

91. There was, in point of fact, no Proclamation about censorship?—No Proclamation had been issued with regard to the censorship of letters. He purposely drew attention to the fact, and told the stenographer to make a special note of that.

92. Anything else?—Another point is that after each witness's evidence there appears in the record, "R.P. 83 (b) has been complied with." Well, not in one instance was that complied with. That rule provides that witnesses' evidence shall be read over to them, and they are to be asked if it is correct. That was not done.

93. Was it signed?—No.

94. Then you were convicted and sentenced to five years' imprisonment with hard labour. You were brought back to Auckland, and you were imprisoned in the common gaol at Auckland?—I was sent to Mount Eden.

95. You were placed among ordinary criminals in the lowest grade—of stonebreakers?—I was.

96. And were you dressed in prison dress?—I was.

97. And treated as a common felon?—Absolutely, with the charge of "Treason" over the door.

98. And after having served in this way as a common felon for some time——?—For four days.

99. You were removed from there to——?—Colonel Patterson came up, and I would not have got out on the Saturday as the Governor of the Gaol refused to allow me to be liberated unless on receipt of a warrant.

100. You were removed to Fort Cautley?—Yes.

101. And there you were kept a prisoner?—Until the 15th June.

102. So that, in all, from the time you were first arrested until your release, you were over seven months in custody?—Yes.

103. Are you married?—Yes.

104. And have you any children?—Yes, four.

105. You were born in New Zealand?—Yes.

106. Where?—At Hamilton, Waikato.

107. How long have you lived in Auckland?—Since October, 1889.

108. And that is where you were married?—Yes.

109. And since 1896 you were employed in the firm of Kronfeld Limited?—Yes.

110. You were an officer in the Volunteers?—Yes.

111. When did you join the Volunteers?—In 1898.

112. You attained the position of captain?—Yes.

113. What brigade?—First Battalion, Countess of Ranfurly's Own.

114. And at the time of your trial in Samoa what was your position?—Captain on the Active List—that was my commission. I was the adjutant of the battalion.

115. And over what period of years did your Volunteer life extend?—Eight years.

116. Has your commission ever been cancelled by the authorities?—No, it has not.

117. It has been returned to you?—My commission was in my handbag when it was seized. The commission was retained by the Defence Department, and upon my liberation I inquired from the Judge-Advocate what position I was in with regard to my commission. No notice had appeared in the *Gazette*. He replied that he could not give me any answer to that, as the matter might be referred to him. I then asked if I would be in order in telegraphing to Brigadier-General Robin, and he told me that my proper course was to place my application before the Defence Department. I told him I had tried to do that. Lieut.-Colonel Hume was away, and the only officer there was Captain Barton. He then told me there would be no harm in telegraphing to Brigadier-General Robin. I did, but received no reply to the telegram. However, a few days later my commission was returned to me.

118. As far as you know, you still hold a commission from the King as an officer?—That is so.

119. Although you still remain under the conviction of being a common traitor to the King?—That is so. A notice with regard to the commission appeared in the papers given by General Robin, stating that my rank and status as an officer had not been affected, and that my offence was a political one and not a criminal one.

120. Is this what you referred to: "General Robin, in reply to an inquiry regarding Captain Gaudin's commission, states that three commissions had been posted back to Captain Gaudin a few days ago. The Defence Department had no power or authority to retain the commissions. General Robin added that, so far as he knew, Captain Gaudin's rank and status as an officer on the Reserve of the New Zealand Forces had not been affected by the fact that he had been convicted and served a sentence for what was a political rather than a criminal offence"?—Yes.

121. You were released by the Minister of Defence?—Yes.

122. You are aware that application was made by yourself in a letter which you wrote, setting out the facts, the gist of which appears in the petition before this Committee, asking him to put on record his decision that you were not guilty of treason?—That is so.

123. And you were advised by myself as your counsel that the Solicitor-General had written me stating that if you would write to the Minister of Defence a letter setting out the facts, you would get such an admission from the Minister of Defence?—That is what I understood from you.

124. And you wrote the letter upon that representation?—Yes.

125. And since then the Minister of Defence has written stating that he is not prepared to make such an admission?—I have since received a letter from him stating that he is not prepared to do anything in the matter.