

press telegram. It could not have been very private, for the Captain knew of it, and it had been mentioned on board ship. That induced me to mention the few words I did. My instructions were very simple: only to send 100 words.

280. *Mr. Vogel.*] Did Captain Pearce lead you to suppose that he was violating any confidence in giving you that information?—Not in the least.

281. Did he ask you not to telegraph it?—No, certainly not. I told him I was going to send a telegram to the Government.

282. Are you aware that Captain Pearce distinctly denied your evidence. That he said he told you nothing that was not in the second edition of the *Argus*?—I can say upon my oath he was the only person I spoke to about the news. I spoke to no one else. Captain Pearce knows perfectly well that the telegram was read. Nicholl admitted to me that the telegram was opened when he received it.

283. Did Mr. Nicholl say from whom he received the telegram?—No.

284. Has there been any suggestion made to you in any shape or form that you should give any advantage to any particular newspapers, either by the Government or your official superior?—Certainly not. I have read my instructions.

285. *Captain M'Pherson.*] You distinctly swear that France being declared a republic was received from Captain Pearce and no other source?—Yes, I never spoke to any other person, for I was too busy. I neither saw a letter or paper, or any other person, nor any telegram.

286. *The Chairman.*] You have stated that all the people at the Bluff knew all about the information?—I heard it in conversation next day that some information was known to other people at the Bluff that I had not sent away. I do not say at what time of the day I heard those reports. It might have been in the evening or at 12 o'clock.

287. Was the copy of Mr. Fordham's telegram in writing?—I cannot recollect whether in writing or print. I had no occasion to place any importance on that.

288. *Mr. Webster.*] You say he took it off a file?—It was simply on a telegram form, and the items were written.*

289. *Captain M'Pherson.*] Do you know Mr. Martin? Did you see him on board the "Gothenburg," and had you any conversation with him?—I never saw him, and had no conversation with him or any other person.

290. *The Chairman.*] Do you remember having used the expression "some of us will get six months for it"?—I did use that expression. I laughingly said I suppose some of us will get six months for it. It was used to Mr. Nicholl one day in chaff.

291. *Mr. Bathgate.*] Are you aware that it was a breach of the regulations for you to have sent that message?—No.

292. *The Chairman.*] You considered altogether you were acting under instructions from your superior officer?—Yes, it was by instructions I sent the telegram. The instructions I have read.

293. To send it as soon as possible after the ship arrived?—Yes.

294. But you kept it from half-past eight at night until nine o'clock next morning?—Yes.

295. Do you remember going to the telegraph office that night to ascertain whether it was closed or open?—I cannot say.

296. Does the telegraph officer reside at the office?—Yes.

297. Do you think he would have refused to send important telegrams to the Government if you had asked him?—He is very particular, but I never asked him.

298. Have you ever known him to refuse to forward telegrams addressed to the Government?—Not that I am aware of. I send very few telegrams to the Government.

299. You have never known him to refuse to send a telegram to the Government?—No.

300. *Mr. Lemon.*] You are perfectly certain you did not see the purser from the time you received the information from Captain Pearce to the time you put the telegram into the office at the Bluff?—Perfectly certain.

301. *The Chairman.*] You have a very precise recollection about not seeing the purser?—I have special reason to remember not having seen the purser because I did not receive the ship's papers.

MONDAY, 9TH OCTOBER, 1871.

Present:—

The Hon. Mr. Stafford, in the Chair.

Mr. Farnall,
Mr. Johnston,
Captain M'Pherson,

Mr. Pearce,
Hon. Mr. Vogel,
Mr. Webster.

Mr. Christopher Francis De Salis O'Toole in attendance, and examined on oath.

Mr. O'Toole.

The evidence given by witness on Friday, the 6th October, was read over to him, and some alterations made at his request. 9th Oct., 1871.

302. *The Chairman.*] You have heard the evidence read over. Is there anything else you wish to correct?—No, nothing else. Nothing whatever.

303. Before you sign this evidence the Committee think it right to tell you that they have got evidence which is not consistent with yours.—I have no wish to alter one single word. I don't wish to alter one single syllable. [*The witness then signed his evidence.*]

304. In your evidence on Friday you used words to this effect: "It was simply on a telegraph form, and the items were written." You wish to correct that, and state you are not sure whether

* See evidence of same witness on the 9th September, 1870.