

Act and have read those words, but unfortunately I have forgotten it. However, your Worship will know them quite well. The only effect of the regulations is to take away the right of the subject to trial by jury and to change the tribunal—that is the effect of it. Apparently people who exercise autocratic power do not like juries. I do not know why—at least, one can imagine why. The right of appeal has not been taken away; there is still the right to go to the Supreme Court, and the Supreme Court of this country has never been behind in upholding the right of free speech to members of the community.

I want to say a word about Mr. Morris's evidence. If I may be permitted to do so, I want to pay a tribute to the open and impartial manner in which he gave his evidence. Mr. Morris is well known as a gentleman who has had a long and honourable record in the Public Service, and I should be sorry indeed to impute or even to think for a moment that Mr. Morris had been guilty of any dereliction of his duty. There is only one respect in which I do not agree with Mr. Morris, and that is in his refusal to produce the written direction of the Solicitor-General to him to order the censoring of the correspondence of this box. And even then, although I think Mr. Morris was mistaken in doing so, I quite appreciate that his motive in not doing so was honourable, as one would expect. The Solicitor-General apparently did not want his second written instructions produced—that must be obvious, because he sat in the witness-chair and he would have produced them himself if he wanted to. He must have known about them. Why did he not want them produced? One can quite understand that even he did not want it disclosed to the public that he had illegally usurped the power of the Censor, because the second direction was to Mr. Morris, not to the Censor. Now, one of the objects of this inquiry is to find out on what grounds a military censorship has been established over the correspondence of persons using box 912. Mr. Morris's evidence discloses the startling fact that no military censorship has ever been established over this correspondence at all. Only one order has been produced from the Military Censor, and there is but one order from the Military Censor in existence—that of the 18th December, directing a military censorship, not over the correspondence at all, but over the literature and circulars sent out by the Committee of Vigilance who were using that box. Now, every one in the Post Office, especially men with forty years' service, but every one in the Post Office must know the difference between literature and sealed letters. The distinction between them is made so absolutely clear in the Post and Telegraph Act, and such precautions are taken by law to make a sealed letter sacred, that the veriest cadet in the office must know that a sealed letter is regarded as a sacred thing in the Post Office. There has been no order from the Military Censor directing a censorship of the letters—none whatever. None has been produced before this tribunal. Although this Commission is charged with the duty of finding out on what grounds these sealed letters have been censored, the only written order produced—except Mr. Williamson's in the order-book, which I will refer to in a moment—is one by the Secretary of the Post Office, who admits that he had no power to give such an order. But he says he was directed to give that order, not by the Military Censor, but by the Solicitor-General, and although he admits that no one but the Military Censor could legally give such an order, he admits he obeyed the order of a man who had no power to give it.

Now, recently, when the head of the Public Health Department, Dr. Valintine, was called on to do some work in regard to military hospitals it was thought necessary in order that he should do that work efficiently, apparently, to confer on him the honorary title of "Colonel." The Solicitor-General is doing military work: I would suggest for the consideration of the authorities that it would not be wise to allow him to do this work without conferring on him some military title—not plain "Colonel," because he directed the Colonel in the first place—Major-General at least. Indeed, he has assumed more power than the Postmaster-General; and the Governor-General himself has no power to do what the Solicitor-General assumed to do without the responsible advice of his whole Cabinet—that is laid down by section 27 of the Post and Telegraph Act. What power has been given to this paid Government servant to override the laws and usurp the highest powers of the Government? No clearer proof could have possibly been given that the censorship established over this correspondence is unlawful than the damning evidence of Mr. Morris. I do not know whether your Worship will remember the well-known historical instance in 1844 when an accusation was made against the Secretary for Home Affairs, Sir James Graham, that he had opened the correspondence of the great Italian patriot Mazzini, who was then sheltering on the free soil of England from Austrian oppression. When he confessed he had done so he had to resign, and this charge eventually contributed to the downfall of the British Ministry. It is a well-known historical case, and it is set out with some fullness in the "Encyclopædia Britannica." I looked it up a day or two ago. I mention that to show what an important State function this is, and how serious it is that a Government servant should usurp the function of directing the opening of letters which are posted—a power which is only assumed on the highest State grounds—that is, danger to the State—by a responsible Government. I say the Protestant community of this country—and it is a numerous one—will require the strictest account from its Government for this illegal act of the Solicitor-General.

Now, on the first charge, what have we proved? We have proved, first, an attempt, successful for a time, in May, 1914, of the Catholic Federation, then recently formed, to deny to a Protestant newspaper the use of the Post Office on the alleged, or as I say the false, ground that that paper was disgustingly immoral in tone. Now, that is admitted in cold print by the Federation itself. The extract from the newspaper is before your Worship—a cutting from the *Herald* of the 20th May, 1914. [Read from the beginning of third paragraph to "disgustingly immoral in tone."] Copies of this paper, *The Menace*, have been put in evidence, and I defy any right-minded man to find one word of an immoral tone in that paper. It is a paper conducted by men who breathe the spirit of Martin Luther; it is a paper which has now a circulation of