

party complaining now has not been treated specially by any means. A very great number of persons have their letters censored under the instructions of the Military Censor—not the Defence Department, not the Post Office, but the Military Censor, to whom the Post Office is bound to submit.

*Mr. Ostler:* Who instructs him?

*Mr. Gray:* Nobody instructs him: the War Office—

*His Worship:* They delegate their power, I assume, to the Chief Military Censor, and he moves these local Censors.

*Mr. Gray:* He acts on his own judgment.

*His Worship:* The question arises in my mind whether the local Censor acts on his own motion or has anybody behind him.

*Mr. Ostler:* I think I can produce a letter in which the Minister of Defence says the Censor is under his control.

*His Worship:* You will recognize we cannot go too far with this. I must be clothed with sufficient powers. I do not want to be placed in a false position. I think, Mr. Gray, you will no doubt communicate with the Government in this matter; that you will impress that they must be specially particular with the wording of this reference so that I may not have occasion to raise any question with regard to my power to insist upon the production of things which might be of a secret nature. Otherwise there may be difficulty—I may be misjudged by the public for not allowing things to be introduced. It may be difficult indeed in an inquiry of this sort to decide where the local power commences and where it ends, and who clothes them with those powers, and how those powers are regulated. I want to be very clear, so as not to trench on Imperial matters which may or may not be of very great importance to the Empire. I would rather not take the Commission than interfere with what might be an Imperial matter, owing to the urgency of Empire matters at this stage and the very great seriousness of everything connected with it.

*Mr. Gray:* So far as the charges relate to the Post Office, there can be no difficulty. As far as the question of censorship is concerned, I am not prepared to go into that. I have no authority beyond this: that we can show immediately that the censoring done at Auckland is done not at the direction of any Post Office official but on the instructions of the Chief Military Censor.

*His Worship:* Evidently Mr. Ostler does not agree with that. I can see from what I have heard this morning that it is impossible to commence the inquiry relating to the Post Office without trenching on this question of censorship. Therefore I think it better for me to have the Commission in full to know exactly where we are. You are not keen on going on to-day?

*Mr. Ostler:* Mr. Gray kindly rang me up yesterday and informed me of what would probably be your attitude.

*His Worship:* Yes, I took exception at once.

*Mr. Ostler:* Realizing that would be so, I telegraphed to the Prime Minister this morning saying I understood that would be your attitude, and requesting that a new Commission would be issued.

*His Worship:* No reasonable man but would agree that the attitude is a reasonable one.

*Mr. Gray:* I will undertake to communicate with the Government.

*His Worship:* How long is it likely to take? Where is the Governor-General?

*Mr. Gray:* I think, in Wellington.

*His Worship:* Well, then, Cabinet can meet and get a new Commission. Then when the Commission is forwarded Mr. Ostler can take exception or not, as he thinks proper, if the Commission does not go to the length he thinks proper.

*Mr. Ostler:* Would your Worship be prepared to act on direct telegraph instructions from Cabinet?

*His Worship:* No; unless I have the Commission under the hand of His Excellency the Governor I am not prepared to go any way. In the ordinary way I would have no jurisdiction.

*Mr. Gray:* I see no objection to proceeding with charges 1 and 2.

*His Worship:* No, except that it is almost bound to lead to the censoring.

*Mr. Gray:* It would appear, no doubt, that certain matter has been delivered to the Censor. The fact of delivering to the Censor is not disputed for a moment. That is in pursuance of instructions from the Chief Censor.

*His Worship:* But certainly the authority for delivery to the Censor will be disputed.

*Mr. Gray:* I do not know.

*His Worship:* And the question will come in, was the Post Office authorized to deliver these things to the Censor?—Yes. Well, who authorized it?—So-and-so, the Censor. Well, who appointed the Censor—what authority has he?

*Mr. Gray:* I do not know whether your Worship is going to inquire into that.

*His Worship:* Well, there you are at once.

*Mr. Gray:* I do not know whether my friend intends to dispute the authority of the Chief Military Censor in New Zealand.

*Mr. Ostler:* All I want to know is to find out by what power letters addressed to loyal Protestants are kept back in the post-office.

*Mr. Gray:* By what power—or for what reason?

*Mr. Ostler:* For what reason?

*His Worship:* That is what I say.

*Mr. Gray:* That I cannot say. That is a matter which must rest with the Chief Military Censor.