

“Sworn at Christchurch, this 4th day of August, 1905, before me—C. E. Salter, a Solicitor of the Supreme Court of New Zealand.”

(d.) That the accused committed a further grave breach of the said regulation in that, on or about the 4th August, 1905, he gave a copy or duplicate of the said affidavit to Mr. T. E. Taylor, a member of the House of Representatives.

*General Remarks on Charges against Joseph Willis.*

Mr. Willis admitted that he committed breaches of the said Regulation No. 44 in giving Mr. Fisher the information as stated in the foregoing paragraphs (a), (b), and (c), but urged that when he did so he was ignorant of the said Regulation No. 44, and did not know that he was committing a breach thereof. We would point out, however, that when Mr. Willis joined the service he signed the following memo. written on a copy of the said regulations, viz. :—

“I have carefully read these rules, and understand them, and will use my best endeavours to give effect to them.”

Mr. Willis also urged that he honestly believed that an improper payment had been made to the said Captain Seddon, in that the said Captain Seddon was not, in his opinion, competent to perform the service, and that he, as a private citizen acting in the public interest, was therefore justified in informing Mr. Fisher of such payment, as he (Fisher) was a member of Parliament and “trustee for the people.” In our opinion Mr. Willis, knowing that Mr. Fisher intended to adversely criticize in Parliament the administration of the Government, deliberately gave Mr. Fisher information as to the existence of the said alleged voucher and payment in order that Mr. Fisher might so adversely criticize the action of the Government in authorising and making the said alleged payment.

Mr. Willis admitted during the inquiry that Voucher No. 15819 was not in favour of Captain Seddon, but was a voucher in favour of Andersons (Limited), of Lichfield Street, Christchurch, and was receipted by one Richard Sneddon, authorised agent for the said Andersons (Limited).

With regard to the charge made against Mr. Willis—viz., that he did in the month of December, 1904, whilst discussing with the said Mr. Fisher (who was not then a member of the House of Representatives) a case then pending in the Supreme Court at Christchurch, inform the said Mr. Fisher that to his knowledge as a post-officer Captain Seddon had received a payment to which he was not entitled—the evidence produced by the complainant did not support the charge.

Mr. Willis was also charged with sending, conjointly with Messrs. Larcombe, West, and Lundon, the following telegram to Mr. T. E. Taylor, M.H.R., during the sitting of Parliament in August last :—

“To Mr. T. E. Taylor, M.H.R.—We are confident unrestricted public inquiry will establish charge. Hope you will press your motion.”

The evidence disclosed that on the 31st August last Mr. Willis wrote out and sent the said telegram as aforesaid. He signed it “Willis, Larcombe, West, and Lundon.” Messrs. Larcombe, West, and Lundon admitted that Mr. Willis informed them that he intended to send a telegram to Mr. Taylor, M.H.R., urging him to press for a public inquiry into the existence of the said alleged voucher in favour of Captain Seddon, and they assented.

We doubt whether the sending of the telegram constituted a breach of the Regulation No. 44, which was the only regulation relied on.

With regard to the fidelity declaration (Exhibit A) made by Mr. Willis when he entered the service, we are inclined to the opinion that a breach thereof has not been established. Having regard to the wording of the declaration, we doubt whether Mr. Willis’s conduct amounts to a violation of the promise made by him in such declaration, and we therefore give him the benefit of such doubt.

The evidence disclosed that the accused Willis was, throughout, the prime mover in the matters complained of. He went with Messrs. Fisher and Taylor, M.H.R.’s, to the private houses of Messrs. Larcombe and West for the purpose of inducing these officers to corroborate his prior statements to Messrs. Fisher and Taylor as to the existence of the alleged voucher. He was most active in