

64. Every letter upon which you were charged is before the Committee to-night?—Yes.

65. You know there is nothing in them in the least degree suggesting anything of a treasonous nature?—Not the slightest.

66. Those letters that are in German, it is suggested that they may have contained something which might have been treasonous to our country. When you took those letters which are in German you asked whether there was anything in them, and you were told there was nothing which would get you into trouble?—Only the two letters I agreed to take. The third one I did not know anything about till I got on board.

67. You knew that any letter which was in German and which you could not read would have to pass through the hands of a British officer before it reached the hands of the person to whom it was addressed?—Yes, and I told Mr. Klinkmuller it would have to go through the hands of a British officer before it would reach the addressee.

68. I want to make it clear, Mr. Gaudin, that when you were tried by the Military Court you told the Court that you had informed those who gave you the letters that those letters would have to pass the censorship of the British Censor?—I told them it was my honest intention to deliver them to the officer controlling Motuihi.

69. And not surreptitiously to any Germans?—Not in any other way. I had my portmanteau, and this correspondence was in it.

70. You have given us a statement of what is alleged against you as an offence. You returned to New Zealand—do you remember the date?—On the 9th November.

71. And on your arrival you were met by a sergeant of police?—By a detective-sergeant.

72. Tell us what happened?—Sergeant Hollis met me at the door of the smoking-room. He greeted me, and stated that he wished to see me in my cabin. I was surprised and said, "What is the matter?" He asked me whether I had any German correspondence. I said, "Yes, I have three letters," and I gave him the addresses as they are on these three letters I have here. He said, "I suppose that is the trouble; I have instructions with regard to these." He searched my portmanteau. It was unlocked, as it had been all the voyage. I made no attempt to conceal these letters or to hide them in any shape or form. He picked the bag up and found the correspondence, and then he said he would have to go through the rest of my baggage, and I pointed to the box which contained my money. He said that he had no instructions regarding the money. After he had gone through the baggage I myself drew his attention to the portmanteau I had for Mr. Mars. He said, "Who is he?" I told him that he was a German prisoner of war. He picked up the handbag and took it away.

73. Now, was there any warrant presented to you when you were arrested?—No.

74. Did you know there was no warrant authorizing your arrest?—There was no warrant.

75. And you have been advised that your arrest was entirely without legal warrant?—Absolutely.

76. And after your arrest you were imprisoned at Port Cautley?—I was detained there from the 29th November till the 14th December.

77. Did you try to ascertain what were the charges against you?—Yes, from Colonel Haszard and Colonel Patterson; but they did not give me any satisfaction.

78. Were you told anything about the nature of the correspondence which the packages contained?—I was. I was told about ten days after my detention. Colonel Gibbon came up to Auckland; I suppose he interviewed Colonels Patterson and Haszard, because these gentlemen informed me that Colonel Gibbon had informed them that the letters which I had carried had been perused by the authorities, and that there was nothing in them of an incriminating character, and that they had to go back to Samoa, and that when they reached Colonel Logan it was expected that I would get my freedom.

79. Did he say by whom they had been perused?—By the Defence authorities and His Excellency. The telegram had stated that I was to be detained until perusal by His Excellency.

80. And that there was nothing of an incriminating nature in them, and that when they reached Colonel Logan you would get your freedom?—In all probability.

81. Did you ask for permission to consult your lawyer?—I did.

82. Did you consult Mr. J. C. Martin?—Yes, after I was told to proceed to Samoa.

83. And what did he advise you to do?—He came across to the fort and heard my story as I have given it here, in the presence of Colonel Patterson. He then stated that in his opinion I could go to Samoa without any fear, and that the Military Court was the fairest Court in the world, and that I had only to repeat my straightforward story and that that would show me to be not guilty of any act of treason.

84. Well, then you were taken back to Samoa?—Yes.

85. When did you arrive there?—On the 23rd December.

86. At what time?—About noon, perhaps a few minutes after.

87. And did you then for the first time get a statement of the charges against you?—Yes, Lieutenant Cowles brought me the charge-sheet, and at the same time he informed me that I had to appear before the Court at 1.30.

88. So that you were landed at 12 noon and you were tried at 1.30?—I was landed at 1 p.m. I simply marched to the detention barracks, and when I got there dinner was over, and there was nothing to eat. A young man brought me half a mug of lager-beer, and then he said it was time to move on to the Court.

89. So that ninety minutes after you got the charge-sheet you went to your trial?—Yes.

90. Now, I have read to the Committee the official report of the trial: of your own knowledge, are there any omissions from that report to which you would like to refer?—Yes, one or two. In the first place, what I made a particular note of at the time was that the Crown Prosecutor asked the stenographer to make a special note of the fact that no Proclamation regarding censorship had been issued. He repeated that—"Make a special note of that." But it does not appear at all in the official report.