

*Mr. Ostler:* I should not be so long—

*His Worship:* Would you be satisfied, Mr. Salmond, with Mr. Ostler's opening merely, before calling the evidence—because if you are going to wait until Mr. Ostler has given his opening address and called fifty witnesses you will not get away to-morrow?

*Mr. Gray:* What we arranged was that the Solicitor-General might be interpolated—

*His Worship:* I did not give any definite opinion on that until we had seen you, Mr. Ostler. Again I say, I am in the hands—

*Mr. Salmond:* I would like to suggest that Mr. Ostler make his opening now, and the evidence be adjourned until to-morrow. It would enable me to give evidence to-morrow.

*Mr. Ostler:* To tell the truth, I was under the impression that the other side wanted the time, and therefore I am not ready.

*Mr. Gray:* I must say this: I left Mr. Ostler under the impression he was going on to-day—going on with his opening and calling some of his evidence, because I did not know then how long Mr. Salmond could remain in Auckland, and, as I supposed, the arrangement was that the thing should go on and Mr. Salmond should be interpolated when convenient for him to be taken.

*His Worship:* I took exception at first in my own mind to any further adjournment, but if the Solicitor-General wants to leave on Friday night—is there a train on Saturday?

*Mr. Ostler:* No; there is a train on Sunday.

*Mr. Salmond:* If Mr. Ostler will open to-morrow morning and finish in time for me to give my evidence, that will suit me.

*His Worship:* If we could get a pledge from Mr. Ostler that he will not take more than so-many minutes.

*Mr. Gray:* Could you be ready at 2 o'clock?

*Mr. Ostler:* No.

*His Worship:* With great unwillingness and considerable reserves of feeling I have to adjourn until to-morrow morning at 10 o'clock.

*Mr. Ostler:* Before adjourning I want to refer to two matters. (1.) The scope of this inquiry was promised to be widened by the Prime Minister, speaking on behalf of Cabinet, in that telegram of which copies were before you. It was adjourned to be widened in conformity with that promise. It has been widened in a way different from the promise. I am not at the present time complaining of that, but all I want to say is this: I am not responsible for the wording of the Commission; I was not consulted in any way. All I desire to say is that I stand by the three charges which I made on behalf of my clients in my letter to the Prime Minister, and that is what I am here to prove. (2.) The other point is that your Worship has promised that this is to be a public inquiry. If a room more suitable than this library cannot be obtained, then the inquiry, though public in form, will be more like a semi-private one in fact; and in face of the importance of the inquiry Government should be asked to find a room more suitable.

*Mr. Gray:* I do not desire to say anything about the second question: that is a matter entirely for your Worship. As to the scope of the inquiry, all I can say is that the new Commission does accord with the undertaking of the Right Hon. the Prime Minister, and in any case the inquiry was not adjourned in order to enable a Commission to be obtained in accordance with the promise. That is not a matter over which your Worship has any control.

*Mr. Ostler:* I say it is not in accordance with the promise.

*His Worship:* In adjourning the inquiry I shall be governed by the powers given me by this Commission. Any matter connected with the way in which these references have been drawn does not concern me at all. With regard to the building, Mr. Gray knows perfectly well the opinion I have about this room. I made arrangements before I left Wellington, through the Under-Secretary for Justice, that a Court would be placed at my disposal. I find I cannot get the Court. Then it was suggested to me I should sit in the municipal building, but that did not seem very suitable.

[Decided that the next sitting would be in the Chamber of Commerce, Swanson Street.]

AUCKLAND, FRIDAY, 17TH AUGUST, 1917.

MR. OSTLER'S Opening Address.

*Mr. Ostler:* May it please your Worship, it is hardly necessary for me to point out to your Worship the gravity of these charges. The Post Office is the most democratic and the most widely used Department of the Public Service. It is used equally by the rich and the poor, and the humblest in the land has the right to use it on equal terms with the most powerful, and has the right to get, and as a rule does get, equal treatment. The Post Office is surrounded by every precaution that can be devised by law to ensure that as the main channel of communication between the citizens of the State it shall be not only rapid and efficient, but secret and inviolate. Every Post officer before assuming his duties must subscribe to a solemn declaration of the most searching nature to maintain its secrecy. The length to which the law goes to maintain its inviolability is well illustrated in section 30 of the Post and Telegraph Act, 1908. Section 30 of the Post and Telegraph Act, 1908, gives power to the Postmaster-General or any Postmaster to destroy under certain conditions libellous, blasphemous, indecent, or immoral matter sent through the post. But from that section sealed letters and letter-cards are expressly excepted; and even where the Postmaster-General or a Postmaster knows—is reasonably certain—that a letter contains such matter—indecent or immoral matter—he not only has no power by law to destroy it, but if he so much as opens it or detains it he has committed an indictable offence, and is liable to two years' imprisonment. The Postmaster-General is not exempt from that