

you differed from me, it is not unreasonable on my part to have expected that, as a colleague, you would have discussed the question with me. But not one word upon the subject have you ever spoken to me.

8 and 9. The reply to these paragraphs is included in the answer to 17.

10, 11, 12. We now come to the real grounds upon which I was necessitated to ask you to retire from the Cabinet—namely, your conduct with respect to the brewery prosecutions. You speak of these as “trumpery,” and as forming but “a subsidiary question,” and indeed the whole object of your letter appears to be to minimise the importance of our differences in this respect, and to suggest that they were merely a pretext for removing a colleague whom we had found objectionable for other reasons. I therefore propose to tell you very plainly what my feeling is about this matter, and to explain why I consider it important; and in what I am going to say I know that I represent pretty accurately the opinions of all your late colleagues. In one sense, no doubt, the subject-matter is mean enough, and deserves all the disparaging epithets you heap upon it, but in another sense the real point at issue between us is of a gravity which it is impossible to exaggerate. For, though a series of brewers’ frauds cannot in themselves be said to form any very heroic issue, it is quite clear that in the treatment of them questions of principle may arise of a very vital character. And this is exactly what has occurred in the present case. A series of gross, or, if you prefer it, “trumpery,” frauds occurred, and it fell to you in your official character to bring the offenders to justice, or, rather, by your sanction to allow the law to take its usual course. Instead of doing so, you interfered in one case, and in one case only, with the course of justice, and this one offender you thus attempted to screen was not only the worst offender of them all, but also, as it turned out, a personal friend of your own. Neither I nor any other of your late colleagues could approve of such an action, and we here found ourselves differing from you on a question of principle, which by no stretch of language could be called “trumpery” or “subsidiary.” We felt that it would be dishonourable to sanction what you had done, and that we could not continue to retain you as a colleague.

It will be better that I should give a narrative of this Junction Brewery case than that I should attempt to follow you through a very ingeniously constructed statement, which gives an entirely wrong impression of what really took place, and of the part you have played throughout. The facts are these: In the latter end of November certain irregularities were found to exist in the operations of Edmonds’s, Hamilton’s, and the Junction Breweries, and it was determined in your absence to prosecute them for evasion of the Beer Duty Act. Early in December you returned from Melbourne; and, when in Invercargill, on your way to Wellington, moved thereto by a telegram from a constituent in Wellington, you directed Mr. McKellar not to proceed with the prosecution of the Junction Brewery until your return. Mr. Hislop, who was Acting Commissioner of Customs, wired you very strongly on the subject. You then agreed, but not willingly, as your subsequent conduct shows, that the case should go on; but, before an information was laid you returned to Wellington, and had an interview with Mr. Bell, the Crown Solicitor, in which you say you instructed him “that if there were to be prosecutions they must be general and impartial, and that there must be no exception—the great and the small were to be prosecuted alike; and that on the same day you gave similar instructions to Mr. McKellar.” After this you saw Mr. Hislop, and told him that the prosecutions were to go on; and he expressed his satisfaction. It is somewhat difficult to understand why you thought it necessary to impress upon Mr. Bell and Mr. McKellar the necessity of impartiality, as they were both anxious that all the cases should be treated alike, and wished to go on with the prosecutions at once, you alone amongst the officials having raised any difficulty to the immediate prosecution of all the offenders alike. But your good resolutions, of which you had assured Mr. Hislop, to allow the prosecution of the Junction Brewery at the same time with the others did not last long enough to permit an information to be laid. Before this was done you sought a second interview with Mr. Bell, and the result of that interview was that Mr. Bell recommended that the cases of Edmonds and Hamilton should be first determined before any informations should be laid against the Junction Brewery. You say that “I minuted my agreement with that direction upon the letter” of the Crown Solicitor; and the fair inference from your statement is that the recommendation came spontaneously from Mr. Bell, and that you acquiesced in it in consequence of its being the advice of the Crown Solicitor. It is very difficult to understand without further information why Mr. Bell made this recommendation, or why you acquiesced in it, when you were so very determined that everybody should be treated alike. And, in order to make the matter clear, I wrote Mr. Bell a letter (copy of which I have already sent you) asking him for particulars of the second interview that you had with him, and received in reply several facts quite at variance with your general statement in your letter to me about the first interview; but unfortunately Mr. Bell did not consider himself at liberty, without your permission, to give full particulars of the interviews, so as to clear up this mystery. I therefore wrote you requesting permission for Mr. Bell to give details, but you have refused to allow him to give them. I can, therefore, only come to the conclusion that something must have occurred at the last interview with Mr. Bell which you think it desirable to conceal; and I am borne out in this opinion by the fact that you stated to more than one Minister, in order to induce him to vote with you against allowing the Junction Brewery to be prosecuted, that you had practically pledged your word that no prosecutions should take place.

In these circumstances—that is, after the second interview with Mr. Bell, the particulars of which you are determined shall be kept secret—taking action against the Junction Brewery was postponed until Hamilton’s case had been disposed of. Your conduct up to this point had undoubtedly produced an unpleasant feeling in the minds of several members of the Cabinet; but I had hoped that the whole difficulty would be got over by the prosecutions proceeding directly Hamilton’s case was disposed of. Upon the conviction of Hamilton, about whose case I will say a few words presently, the Cabinet, myself, and the Acting Secretary of Trade and