

479. Did the Government promise that they would abolish it?—I understood from the circulars that that provision would be abolished. In practice I found almost immediately afterwards the Government interfered and enforced the regulation without any communication to me on the subject.

480. Did you make any remonstrance to the Government?—I believe I did, but I am not at present prepared to say what the remonstrance was. I was telegraphing to Mr. Lemon on the subject, and I made frequent inquiries at the telegraph office at Dunedin as to the rules, and I endeavoured to obtain all the information I could. At that time I was not aware of the actual printed regulations of the department, because I had no authentic copy. I got a copy, and I found the regulations printed as they are here. [*Reads clause No. 6, concluding thus: "This regulation does not apply to English mail press telegrams."*] I got them from an officer of the department. As no regulation was made abolishing this, that action of the Government was illegal. That was another reason which influenced me in writing these articles to attack the administration of the department.

481. *Mr. Vogel.*] What officer supplied you with a copy of those regulations?—I have no objection to mention the name, but I leave it to the Committee to say whether I should tell the name of the officer. It might prejudice him, but could not prejudice me.

[The Committee postponed decision as to whether the question should be answered.]

482. Did you tell the Committee that you were given a copy of these regulations, or simply shown them?—A copy was lent to me. Having made up my mind to write about the matter, I asked for the regulations and got a copy.

483. *The Chairman.*] You have stated generally, Mr. Barton, that you have no fault to find with any of the operators, but with Ministerial interference. You have stated that the telegram of the 8th September for the *Evening Post* was delayed in the Wellington office. Do you mean to say that it was delayed by the action of the operator, or that he received instructions from Ministers or from his superiors to delay it?—Most decidedly I think he received instructions from the Ministerial head of the department to detain the telegram—I mean the Commissioner of Telegraphs. That is my impression, because I cannot account for it otherwise. I wish to add that I wish Mr. Hart to be examined to prove that he overheard a conversation between Mr. Vogel and Mr. Fox in which he says they were chuckling over the way in which they had done the *Post*. That was in the office of the *Independent*, when he (Mr. Hart) was writing out his notes of a debate in Parliament. The conversation took place in the next room, between Mr. Vogel and Mr. Fox, the Premier.

484. *Mr. Vogel* said:—I wish to state that I give a total denial to a great many of Mr. Barton's statements with reference to myself, and am quite prepared to do so on oath.

485. *Mr. Vogel.*] Mr. Barton stated generally that he adhered to all he had written respecting the telegram referred to. In an article in the *Daily Times* of 7th October, there is this passage—"The conclusion, therefore, is clear: the telegrams were obtained through the special favor of the Government, which ordered the telegraph to supply the *Independent* with a copy of our telegrams in defiance of common honesty as well as written law." Is that your opinion still?—I have said in my evidence it must be the more rational explanation to give of it.

486. Does that passage still give your opinion?—Yes. I do not wish to take the words of that article. I consider the explanation given in the article more consistent with fact than that given by the Government. The Government explanation was contradictory, inconsistent, and confused, and I cannot take it as a satisfactory explanation of the circumstances.

487. I understand you to say that you see no reason to recall anything that you had written, and that you believe still that what you had written is correct?—I have said all that I have to say upon this particular subject.

488. Do you believe that the telegrams were obtained by the special favor of the Government, which ordered the telegraph to supply the *Independent* with a copy of your telegram?—That seems to me to be the most rational explanation of the two.

489. Do you believe that that is the case, or do you know that the telegrams were obtained by the special favor of the Government?—In effect, yes. I believe that that seems to me to be an explanation of the matter; that the *Independent* received the telegram through the favor of the Government. I wish that a copy of the *Hawke's Bay Herald*, of the 9th September, and the paragraph to which I alluded, may be obtained, as that will be strong evidence on an important point.

The witness then withdrew.

George Robert Hart in attendance, and examined on oath.

Mr. Hart.

490. *Mr. Vogel.*] Do you recollect making any statement to Mr. Barton?—I never had any communication direct with Mr. Barton at all. I do not know Mr. Barton personally at all.

491. Do you recollect having any communication with anyone as to having overheard a conversation concerning this telegraph matter?—Not that I recollect at all.

492. Did you ever overhear any conversation between the Hon. Mr. Fox and myself?—I never recollect having overheard any interview between those two.

[The following extract from Mr. Barton's evidence was read:—"I wish Mr. Hart to be examined to prove that he overheard a conversation between Mr. Vogel and Mr. Fox, in which he says they were chuckling over the way in which they had done the *Post*. That was in the office of the *Independent* when he (Mr. Hart) was writing out his notes of a debate in Parliament. The conversation took place in the next room between Mr. Vogel and Mr. Fox, the Premier."]

493. *Mr. Vogel.*] Is that correct?—It is not.

494. Have you ever overheard any interview of the kind?—I have overheard some conversation, but not with Ministers.

495. You are a reporter?—Yes. I was engaged last year on the *Independent* as Parliamentary reporter.

496. Have you ever heard any conversation with reference to this matter?—No. With reference to different matters.

Mr. Barton.
17th Oct., 1871.

Vide Appendix.

17th Oct., 1871.