

when he is asked, and to direct when he is told; but he has not by virtue of his position the power to undertake the duties entrusted by the will of the people to responsible Ministers. Anything more mischievous or more dangerous than that a paid Government official, without any instructions from the Government or the Minister in charge of his Department, should have the power to override Acts of Parliament and direct a censorship of the literature and correspondence of any political body at his own will it is hard to conceive. Now, I am willing to admit that the Solicitor-General is a great lawyer. No one could have worked under him and come in close touch with him, as I have done for five years, without being impressed by his great capacity and legal knowledge; but his true function is, as I have said, to advise, and only to advise, on questions of law, and only to advise when asked to do so. It is only Ministers responsible to the people who have the power to direct in this country. And the people of this country, when they get to hear of it, will not suffer for a moment a paid Government servant taking the direction of such a high and important matter of State into his own hands and directing the Military Censor what he is to do. I say, sir, the action of the Solicitor-General in this case shows pretty conclusively that his practice of constitutional law is considerably weaker than his knowledge of it: in plain terms, I say the Solicitor-General's action was unconstitutional and quite illegal. The people of this country, I say, will require the Solicitor-General and every other paid servant to act as a public servant and in accordance with the law, and not as a master and above the law, like a dictator.

Now, the Solicitor-General has assured us he did not act in the interests of the Roman Catholic Church; and I, for one, knowing him well, am quite glad to accept that assurance and to admit that in so acting he was not corruptly or even consciously influenced by any member of the Roman Catholic Church. I admit he is not the kind of man that would consciously lend himself to any corrupt influence of that sort; but I do say that his illegal action is directly in the interests of the Church of Rome, and I submit that the evidence that has come out here and the reasons I shall give will prove it to the satisfaction of all reasonable-minded people.

Now, if the contents of this pamphlet, "Rome's Hideous Guilt," which the Solicitor-General says was the cause of his first directing the censorship—if the contents are true and not connected with the conduct of the war, every citizen in this country has the right to proclaim the truth either in speech or print; and Mr. Elliott has told us on his oath that he was so advised by the Attorney-General himself. Even assuming the contents of that pamphlet were untrue, every citizen of this country has still an equal right to publish them; and the only penalty for making untrue statements on a matter of public interest or history is that the maker of them is lowered in the estimation of right-thinking people. So far as this pamphlet is concerned, we have it in evidence that it is mostly a reprint from the *Churchman's Magazine*, a magazine circulated without let or hindrance not only throughout Great Britain, but throughout the British Empire. There is the original from which it came, and your Worship can compare the two. With the exception of a little paragraph at the start and another little paragraph at the end it is word for word the same. Now, the greater part of the pamphlet consists of some historical facts about the dates when war was declared between various States, and the translation of a concordat or an agreement, between the Pope and the Serbian Government by which the Roman Catholic religion was made the State religion of Serbia. And whether the deductions from those facts that Rome had any guilt in the European carnage are true or not, we cannot shut our eyes to the fact that throughout the Protestant Press of England it has been stated that that is so, and we cannot shut our eyes to the fact that in our daily Press it has been said that Rome is on the side of Germany—that the Pope's offer of peace that has been appearing in the papers is dictated by Germany—as the *Daily Mail* said, "The voice is the Pope's but the hand is the Kaiser's"—and that particular cablegram has appeared in every newspaper in New Zealand within the last two or three days. Now, these cablegrams are allowed free circulation in this country, and even the Solicitor-General has not attempted up to date to direct the despotic hand of the Censor to cut them out of our daily Press, although they reflect just as strongly as this pamphlet upon the Pope and the Roman Church. Yet if this pamphlet is mischievous and likely to stir up dissension these comments in the daily Press are equally mischievous, and ought to be stopped also. If this pamphlet is fit for censorship on the ground that it might tend to dissension, not only are these statements in the Press, but so is any pamphlet or manifesto issued by the Employers' Federation, the Federation of Labour, the liquor trade, the Prohibition party, the six-o'clock-closing party, or, in fact, any political party or any organization established for any religious, moral, or political purpose. Why not—to take an example—on the same principles direct the censorship of the manifestoes published by the strong and determined party in the country at the present moment who desire in the interests of efficiency and economy to see the bars of hotels closed at 6 o'clock? Why not censor those? One can imagine that such a manifesto might cause great wrath and bitterness among the poor brewers and publicans, who say they have been so much harassed already by the anti-shouting legislation and have made such great sacrifices already to help to win the war. Why not censor those on the same principle, because the principle on which the Solicitor-General said he acted is exactly the same? Now, sir, I submit the reason those are not censored is quite plain. The feeling is so strong in this country that neither the Government nor the Solicitor-General would dare to do it. If it were done it would be said by every right-thinking person that it was done in the interests of the liquor traffic; and I say, with equal justice and logic, that the censorship of that pamphlet was in the interests of the Roman Catholic Church, and the Solicitor-General will find that if he attempts to stop the right of free speech on this question he will have touched an even deeper spring of feeling, and he will find that the Protestant community will not tolerate interference with the right of free speech and thought. I must emphasize the fact that it was clearly outside the function of the Censor to touch the pamphlet at all, inasmuch as it has no matter in it in the slightest degree relative to the war, but only to the cause of the war.