature, but which were sent as public messages, must have been sent accidentally in the hurry of transmitting a number of messages, or they must have been sent after me when I was travelling from one place to another. The number of telegrams which I received was considerable, and the amount of public business that I had to transact was very large. When I left the Government I left all my public and private telegrams in my office, in order that my successors might see exactly what my line of conduct had been. I believe all those telegrams are there now. I would suggest that my Private Secretaries should be called, in order that they might inform you what their practice was in regard to telegrams. I refer to Mr. Fox and Mr. Mitchell. I am of opinion that if any telegram of a private nature was, through an oversight, sent at the public expense, the department should have applied to me for payment. The amount would have been very trifling on the telegrams produced. I am not aware of any law or custom which authorizes the Telegraph Department, because a private telegram was not paid for, to make it public or to communicate its contents to any other person whatever. I believe that a breach of the law, and a very serious one, has been committed by the Telegraph Department in following the course it has adopted. At the same time, personally I may say that I should be glad if all my telegrams, both public and private, and all my letters, public and private, were printed by the Government, in order that, after the discussion which has arisen, the whole of my transactions might be laid open to the country.

Hon. Colonel WHITMORE examined on oath.

*Col. Whitmore.*

25th Nov., 1879.

330. *The Chairman.*] You are aware of the object for which this Committee was appointed?—Yes.

331. There are a number of telegrams which have been sent by Ministers on electioneering matters at the public expense; some of them have either been sent by you or were addressed to you. Would you like to see them?—Yes. [The Hon. Colonel Whitmore then examined the telegrams, and made the following remarks:] The first telegram I look at is strictly an official one, with the exception of five words which were inserted. The telegram referred to the appointment of a Government officer. The gentleman to whom the telegram refers was a commanding officer in the militia and volunteers, and who had been appointed to take charge of the Maori prisoners. When Mr. Mackay was appointed to the charge of the prisoners, I thought the Government could not do better than utilize the services of the officer in question in the Native Department at Gisborne. The only words in the telegram that can be objected to are the following: "How do your prospects look?" I put those words in the telegram out of common courtesy. The Committee must recollect that the elections were proceeding at this time, and I contend that the Government were bound to carefully watch the elections, because we were pledged to resign if we did not get a majority in the new House. I may say that I was required by the Governor from day to day to inform him as to how the elections were proceeding, and he frequently asked me how the prospects of the Government looked. I may remark here that I consider that this Committee, if not a secret one, is, at all events, one which I can speak freely before, and one which will protect me in connection with my utterances.

*The Chairman:* Certainly.

*Colonel Whitmore:* Well, I may say that the state of affairs in regard to the Natives was such that the Government thought it exceedingly probable that they might at any moment be compelled to adopt vigorous measures in regard to the Natives, and, therefore, we considered that, if we were likely to be in a minority, it was our duty, in the interests of the country, to resign our positions immediately. Under these circumstances, I consider that I, as the only Minister who was communicating with the Governor, was bound to take more notice of the elections than I should have done under ordinary circumstances. With regard to the next telegram, which refers to the election of a member for Egmont, I have simply to say that I consider it a private message, and one which should have been paid for by the sender. It should have been paid for in accordance with the resolution passed by the House in 1871. My own sense of what was proper led me always to pay for my private telegrams. I sometimes sent as many as six hundred telegrams in a week during the time I was the only Minister at Wellington; but Mr. Maunsell, who was my Private Secretary, will inform you that whenever he had a telegram through his hands which he thought ought to be paid for, it was paid for. If a private message was sent at the public cost, the department generally sent it back to the sender, and he paid the cost of it. I may say, further, that, after being in office for about three months, it never was my practice to frank messages by putting the letters "O.P.S.O." on them. I may mention, further, that I sent for Dr. Lemon, about the time Parliament met, and asked him whether, in his opinion, there were any telegrams which I had sent as public messages and which I should have paid for. He told me that, if I would indicate any