

180. The letters were closed?—Yes. They were handed over to the detective-sergeant in the same way as I received them. I asked Mr. Klinkmuller what was in the letter, and he said there was nothing that would not pass the authorities. The man knew I was going to hand them to the authorities. It was my intention to do so.

181. You state that absolutely?—Yes; every letter received by me, undoubtedly. At the last moment as I got on to the boat I was handed a packet of letters from a German firm to our firm, and in the packet was a letter from Dr. Schubert. I never knew the contents of it, and my intention was to deliver the letters over to the officer controlling Motuihi.

182. Did you tell the writers of those letters that you intended to hand them over to the British authorities?—Mr. Klinkmuller's evidence will show that the intention was to hand them over to the British officer. I told him I was well known to Colonel Patterson, who was controlling Motuihi, and he asked me to take the portmanteau, and I told him I would do so and hand it over to the officer.

183. When you told Colonel Logan that you would give him the gold and he said he would give you a receipt, did you understand that he would give you a draft on the New Zealand Government?—Oh, no. He said if I left the gold with him he would give me a receipt for it.

184. What did you interpret that to mean?—That he would simply keep it there. I asked him for how long, and he said, "I do not know—probably till the war is over."

185. The fact that you could not get the money for some time actuated you in bringing the money away?—Yes.

186. The amount of money the German was allowed to bring away from Samoa was subsequent to the Administrator's refusal to allow you to bring the money away?—Yes.

187. Are you a partner in the firm of Kronfeld Limited?—I was a partner with Kronfeld for seven years up to two years ago, when we formed the business into a limited company: then I was a co-director with him. My interest is very much smaller than his.

188. You stated that this case had left you practically penniless. Do you not consider that you will get a considerable portion of the capital you have in the firm out of it?—I doubt it.

189. You do not suggest that there was any miscarriage of justice merely on account of your being connected with the firm of Kronfeld—you would not wish the Committee to understand that?—Oh, no; but I think if I had been connected with any other firm I would not have been in trouble. My loyalty would not have been questioned.

190. *Sir John Findlay.* Do you know whether any of those Germans who gave you letters to bring down to New Zealand have been prosecuted and sent to gaol?—They have not—not to my knowledge.

MONCRIEFF MURRAY McCALLUM sworn and examined. (No. 3.)

1. *The Chairman.* What are you?—A retired farmer.

2. And where do you reside?—In Auckland.

3. *Sir John Findlay.* You were present at the trial of Mr. Gaudin in Samoa?—I was.

4. And you made notes of the proceedings?—I did.

5. You have seen the official report which is appended to the petition in this case?—Yes.

6. Are you able to say whether that report has any material omissions?—Yes, it has. Part of it was evidently taken down accurately in shorthand and is given verbatim, but other parts are left out altogether. The speech of the Crown Prosecutor is not fully reported. The Crown Prosecutor distinctly stated after the evidence had been taken that he was about to present a very different speech to the one he had prepared, as after hearing the evidence he had modified his view of the case very considerably in favour of the accused. That does not appear in the official report at all. Then there is another matter: Mr. Hansen's evidence is not reported fully. The reporter seems to have taken down the evidence of one or two witnesses very fully, but as to the others he has given a general report—a kind of abbreviated report. Mr. Hansen distinctly stated in his evidence about the letter to Dr. Schultz that he read the letter and passed it out to the outer office to be posted, that it was not intended to be given to Mr. Gaudin at all, and how it came into the possession of Mr. Gaudin he did not know. The man definitely gave that in his evidence quite clearly and distinctly. The mail there closed at 10 o'clock in the morning, and the boat did not get away till 5 p.m., and he said he presumed it was too late for the mail and that his clerk had put it into the business mail for Mr. Gaudin. He was asked the question then by the Crown Prosecutor, "Where is that clerk?" and he said, "He is not now in Samoa." The clerk was the young man who was arrested for being out after 10 o'clock at night and sent to Mount Eden Gaol.

7. The Crown Prosecutor in opening his address said, "The reason the accused was charged with treason is that it was the only charge in the 'Laws and Usages of War' under which he could be charged, but it is a very minor case of treason"?—Yes; he distinctly stated that the reason why Mr. Gaudin was charged with war treason was that it was the only charge in face of the war that could be laid, because there had been no Proclamation in regard to letters.

8. You have known Mr. Gaudin for many years?—Yes, about twenty-five years.

9. What reputation has he borne to your knowledge throughout those years?—Absolutely clean. He has not got one black mark or blemish against him to my knowledge.

10. You know he has been for many years a zealous Volunteer and officer of His Majesty?—Yes.

11. You are yourself a resident of Auckland?—Yes.

12. Can you tell the Committee what you have found during the months that elapsed since his sentence to be the repute in which he is held now?—There is a very bitter feeling against Mr. Gaudin still—there has been ever since the sentence was pronounced. At the beginning the general opinion was that there must have been some other crime or offence over and above that which had been published, because every one argued that it was impossible for a man to