

report in this way without in any way questioning the administration of Samoa, which, of course, the House could afterwards at any time inquire into if they thought it necessary; but then it would be inquired into under such circumstances that the Administrator of Samoa would have the opportunity of being heard, and replying, and explaining. This suggestion, it appears to me, if the Committee thought well to do something of the kind, would have the effect of clearing Mr. Gaudin of the stigma which attaches to him of having committed treason in the popular acceptation of the word. What I suggest is that the war treason which he was guilty of was simply a breach of the Military Regulations which had been made for the purpose of providing for the safety of the island and for the administration, and if it is made perfectly clear that that war treason of which he was convicted is not treason in the ordinary acceptation of the term as implying disloyalty to the Empire, I think that ought to be sufficient to satisfy Mr. Gaudin in the matter. I am prepared to answer any questions which may be put to me by the Committee.

3. *Mr. Rhodes.*] You are referring to the taking of the gold when you say he deliberately broke the regulations?—Taking the gold and letters.

4. We had it in evidence that he was quite unaware of any regulations in connection with that?—As I read the evidence the position was this: Mr. Gaudin knew that every letter that was being sent from there was being censored. It is true, as far as we can see, that there was no actual regulation about it, but he was aware every letter was censored, and had to be censored from there. He was there for over a month, so that he was fully aware that that was required by the authorities, so I include that.

5. With regard to the more important letter—the one to the ex-Governor of Samoa—Mr. Gaudin stated in his evidence that he was unaware he had received that letter until a subsequent examination, when it was found with a packet of commercial documents for his firm. There would be nothing very deliberate in connection with that—no premeditation?—The deliberate part was in taking any correspondence at all away. He ran the risk of carrying treacherous correspondence.

6. No doubt he was very indiscreet, and admits that himself?—Yes.

7. *Mr. Wright.*] The fact that the letters which Mr. Gaudin carried all turned out to be harmless goes to show that he must have been reassured by those who gave him the letters that they were quite harmless?—Yes; but a reassurance by a person who might commit any treason or treachery is of very little value. I mean, if a German handed me a letter which he said did not contain anything wrong, I should be very chary about accepting his word. If a man was intending to commit an act of treachery and intended risking his innocent accomplice's life he would be quite capable of telling him there was nothing in a letter.

8. It goes to prove the absolute innocence of Mr. Gaudin or else he would not have taken on a risk like that?—Yes. I am quite sure Mr. Gaudin was quite innocent of any treasonable intention, but somehow or other he had quarrelled with the authorities down there. He went there under the very best circumstances, and I cannot understand how the quarrels arose. Personally—and I see he mentions it—I gave him a letter of introduction to Colonel Logan, asking Colonel Logan to do everything he possibly could for him, explaining that he was going down to try and collect some debts, and, if the exigencies of the service did not prevent it, I would feel obliged if he would help Mr. Gaudin in order that the debts could be collected. At first Colonel Logan and he got on very well together, but what occurred afterwards to cause any difference between them I do not know.

9. That might explain, then, why he smuggled those letters away—because of the ill feeling between them?—Possibly he wanted to get that money away. I notice in the evidence it is said that Colonel Logan stated, "You can leave the money with me, but I will give no undertaking as to sending it on." Well, Colonel Logan could not have kept it for any length of time; he must have sent it on by draft, and it was only a matter of a short time, I should imagine, before he sent a draft.

10. *Mr. Harris.*] In that case he would have had to give a draft on the New Zealand Government for the amount?—Yes.

11. There could be no question that the money would have been retained down there—he must have got it when he got back to New Zealand within a reasonable time?—He must have got it within a short time.

12. That being so, it is hard to understand why he was diffident about leaving it?—I think if you knew Mr. Gaudin as well as I do you could understand it. He is a sort of man who is very impulsive, and I presume that when he was blocked he simply snapped his fingers at the whole thing. That is the worst that Mr. Gaudin has done—he simply defied them, and said, "I will do as I please."

13. You do not think there would have been any idea in Mr. Gaudin's mind that he would have been compelled to take German notes and not English gold?—No.

14. It appeared to me he seemed to think he wanted to get the gold because he had a feeling he would not get his money out, as he would have to take German currency?—I do not think he could honestly have thought that. I think he really said to himself, "These people are putting obstacles in my way—I will not be bound by their regulations." That is the worst offence he committed. If you do such a thing in war-time it is a very serious matter; it is not like a man committing a breach of a by-law in peace-times.

15. Considering there was no gazetted regulation at this time providing for the censoring of correspondence going from Samoa, can it be said that Mr. Gaudin was guilty of an offence in carrying it away—he may have been guilty of an indiscretion?—I think, guilty of an offence under circumstances such as those. The place was foreign territory in the armed occupation of our Forces. Whether formal regulations were made or not it must have been well known to him, as indeed he admits, that it was not right to take letters away without being censored.